AFFIDAVIT

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STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared John Carter, who, after first being by me duly sworn to speak the truth, deposes and says;

My name is John Carter. I am 69 years of age and have lived in the Wilton community since 1910 and have all along been familiar with the ED 5. Ambrose farm described below, and have been familiar with those persons in possession of it. Said land is described as follows:

The $\mathbb{W}^1_{\mathbb{Z}}$ of the $\mathbb{S}\mathbb{W}^1_{\mathbb{A}}$ of Section 4; also, that part of the $\mathbb{E}^1_{\mathbb{Z}}$ of $\mathbb{S}\mathbb{E}^1_{\mathbb{A}}$ of Section 5 lying east of a line described as follows, to - wit: Beginning at a point on the north line of said East $\frac{1}{\mathbb{Z}}$ of $\mathbb{S}\mathbb{E}^1_{\mathbb{A}}$ which is 10.25 chains east of the NW corner of said East $\frac{1}{\mathbb{Z}}$ of $\mathbb{S}\mathbb{E}^1_{\mathbb{A}}$; running thence south 11 chains;

thence south, 34 degrees 30 minutes west, 14.09 chains to Shoal Creek; and thence south-easterly up the run of said creek to its intersections with the south line of said E_2^1 of Section 5; also, all that part of the SE_{π}^1 of SE_{π}^1 of Section 5, in the SE corner thereof which lies south of the right of way of the B. B. and B. Branch of the Southern Railway; also, all those parts of the NE of the NW and W_2 of NW_{L}^{\perp} of Section 9, and east $\frac{1}{2}$ of NE_{L}^{\perp} of Section 8, which are located within the following described lin s and boundaries, to-wit; Reginning at a point of intersection of the westerly line of the right of way of the Southern "ailway with the north line of said Section 9; run thence southwesterly along said right of way line to its intersection with the north line of the Southern Pail-/"Y" right of way; thence westerly along and following the curvature of said "Y" right of way line to its intersection with the East right of way line of the said B. B. and B. Branch of said Railway; thence northerly along said mentioned line to its intersection with Shoal Creek; thence northwesterly down the run of said creek to ist intersection with the north line of the $N \stackrel{1}{\to} \frac{1}{L}$ of $N \stackrel{1}{\to} \frac{1}{L}$ of said bection 8; thence east along the north line of said Section 8 and 9 to point of beginning; also, all of the east $\frac{1}{2}$ of NE $\frac{1}{2}$ of said Section 8 lying west of the right of way of the said B. B. and B. Branch of said Mailway except such part on and in the south part thereof as is cut off and excluded and bounded on the west and northeast by the following described line, to-wit: commencing at the SW corner of the SEL of NEL of said pection 8: running thence north, 4 degrees east, 14.186 chains; thence south 55 degrees 10 minutes east, 857 feet, which point is the SW corner of a lot heretofore known as the Ambrose lot; thence north, 10 degrees 30 minutes east, 209 feet; thence south, 55 degrees 10 minutes east, 209 feet; thence south 10 degrees 30 minutes west, 209 feet; and thence south, 55 degrees 10 minutes east, 284 feet, more or less, to the west line of the right of way of said B.B. and B. Branch; also excepting from this conveyance certain Lots Numbers 1 to 6, both inclusive, according to a survey and allotment made by Theodore O. Sparks for J. W. Little on August 7, 1913, and which lots include and embrace a parcel of land described as follows: to locate the beginning point of description of the excepted lots, start at the NW corner of the SEt of NEt of said pection 8; run thence south 169.1 feet; and thence north 89 degrees 30 minutes east, $687 \frac{3}{4}$ feet, which point is the NW corner of the parcel hereby excepted; from this beginning point, run south, 30 minutes east, 530.6 feet; thence north, 89 degrees 30 minutes east, 160 feet; thence north 30 minutes west, 530.6 feet and thence south, 89 degrees 30 minutes west, 160 feet to the point of beginning of said parcel hereby excluded. Also, excepting from this conveyance all rights and easements of the public, in, over and upon

the public Highway on said lands hereby conveyed.

