

A F F I D A V I T

STATE OF ALABAMA, |

SHELBY COUNTY.... |

Before me, Wm. D. McConaughy, a Notary Public, in and for said County, in said State, personally appeared R. M. Bean, and B. L. Lucas, who, being first duly sworn depose and say that they reside in Shelby County, Alabama, and at Route #1, Montevallo, Alabama, and in close proximity to the hereinafter described lands, and that they have resided in the community of the hereinafter described lands for more than forty-five years, last past, and for and during said period they have been acquainted with the location, boundaries, use, occupancy, possession, ownership of the following described lands, situated in Shelby County, Alabama, to wit:

The South Half of Fractional "B" of Section 12, Township 24, Range 12 East, containing 45 acres, and 10 acres of land in the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 11, Township 24, Range 12 East, and described as follows: Beginning in the Northeast corner of said Southeast Quarter of the Southeast Quarter of Section 11, and run thence West 160 yards; thence South 303 yards; run thence East 160 yards, and thence North 303 yards to the point of beginning.

Affiants further say that for more than forty-five years, last past, they know that John B. Sessions resided upon, and was in the possession of and claimed to own the above described lands including the 10 acres in Section 11 as described above, and that at that time the entire 10 acres of land as described as being in Section 11 was surrounded by a fence and was in cultivation and use by the said John B. Sessions and that this possession and use continued by the said John B. Sessions until the sale of said lands on, or about October 4, 1910, to W. H. Friday, and immediately upon said sale, as aforesaid, the said W. H. Friday was placed in possession of the lands including the 10 acres as described above in Section 11 by the said John B. Sessions and that all, or a part of said purchase price was paid by the said W. H. Friday at the time of said sale, and from the date of said sale, as aforesaid, the said W. H. Friday moved upon said premises and continued to occupy and use the above described lands, including the 10 acres, as a homestead continuously until the date of his death on September 13th., 1943, and that during the years of ownership and occupancy by the said W. H. Friday he did, for a number of years, cultivate the entire 10 acres, and in later years place in pasture a part of said 10 acres, and the remainder he cultivated in agricultural crops until the date of his death.

Affiants further say that they are informed that the deed to W. H. Friday conveying this property erroneously described the 10 acres of land which is situated in Section 11 as being in the Northeast corner of the Southeast Quarter of Section 11, Township 24, Range 12 East.

Affiants further say that they know that the lands purchased by the said W. H. Friday and the lands of which he was placed in possession is 10 acres in the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 11, Township 24, Range 12 East.

Affiants further say that they know of and have personal knowledge that for more than forty-five years, last past, that neither the Alabama Iron and Steel Company, or the Alabama Carbon Company, or the Climax Coal Company, or Esther A. Peter, Blanche Peter, Edward T. Peter, Sadie C. Peter, George F. Peter, Flornce Root and husband, C. W. Root, or Edwin Fowler, Robert G. Brodie, as Trustees, nor the Southern Mineral Land Company have ever been in possession of the 10 acres described as being in Section 11, nor have they ever claimed to own said lands.

Affiants further say that W. H. Friday departed this life in Shelby County, Alabama, on September 13, 1943, and left surviving him as his sole heir and next of kin one daughter, Willie Lee Friday, who has been in the continuous possession of the above described lands since the date of her father's death, as aforesaid.

Affiants further say that the said John B. Sessions and W. H. Friday and his daughter, Willie Lee / Friday have for the past fifty years used the above described premises as a homestead, and have used the same for farming and pasture purposes continuously.

Affiants further say that of their own personal knowledge that they know that for more than forty-five years, last past, that Willie Lee Friday, and those through whom Willie Lee Friday holds title, namely, W. H. Friday, and John B. Sessions to the above described lands, have been in the open, notorious, continuous, peaceable, and adverse possession of said lands, claiming the said lands as their own, respectively, against all the world, and regularly exercising acts of ownership of said lands by using the same as a homestead and for the cultivation of crops and pasture lands continuously, and that affiants have never heard the title of the said Willie Lee Friday, or those through whom she holds title, namely, W. H. Friday and John B. Sessions, to be questioned in any way.

Affiants further say that they are not of kin to the owner of the above described property, neither do they have an interest in the above described lands.

R. M. Bean

B. L. Lucas

Sworn to and subscribed before me on this the 24 day of November, 1945.

Wm. D. McConaughy, Notary Public, Shelby County,
Alabama.

Notarial Seal

Filed for record in this office on the 14th day of December, 1945, at twelve o'clock noon and duly recorded in Deed Record Vol. 123 on page 204 and examined.

L. C. Walker, Judge of Probate.

NO TAX DUE ON THIS INSTRUMENT

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