

AFFIDAVIT

STATE OF ALABAMA,)

SHELBY COUNTY.)

Before me, L. C. Walker, Judge of the Probate Court in and for said County, in said State, personally appeared J. H. Fulton, who, being duly sworn, deposes and says that he is 77 years of age, and now resides at Columbiana, Alabama, but resided in the Saginaw community for a number of years; that for a period of more than fifty years, last past, he has been acquainted with the location, owners, and the possession of the following described lands situated in Shelby County, Alabama, to-wit:

All of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, EXCEPT ten acres of equal width across the South side of said forty, and also, that part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ which lies South of a line beginning at the Southwest corner of said forty acres and running thence North 242 feet to an old road; run thence South 78 degrees and 30 minutes East along said road to the Southeast corner of said forty acres, and all in Section 8, Tp. 21, Range 2 West.

Affiant further says that he was acquainted with Marshall B. Smith being the same person as M. B. Smith during his life time; that he was acquainted with the heirs-at-law of the said M. B. Smith, at the time of his death which was more than ten years, last past. The heirs-at-law of the said M. B. Smith on and before November 26, 1934, were as follows: J. Abraham Smith, Mollie Smith Dangerfield, Joyce Stein, Jack Smith, Dora Cost, Morris Smith, Onzelle Denman, Grace Niles and Anna Hale, being the grantors and the grantee in that certain deed from J. Abram Smith to Anna Hale, dated November 26, 1934, and recorded in Deed Book 98, on page 361, in the office of the Judge of Probate of Shelby County, Alabama.

Affiant further says, of his own personal knowledge, he knows that for fifty years, last past, Eugene Massey and those through whom the said Eugene Massey hold title, namely, Howard Finley, Anna Hale, M. B. Smith and the heirs-at-law of M. B. Smith, and John W. Naish and the heirs-at-law of John W. Naish, respectively, to the above described lands have been in the 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 land; that affiant has never heard the title of the said Eugene Massey, or those through whom he holds title to said lands to be questioned in any way.

J. H. Fulton

Sworn to and subscribed before me on this the 23d. day of January, 1945.

L. C. Walker, Judge of Probate, Shelby
County, Alabama.

Court Seal

Filed for record in this office on the 23rd day of February, 1945, at ten o'clock A. M. and duly recorded in Deed Record Vol. 119 on page 514.

No tax due on this instrument -

L. C. Walker, Judge of Probate