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AFFIDAVIT

-#2370 -m- --

STATE OF ALABAMA,

SHELBY COUNTY.

Personally came and appeared before me Lula E. Kimbrough a Notary Public in and for said County in said State _____ who after being by me first duly sworn according to law to speak the truth deposeth and says:

My name is T. E. Darby. I am 78 years of age. I live at Harpersville and have lived here for 43 years and during all this time I was well acquainted with the following described property and those in possession of said property, to-wit:

Quarter of Section 33, Township 19 South, Range 2 East and run South 30° West 321.7 ft. along the old Coosa Valley Road; run thence along said road South 6° 515West 84 ft.; run thence along said road South 8° East 429.5 ft. for point of beginning of lot herein conthence along said road South 10° 20I East 371.7 ft.; run thence veyed;/continue/South 89° 50' West 117.5 ft.; run thence North 87° 30' West 226.5 ft.; run thence North 85° 10' West 114.5 ft.; fun thence North 6° 40' West 149.5 ft; thence North 2° West 165 ft. run thence North 83° East 247.7 ft.; run thence North 86° East 170.9 ft. to point of beginning and containing $3\frac{1}{2}$ acres more or less, situated in Shelby County, Alabama.

I have examined a plat of the above described lot made by Jr R. McMillian in April of 1946 and this land is the same land that was conveyed by deed of B. H. Lane and wife B. O. Lane to S. E. Elliott about November 24, 1913 by deed recorded in the Office of the Judge of Probate in Deed Book 56 at page 253. The said S. E. Elliott went into emmediate possession under said deed and occupied the land as a homestead, cultivating parts, pasturing parts and ect. that soon thereafter the said S. E. Elliott conveyed said property to his wife Lyda M. Elliott by deed recorded in the Office of the Judge of Probate in Deed Book 56 at page 255 and the said Lyda M. Elliott has since been in possession and is now in possession and has continously been in possession since 1913, keeping said property under fence, pasturing parts and having parts cultiv ated and living on said

land and in every way using it as a homestead.

Possession of said Lyda M. Elliott from 1913 to date has been continous, actual, exclusive, peacful, quite, open; notorous, under color of title and claim of ownership and every part of the above described land has been under fence during this time and claimed exclusively by the said Lyda M. Elliott and I known of no person claiming any right, title or interest in or to any part os said land adverse to the said Lyda M. Elliott nor have I heard anyone complain that she had more under fence than she was entitled or more than her deed called for

T. E. Darby

NOTARIAL SEAL

Sworn to and subscribed before me this the 20th. day of April, 1946.

Lula G. Kimbrough

Filed for Record the 16 day of May, 1946, at 1 o'clock P. M., and recorded in Deed Record 124 on page 111 on the 17 day of May, 1946.

NO TAX DUE ON THIS INSTRUMENT.

L. C. WALKER

JUDGE OF PROBATE.