## AFFIDAVIT

State of Alabama, :
Shelby County :

Before me, the undersigned authority in and for said County, in said State, personally appeared Pat J. Kroell and who being first duly sworn deposeth and said, separately and severally, as follows: that each was acquainted with Marcy C. Randall and B. T. Randall who are named as grantegs in the deed from Elizabeth Y. Randall and husband, George M. Randall, recorded in Deed Book 51 page 73, and in the deed from C. F. Randall et als., recorded in Deed Book 48, page 167, on file in the Office of the Judge of Probate of Shelby County, Alabama; that the Affiants are not related to either of said Grantees; that the Affiants have lived in Shelby County for more than the past 70 years and knew the said Grantees more than 40 years ago. The Affiants further say that they have known the lands described in said deed and the ownership thereof for more than the past 40 years; that the said Mary C. Randall and B. T. Randall were living upon and in the actual possession of the said lands therein described mome than 40 years ago and thereafter continued to live upon and be in the actual possession thereof until Mary C. Randall died about Oct. 7th, 1911, and the said B. T. Randall continued to have the actual possession of said lands until his death about 29th day of June, 1936, when the Executor of his will and estate, E. G. Givhan, took the actual possession thereof and continued in such possession until final settlement of the estate of said B. T. (Benjamin Thomas) Randal was made in the Probate Court of Shelby County, Alabama, on towit, 26th day of November, 1937, when the Devisses of the said Benjamin Thomas Randall took actual possession thereof and have thereafter and continuously remained in the possession thereof jointly until the same was divided among them and separately by each as to his, their or her share are shown by deeds of records, respectively, and that since such division they and their successors in title have been in the actual and continued possession thereof. The Affiants say that the character of the possession by said Mary C. Randall and B. T. Randall was by actually living on the said land, cultivating the same themselves and by tenants until and as each died as hereinbefore stated, which possession was open, notorious, peacable, and continuous and adverse against all persons, under claim of ownership and that no one to the knowledge of the affiants ever disputed their ownerships, respectively, or set up any adverse claim thereto; that the Possession of the said E. G. Givhan was actual by and through tenants to whom he rented the said real property, and was in every other respect the same as specifically setout above as to the said Mary C. and B. T. Randall, except that the said E. G. Givhan, as such Executor, held possession by virtue of his trust only and did not claim any interest therein otherwise; that the successive possession thereof by the Devisees of Benjamin Thomas Randall jointly and severally, and their successors in title, was of the identical character and details as setforth hereinbefore, as to the character of possession by the said Mary C. Randall and Benjamin Thomas Randall, except that in some instances the said Devisees did not actually live upon the respective parts owned by them, but were in the actual possession by tenants in actual possession under them.

The Affiants further say that the said lands of said Mary C. Randall and B. T. Randall hereinbefore referred to was in one body until it was divided between the Devisees of said Benjamin Thomas Randall, and that in the division Louis Haywood Randall and William Warren Randall got as their part the land as described in deed to them Charles R. Knowles et als., dated July 9th, 1939 and recorded in Deed Book 105, page 457, on file in said Probate Office, and the land described as North 1/2 of NW4 of Sec. 6, Tp. 24 Range 12 East in said deed is in Range 13 East and is a part of the said Mary C. and B. G. Randall lands.

And further the Affiants saith not.

Subscribed and sworn to before me, this the 27 day of August, 1942.

Wm. D. McConaughy, Motary Public for Shelby County, Alabama.

(Seal)

Pat J. Kroell

Filed for record in this office on the 5th day of Nov., 1942 at two o'clock P. M. and duly recorded in Deed Record Vol. 114, Page 175.

No tax due on this instrument. L.C.Walker

Judge of Probate