
AFFIDAVIT

#641

STATE OF ALABAMA, |

SHELBY COUNTY.... |

Before me, the undersigned authority in and for said County, in said State, personally appeared A. B. Bristow and O. K. Curlee, who, being duly sworn, depose and say that they reside in Shelby, Shelby County, Alabama; that for a period of more than fifty years, last past, they have been acquainted with the location, boundaries, use, occupancy, and owners of the following described tracts, or parcels of land situated in Shelby County, Alabama, and described as follows:

PARCEL ONE.

A parcel of land described as beginning at the Southwest Corner of a tract of parcel of land formerly owned by M. S. Carter, and deed to him by Willaby Seale, being the East Half of the East Half of the Northeast Quarter of the Southeast Quarter of Section 14, Township 22, Range 1 West as described in Deed Book 13, on page 485, and running thence North 70 yards; thence West 70 yards; thence South 70 yards; thence East 70 yards to place of beginning, and containing one acre, more or less, and situated in the Northeast Quarter of the Southeast Quarter of Section 14, Township 22, Range 1 West, situated in Shelby County, Alabama.

Affiants further say that when they first knew the above described lands, in 1893, that Ella D. Carter and her husband, Arch M. Carter were occupying and residing upon said lands as their homestead, and continued to reside thereon until on, or about 1898 at which time, Arch M. Carter was killed, and the said Ella D. Carter removed therefrom, and on, or about March 1905, Ida E. Sturdivant purchased the above described lot and moved thereon and continued to reside thereon until on or about July 11, 1927, at which time she conveyed the above described parcel and other lands to William L. Seale who immediately took possession of said parcel and moved thereon and continued to reside thereon with two of his sisters until the date of his death in September, 1943, and that since the death of the said William L. Seale, the heirs-at-law and next of kin have continued in the possession of said house and lot.

PARCEL TWO.

A part of the Northeast Quarter of the Southeast Quarter described as beginning at the Northeast corner of the lot formerly belonging to Ella D. Carter and which is more accurately described as PARCEL ONE in this affidavit: Run thence North 926 feet; run thence West 318 feet; run thence South 1176 feet; run thence East 105 feet; run thence North 210 feet; run thence East 210 feet to the point of beginning, and containing 6 acres, more or less, and situated in the Northeast Quarter of the South-

east Quarter of Section 14, Township 22, Range 1 West in Shelby County, Alabama.

Affiants further say that when they first knew the above described land that it was owned and in the possession of Willoughby Seale, and who continued in the possession thereof until the date of his death and during the year 1896 the Probate Court set aside the above described tract and other lands as exempt and allotted to Sarah S. Seale, the widow of said Willoughby Seale; affiants further say that on, or about the month of March, 1905, Ida E. Sturdivant purchased the lands described in PARCEL ONE and also in PARCEL TWO and moved thereon and took possession of the same and continued to reside upon PARCEL ONE as a house site and used PARCEL TWO for barn sites and the cultivation of crops until on, or about July 1927 at which time the said Ida E. Sturdivant conveyed the above described parcel, known as PARCEL TWO herein, as well as PARCEL ONE herein, to William L. Seale, who entered into the immediate possession and continued in such possession and resided thereon with two of his sisters continuously until the date of his death on, or about the month of September, 1943, and since the date of the death of said William L. Seale, his heirs at law and next of kin have continued in the possession of said lands.

Affiants further say that the lines and the boundaries of both of the above described tracts, or parcels are well marked and defined, and have been continuously so for more than fifty years, and that there has been no dispute as to such location and boundaries on the part of any contiguous land owners during the past fifty years.

Affiants further say that they are acquainted with the lands known as the Peter Juzan, John Juzan, and Thurman Juzan lands as described by deed of record in Deed Book 88, on page 369, and in Deed Book 100, on page 154, and in Tax Sale record 13, on page 43, all in the office of the Judge of Probate of Shelby County, Alabama, and that no part of the lands described in the several deeds form any part, or include any parts, of the parcels of lands herein described and designated as PARCELS ONE AND TWO, and that neither of the grantors or the grantees named in either of the said deeds have been in the possession of, or claimed to own any of the lands described in PARCELS ONE AND TWO at any time during the past fifty years.

Affiants further say that they are acquainted with all of the heirs at law of William L. Seale, deceased, and that the grantors named in that certain deed from Walter B. Seale and others to Jesse Higginbotham, Jr. and dated November 30, 1945, constitute all of the heirs at law and next of kin of the said William L. Seale, deceased.

Affiants further say that of their own personal knowledge they know that for fifty years, last past, that the heirs at law and next of kin of William L. Seale, deceased, and those through whom the said heirs at law hold title, namely, William L. Seale, Ida E. Sturdivant, Ella D. Carter, Sarah S. Seale, respectively, to the above described lands have been, respectively, in the open, notorious, continuous, peaceable, and adverse possession of said lands claiming each parcel, or tract thereof as their own, respectively, against all the world, and regularly exercising acts of ownership of said lands by using the one acre tract as a house site and as a homestead for more than fifty years, and using the six-acre tract contiguous thereto for a barn site and for agricultural purposes in connection with said one acre tract; affiants further say that they have not heard the location, boundaries, rights of possession, or the title of the said heirs at law, or next of kin of William L. Seale, deceased, or those through whom they hold title, as aforesaid, to be questioned in any way.

A. B. Bristow

O. K. Curlee

Sworn to and subscribed before me on this the 5 day of December, 1945.

Cecil Davis, Notary Public, Shelby County,
Alabama.

Notarial Seal

Filed for record in this office on the 6th day of December, 1945, at one o'clock P. M. and duly recorded in Deed Record Vol. 123 on page 187 and examined. L. C. Walker, Judge of Probate.

NO TAX DUE ON THIS INSTRUMENT.