
 AFFIDAVIT

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STATE OF ALABAMA

SHELBY COUNTY

Personally came and appeared before me, S. A. Lokey, Notary Public for the State of Alabama, at large, L.C. Abbott, who after first being by me duly sworn according to law to speak the truth deposeth and says:

My name is L.C. Abbott. I live at Shelby, Shelby County, Alabama and was reared there and have lived there most of my life and have known the hereinafter described land and the people hereinafter mentioned for more than 30 years. I am one and the same person as L.C. Abbott, the grantee in that certain deed from the heirs of Mary Johnson, dated the day of September, 1909 and recorded in the office of the Judge of Probate for Shelby County, in Deed Book 35 at page 38. I was well acquainted with the said Mary Johnson and her heirs and the grantors in said deed constituted all the heirs of the said Mary Johnson. At the time of the execution of said deed the wife of D. D. Johnson, one of said heirs and one of the grantors in said deed, had abandoned him and her whereabouts was not known and she did not sign said deed. However, the said D. D. Johnson has now been dead more than 10 years and his widow, if living, has made no claim for dower or other interest in any property conveyed by said deed.

I have been well acquainted with the following described land for more than 30 years to-wit:

One acre more or less in the Northwest Corner of the Southwest Quarter of the Northwest Quarter, Section 4, Township 24 North, Range 15 East, described as follows: Beginning at the Northwest corner of said forty and running South 50 yds, thence East $96\frac{1}{2}$ yds, thence North 50 yds, to the Northern boundry line of said Forty, thence West $96\frac{1}{2}$ yds. to point of beginning.

J. W. Davis who is also known as Joshua Davis conveyed said acre to S. L. Horton and wife

E. A. Horton, about Nov. 20, 1908. The said Joshua W. Davis wife was known as Anna Davis and she signed both as F. A. Davis and F. Anna Davis. She is one and the same person as the F. Anna Davis who with, J.W. Davis, executed a mortgage to J.L. Batson on Jan. 4, 1913. She has now been dead many years.

The said, S. L. Horton and E. A. Horton went into immediate possession of said acre, soon after the execution of said deed on Nov. 20, 1908 and remained in possession, living in the house situated on said acre until they conveyed to Sam Ellison about September 7, 1922, and the said, Sam Ellison went into possession and remained in possession living on said acre of land until he conveyed the same to, C. R. Montgomery in 1942. C. R. Montgomery has since been and is now in possession of said acre by the agency of his tenant. The said J.W. or Joshua Davis has not been in possession of any part of said acre since his deed to S. L. and E. A. Horton in 1908, nor has anyone claiming under him been in possession of any part of said acre, nor has anyone been in possession of any part of said acre, nor has anyone been in possession of any part of said acre claiming adverse to the said Hortons. And the possession of the said S. L. and E. A. Horton, Sam Ellison and C. R. Montgomery has been for more than 20 years, continuous, actual, exclusive peaceful, quite, open notorious, adverse, hostile, and under color of title and claim of ownership.

L.C. Abbott

Sworn to and subscribed before me this the 20th day of November, 1944.

S. A. Lokey

Notary Public

Filed in the office of the Probate Judge the 21st day of November, 1944 at 11 o'clock A.M. and recorded in the Deed Record 119 on page 288 on this the 22nd day of November, 1944.

L.C. Walker,

NO TAX DUE ON THIS INSTRUMENT

Judge of Probate