#11 of said lands hereby conveyed being in Twnship 24 North, Mange 12 Mast, and being the lands

heretofore known and called "The J. ... Little farm".

The rights of way of railway lines and "Y" hereinabove referred to include and comprise a strip of land extending 50 feet on either side of the center line of the respective lines and "Y" referred to and running parallel with said center lines respectively, situated in Shelby County, Alabama.

when I first became familiar with said land in the year 1910 all of it except ll acres, formerly known as the H. L. mooley tract, was owned by and in the possession of J. W. Little. Said ll acre parcel was purchased by J. W. Little from C. S. Ambrose in the year 1913 as shown by deed recorded in Beed Book 53, page 588 in the Probate Office of Shelby County, Alabama. J. W. Little lived on all of said land and farmed it each and every year until he sold it to Nancy A. Ellis in October 1918 as shown by Beed Book 64, page 446 in which the deed covering the same is recorded in the Probate Office of Shelby County, Alabama. I am informed that such Beed did not include a triangular shaped parcel of land in the NEL of NEL of said Section 8 which has Shoal Greek for ite eastern bouncary, the north line of said 40 acres for its northern boundary, and the B. B. and B. Mailway for its southwest bournary. I know of my own knowledge that said triangular parcel of land was a part of said J. W. Little farm and was owned and occupied

by J. W. Little and has been owned and occupiedby his successors in title. Nancy A. "Ilis went into immediate possession of all of said J. W. Little farm including said triangular parcel of land, and lived on it and farmed it each and every year until she sold it to "d". Ambrose in July 1922. Ed S. Ambrose went into immediate possession of said land and lived on it and farmed it each and every year until his death on July 8, 1942, since which time his widow and children have continued to live on said land and have farmed it each and every year, except for the past two years they have rented it out to tenants who have lived on it and farmed it until this very day. "d S. Ambrose died without leaving a will and his sole and surviving heirs at law are as follows: his widow, "ora L. Ambrose, and the following children, all of whom are over the age of twenty-one years of age: Claude "dgar Ambrose, and Lavaga "mbrose, Ralph E. "mbrose, Lillian F. Griffin, Franklin L. "mbrose, "nney "mbrose, John Russell Ambrose, and Lavaga "mbrose. I knew "d S. Ambrose intimately and was familiar with his business affairs. I know that there are no unpaid claims against his estate.

I have never heard of J. 5. O'Gwin having any interest in said land owned by theheirs of -d -d.

Ambrose.

I am familiar with land owned by Robert D . Gunlock andhave never heard of him claiming any interest in NW_{4}^{1} of NW_{4}^{1} of Section 9, Township 24, Range 12 east, wobert D . Gunlock's land lies approximately one half mile west of the D d 8. Ambrose farm described above.

I have never heard of T. J. Peter or Climax Coal Company or "labama Iron and Steel Company or Southern Mineral Land Company or "labama Carbon Company or Esther A. Peter, Blanche Peter, Edward T. Peter and wife Sadie G. Peter or George T. Peter or Florence Root and husband C. W. Toot or any of their successors in title claiming any interest in or exercising any ownership over said Ed S. Ambrose farm described above.

I am familiar with the west coundary line of that certain part of the said Ed S. Ambrose farm which lies in the E_{Ξ}^{1} of the NE_{Ξ}^{1} of Section 8, as described above, and I know that the west line of said farm in said Section 8 runs along the 40 acre line.

I further say that during all the years I have known the said Ed S. Ambrose farm described above, it has been in the open, continuous, exclusive, notorious and hostile possession of Ed S. Ambrose and his heirs and their predecessors in title, and that I have never heard of anyone disputing their title or contesting their possession.

John Carter

State of Alabama

Shelby County

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

Mrs. r. C. Armstrong

Notary Public

My Commission expires Sept. 7, 1950.

NOTARIAL SEAL

Filed for registration in this office of Probate Judge on the 24th day of October, 1946 at 11 o'clock A.M. and was recorded in Vol. 126 Record of Deeds, Page 510 on this the 24th day of October, 1946.

no Jay Due

L. C. Walker

Judge of Probate