
 AFFIDAVIT

#728

STATE OF ALABAMA, |

SHELBY COUNTY... |

Before me, L. C. Walker, Judge of Probate in and for said County, in said State, personally appeared L. C. Abbott, who, being duly sworn, deposes and says that he is Tax Collector of Shelby County, Alabama, and resides at Shelby in said County and State, as aforesaid; that for a period of fifty years, last past, he has been acquainted with the following described real estate situated in Shelby County, Alabama:.

All that part of the Northwest Quarter of the Northwest Quarter of Fractional Section 23, Township 22, Range 1 East, lying South of the right of way of the Alabama Mineral Branch of the Louisville and Nashville Railroad Company.

Also, all of Fractional "D" or, West Half of the Southwest Quarter of Fractional Section 23, Township 22, Range 1 East, EXCEPT one acre described as follows: Beginning on the base line at the Southwest corner of Fractional Section 23, Township 22, Range 1 East, known as the pine tree, or traditional Southwest corner of said Section 23; and running thence North along said line between Sections 22 and 23, a distance of 350 feet; run thence East 243 feet to the public road known as the Fort Williams and Shrader Mill Road; run thence in a Southwesterly direction along said public road a distance of 350 feet back to the said pine tree, or

traditional Southwest corner of said Fractional Section 23, Township 22, Range 1 East, containing one acre, more or less.

Affiant further says that he knew Mollie Sturdivant and her son, S. Arnold Sturdivant, the grantees in that certain deed from Green Merrell and wife, Malissa Elliott Merrell, dated March 16, 1898, and recorded in Deed Book 20, on page 522.

Affiant further says that S. Arnold Sturdivant, the son of Mollie Sturdivant, departed this life sometime during the year 1898, unmarried and intestate, and left as his sole heirs at law and next of kin his mother, Mollie Sturdivant, and one brother, Clark Sturdivant.

Affiant further says that the grantors, Mollie Sturdivant, and Clark Sturdivant, being mother and son, respectively, were each unmarried on the 25th., day of September, 1900, being the date of conveyance of the above described property to the firm of Averytt & Averytt, as shown by deed of record in Deed Book 84, on page 461, in the office of the Judge of Probate of Shelby County, Alabama.

Affiant further says that Averytt & Averytt was a partnership composed of George H. Averytt and J. F. Averytt during the years including 1900 through 1906, and longer.

Affiant further says of his own personal knowledge he knows that for forty-five years, last past, that Flora I. Burton and the heirs-at-law of J. W. Burton, deceased, and those through whom the said Flora I. Burton and heirs-at-law of J. W. Burton hold title to the above described lands have been, respectively in the open, notorious, continuous, peaceable and adverse possession of said lands, claiming them as their own respectively against all the world and exercising acts of ownership over said lands; that affiant has never heard the title of the said Flora I. Burton and the heirs of law of J. W. Burton, deceased, or those through whom they hold title to said lands to be questioned.

L. C. Abbott

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

L. C. Walker

Judge of Probate, Shelby County, Alabama.

Filed for record in this office on the 17th day of January, 1945, at eleven o'clock A. M. and duly recorded in Deed Book Vol. 119 on pages 413 et sequitur.

No tax due on this instrument -

L. C. Walker, Judge of Probate

