

1047

THE STATE OF ALABAMA

JEFFERSON COUNTY

Before me the undersigned authority in and for said County in said State, personally appeared Dora Barnes, who being first duly sworn on oath says that this affidavit relates to that certain property heretofore conveyed by Mrs. J. A. Wright to Jesse T. Barnes and wife, Mary E. Barnes, and which property was conveyed by deed recorded in Volume 116, page 595, in the Probate Office of Shelby County, Alabama, Affiant further says that the name of Mrs. J. A. Wright was Julia Ann Wright and that affiant is one and the same person as the Dora W. Barnes, named as one of the mortgagees in a mortgage recorded in Book 194, page 52, of the Mortgage Records of Shelby County, Alabama.

Affiant further says that she has known the said 5 acre tract of land for the past 42 years, and that she was personally acquainted with S. D. Cox, who formerly owned the land and that the said S. D. Cox was in actual possession of said property, cultivated the same from the time of its purchase by him in December 1909 until he sold it to J. H. Peoples and Mary Peoples, in 1921, and that the said J. H. Peoples and Mary Peoples moved on to said property and resided thereon when they purchased it in 1921, and about a year later sold it to Kirgle Bishop, who was the same person as A. K. Bishop. The said A. K. Bishop or Kirgle Bishop moved on to said property and took possession thereof upon its purchase by him in the year 1922, and thereafter resided thereon and cultivated said property until his death in 1928. Affiant further says that the said A. K. Bishop left surviving him his widow, Ruby Cox Bishop, who was a grand-daughter of S. D. Cox, and that the said A. K. Bishop was also survived by one son, W. T. Bishop, who is now over 21 years of age and that the said A. K. Bishop did not have any other children, or children of dead children of his. Affiant further says that said property remained in possession of Ruby Bishop and W. T. Bishop until its sale by them to Albert Odell Wright and Rosa Wright in September 1937, the said Ruby Bishop having married Herman K. Elliott and that she made her home on said property until its sale to Mr. and Mrs. Wright. That Albert Odell Wright and his wife resided on the property until they sold the same to Mrs. J. A. Wright, the mother of affiant and that Mrs. J. A. Wright remained in possession of said property until its sale to Mr. and Mrs. Barnes about a year and one-half ago and that said property was cultivated by tenants of Mr. and Mrs. Barnes during the year 1945, and had been cultivated by tenants of Mrs. Wright in 1944. Affiant further says that the line between this property and that of G. W. Collins lying Northeasterly from the property herein mentioned is well defined by a cross-fence, which cross-fence has been there in its present location for at least 40 years. Affiant further says that the South boundary of the five acres herein mentioned is a creek or branch, that the West boundary is partly the creek and partly a spring branch and that the Northwest line of the property is a road, and the Northeast boundary is the cross-fence between this 5 acres and the land of G. W. Collins.

Affiant further says that said 5 acre tract has been in continuous cultivation and occupancy by the various parties herein named for more than 40 years commencing with S. D. Cox and that it is improved with a residence and that during said time no one has ever disputed the title or possession of the parties herein named commencing with S. D. Cox and ending with Jesse T. Barnes and Mary E. Barnes. Affiant further says that Mrs. J. A. Wright is now dead and left surviving her as her sole and only heirs at law, affiant, Dora W. Barnes, and Mrs. Izetta Brasher, another daughter, Carl Wright, a son, Collice Wright, another son, and Odell Wright, another son, and that her said mother died without leaving a will and that each of said heirs at law are over the age of 21 years and that Mrs. J. A. Wright did not leave any child of a deceased child of hers.

DORA BARNES

Sworn to and subscribed before me this 16 day of January, 1946.

E. W. LILES
Notary Public

Filed in office of Judge of Probate Jan. 24, 1946 at 2 o'clock P. M. and recorded in Deed Record 122, pages 335 and 336 Jan. 26, 1946.

L. C. WALKER,

JUDGE OF PROBATE.

No Tax Due