



1469

AFFIDAVIT

STATE OF ALABAMA, 
SHELBY COUNTY: 

Before the undersigned authority personally appeared J.F. McGraw, Sr. who is known to me, and who being by me first duly sworn deposeth and says:

I am acquainted with Mr. B.F. Day and his wife, C.E. Day, to whom W.T. Oaks and wife, Mary L. Oakes, executed a deed on the 2nd day of October, 1908, and which deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 29 at page 303. The only children of Mrs. C.E. Day, and who constitute her sold heirs at law and next of kin are as follows:

1. Mallard Day, whose wife is Evalene Day
2. Katie Day Bradford, a daughter, who is a widow
3. L.E. Day Carroll, a daughter, whose husband is Jim Carroll.

The land in the deed above described is the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2, Township 19, Range 2 East, Shelby County, Alabama, and the grantee in said deed went into possession thereof immediately after the execution of said deed and has remained in the actual, open, notorious, continuous, exclusive adverse possession of the same, having tenants upon it and portions of it cultivated each and every year until the death of Mrs. Day, and thereafter B. F. Day remained in possession of the property, having portions of it cultivated each and every year and was in the actual, open, notorious, exclusive, adverse possession of same until he deeded it to W.A. Davis, by deed dated August 14, 1943, and recorded in the Probate Office of Shelby County, Alabama, in deed book 116, at page 152.

I am acquainted with the W $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2, Township 19, Range 2 East, Shelby County, Alabama, which was deeded by J.E. Elliott and wife, A.B. Elliott to B.F. Day on the 23rd day of August, 1905, and which deed, bearing that date, is recorded in the Probate Office of Shelby County, Alabama, in deed book 27 at page 542. B.F. Day went into possession of said land immediately after the execution of the aforementioned deed and remained in the actual, open, notorious, continuous, exclusive, adverse possession of same, cultivating portions of it, or having portions of it cultivated, each and every year until he deeded it to W.A. Davis, by deed dated August 14, 1943, and recorded in the Probate Office of Shelby County, Alabama, in deed book 116 at page 542.

NOTARIAL SEAL

J.F. McGraw, Sr.

Sworn and subscribed to before me on this the 21 day of April, 1944.

James O. Gorman
Notary Public

Filed in the office of the Probate Judge the 22nd day of April, 1944 at 10 o'clock A.M. and recorded in the Deed Record 118 on page 306 on this the 22nd day of April, 1944.

L.C. Walker,

NOTAX DUE ON THIS INSTRUMENT

Judge of Probate