
AFFIDAVIT

STATE OF ALABAMA

SHELBY COUNTY

1254

Before me, the undersigned authority in and for said County, in said State, personally appeared T. C. Elliott who, after first being by me duly sworn to speak the truth, deposes and says:

My name is T.C.Elliott, I am 74 years of age and have lived in the Vincent community for the past 74 years, and all along have been familiar with the parcels of land described in this Affidavit and the persons in possession of said lands. When I first remember the following described land, it was owned by and in the possession of W. T. Elliott. Said land is described as follows:

SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3, Township 19,
Range 2 East, Shelby County, Alabama.

Said W. T. Elliott farmed said land each and every year throughout the years, until he and his wife sold it to Simpson Fulmer and Zuda Fulmer on June 17, 1908, as shown by Deed recorded in Deed Book 39, page 213, in the Probate Office of Shelby County, Alabama. Simpson Fulmer and Zuda Fulmer went into possession of said land, farmed it or rented it out to tenants to be farmed each and every year until the year 1926, when they sold it to T. W. Bell, sometimes known as Thomas W. Bell and Thomas Walker Bell, who went into possession of it and farmed it each and every year until his death on the 10th day of January, 1944, since which time, his widow, Annie L. Bell, sometimes known as Mrs. T. W. Bell, has had the possession of said land and has rented it out to tenants who have farmed it each and every year until this very day.

Affiant says the following with reference to the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3, Township 19, Range 2 East, Shelby County, Alabama:

When I first remember this land it belonged to and was in the possession of Walter F. Bell, sometimes known as W.F.Bell, who cultivated it each and every year until he sold it to Peter Singleton and wife, Affue Singleton, in the year 1899. I recall that the Singletons had the possession of said land only a short time and that they did not pay for it and turned it back to Walter F. Bell, who transferred said land to A.W.Bell, sometimes known as Alse W. Bell and Aulsy W. Bell, who transferred it to T.W.Bell in the year 1901. T.W.Bell went into immediate possession of said land and cultivated it each and every year until September 30, 1929, when he conveyed it to his wife, Annie L. Bell, as shown by Deed recorded in Deed Book 124, page 105, in the Probate Office of Shelby County, Alabama. She went into possession of said land and T.W.Bell, as the agent of his wife, cultivated it each and every year until his death in January, 1944, after which time Annie L. Bell rented the

land out to tenants who cultivated the land each and every year until this very day.

Affiant further says that he has never known of L.J.Fitch's owning or claiming any interest in said land.

Affiant further says that he remembers Mrs. M.E.Bell and her sons, Walter F. Bell, Eddie W. Bell, sometimes known as Edward W. Bell and E.W. Bell, Thomas W. Bell, Aulsy W. Bell and James Bell, Jr., sometimes known as James G. Bell, Affiant also remembers J. Robert Beavers. He was a son of Mrs. M.E.Bell by her first husband. These were her only children. After her second husband, T.B.Bell died, she never remarried.

Affiant says the following with reference to the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2, Township 19, Range 2 East, Shelby County, Alabama:

When I first remember this land, it belonged to some of the Bells, but I do not recall which, I remember that Mrs. M.L.Kidd bought this land at a Tax Sale in the year 1917, as shown by Tax Deed dated July 5, 1917, recorded in Deed Book 61, page 254, in the Probate Office of Shelby County, Alabama. She went into immediate possession of the land and rented it out to tenants who cultivated parts of it and obtained firewood from the remainder of it each and every year until 1920, when she sold it to T.W.Bell. T.W.Bell went into immediate possession of the land and cultivated parts of it and obtained firewood and building timber from the remainder of it each and every year until his death in the year 1944. I remember that he also sold cross ties off the land from time to time. After his death, his widow, Annie L. Bell, went into ^{immediate} possession of this land and rented it out to tenants who cultivated it and obtained firewood and building timber from the remainder of it each and every year until this very day.

I have never heard of J.J.Moore or his wife claiming any interest in said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2, Township 19, Range 2 East.

Affiant says with reference to all the parcels of land described above, that during all the years he has known said parcels, they have each been in open, continuous, exclusive, notorious, and hostile possession of Annie L. Bell and her predecessors in title and that he has never heard of anyone's disputing their title or contesting their possession.

Affiant says the following with reference to NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2, Township 19, Range 2 East, Shelby County, Alabama:

When I first remember this land, sometime before the year 1900, it was owned by and in the possession of T.W.Bell and E.W.Bell. They cultivated it each and every year until E.W.Bell sold his one-half interest to T.W.Bell on April 28, 1900, as shown by Deed recorded in Deed Book 124, Page 345, in the Probate Office of Shelby County, Alabama. T.W.Bell went into immediate possession of this land and cultivated it each and every year until September 30, 1929, when he conveyed it to his wife, Annie L. Bell, as shown by Deed recorded in Deed Book 124, page 105, in said Probate Office. She went into immediate possession of said land and T.W.Bell, as the agent of his wife, cultivated it each and every year until his death in January, 1944, after which time Annie L. Bell rented the land out to tenants who cultivated the land each and every year until this very day.

I have known Claude Brown for many years, just as I have known T.W.Bell for many years, and have known his wife, Mrs. Annie L. Bell, during the same time. I live in the same community where they have lived and I pass the lands owned by Annie L. Bell, as mentioned above, quite frequently and am very familiar with them. I know, of my own knowledge, that neither Claude Brown nor his predecessors in title have ever occupied or been in possession of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 2. I also know, of my own knowledge, that Annie L. Bell and her husband, T. W. Bell, and their predecessors in title have actually lived on the land and have cultivated it and have been in possession of it daily since 1900 or earlier.

I also know, of my own knowledge, that it is common knowledge in the community where we live that said land does and has through the years, belonged to Annie L. Bell and her husband, T.W.Bell, and their predecessors in title.

T. C. ELLIOTT

STATE OF ALABAMA

SHELBY COUNTY

Sworn to and subscribed to before me on this 3 day of January 1947.

Frances Elliott
Notary Public

NOTORIAL SEAL

Filed in the office of the Judge of Probate January 21, 1947 at 3 P.M. and duly recorded in Deed Record Book
127 page 281 on January 22, 1947.

STATE OF ALABAMA
SHELBY COUNTY

L. C. WALKER

JUDGE OF PROBATE.

I hereby certify that
no tax Privilege Tax
has been paid on the within
instrument as required by
law.

L. C. WALKER,
JUDGE OF PROBATE.