

AFFIDAVIT

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STATE OF ALABAMA,

SHELBY COUNTY.

Before the undersigned authority personally appeared E.J. Gilbert, who is known to me and who being by me first duly sworn deposes and says:

I am seventy-nine years of age and am acquainted with the following described real estate situated in Shelby County, Alabama, viz:

$\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 2, Township 20, Range 1 West, Shelby County, Alabama, and 30 acres on the east side of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3, and 10 acres on the east side of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3, Township 20, Range 1 West, and 3 acres in the southwest corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35, Township 19 South, Range 1 west, all in Shelby County, Alabama. Said 3 acres more particularly described as follows:

Begin where the section line crosses the township line at the point where the said lines between section 34 and section 35 crosses, thence 70 yards north, thence east along settlement road down the graveyard to where said road crosses township line and run thence west along said line to the starting point.

I have known this property as far back as I can remember. I was born and reared where I now live and this is just a mile from this property. Jonathan Gilbert, one of the trustees named in the deed of Loftin Quinn to the trustees of Liberty Church, which is really Liberty Baptist Church, was my grandfather. This deed is dated June 2, 1849, and recorded in the Probate Office of Shelby County, Alabama, in deed book "J" at page 222. There has never been any church building on this property above described as far back as I can recollect, and I never heard of one being on it. The Liberty Baptist Church does have a church building about a quarter of a mile north of this property. It was put there before the war between the states, and as stated above, Liberty Baptist Church has never had a church building on the above described property which is now owned by Roland M. Lester, so far as I know and ever heard of, and certainly not as far back as I can remember. There is a graveyard partly on the said NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2 and partly on the forty north of it, but it does not even touch the 3 acres strip above described as being in Section 35.

As far back as I can remember, Loftin Quinn was in possession of this property and resided on it as a homestead. I was acquainted with J.L. Gardner and wife, Sara C. Gardner and remember when they lived on this property as a home, and they were on the property twenty years or more, claiming to own it, cultivating and living on it, when said J.L. Gardner and wife, Sara C. Gardner deeded it to G.W. Weldon by deed dated December 12, 1913, as shown by deed of that date recorded in the Probate Office of Shelby

