

## AFFIDAVIT

STATE OF ALABAMA

# 3948

SHELBY COUNTY

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

My name is W. E. Oldham. I am 71 years of age and have lived in the Pelham community all my life. I have all along been familiar with the land described Below and persons in possession of it. Said land is described as follows:

The NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 20, Township 20, Range 2 West, situated in Shelby County, Alabama, excepted therefrom a 100 foot right of way as now located and used by the Atlanta, Birmingham and Coast R.R. Co. Situated in Shelby County, Alabama.

My father, J. B. E. Oldham, purchased said land from William Putnell in the year 1868 and occupied it and was in possession of it continuously until he sold the same to me on October 28, 1919. J.B.E. Oldham used part of the above described land as a pasture, farmed parts of it and obtained fence rails, fire wood, and building timber from the remainder of it each and every year from the time I can first remember until he sold said land to me on October 28, 1919. I was born on the farm, of which the above described land was a part, in the year 1876 and lived on said land continuously with my father until I purchased same from him on October 28, 1919. At the time I purchased it, I went into immediate possession of said land and continued to use parts of the same for pasture and cultivated parts of it and obtained fire wood and building timber from the remainder of it each and every year until the 2nd day of January, 1932, when I sold the same to William E. Douglas and Luttie Douglas, who is one and the same person as Lottie W. Douglas. William E. Douglas and wife, Lottie W. Douglas, went into immediate possession of said land and built a house on it and lived on it continuously until William E. Douglas died in the year 1938, after which Lottie W. Douglas continued to live on said land until she sold the same to Samuel Forrest Jones on June 7, 1943. Samuel Forrest Jones went into immediate possession of said land and has lived on it continuously until this very day.

Affiant further says that on December 26, 1924, he listed said land with Ingram Land Company, Incorporated, for sale and agreed to pay said company a 10 per cent commission on the selling price in the event said company was able to sell said land. It was further agreed that said sale was to be made within one year from December 26, 1924. Said company did not effect a sale of the land within said time and wrote me on September 22, 1926, and stated as follows: "Dear Sir: We are now preparing our 1927 Land Catalogue and will appreciate a new listing on your 231 acres, three miles from Pelham." This letter was signed by "Ingram Land Company, H. W. Smith". The above described 40 acres of land was a part of the 231 acres referred to in said letter. I declined to list said land with said company and had no further dealings with them. Said company had nothing to do with my sale of said land to William E. Douglas and Luttie Douglas, as aforesaid, on January 2, 1932, and I owe them no commissions or any other sums of money and they have no claim, whatever to said land, and have never asserted claim to said land.

Affiant further says that Samuel Forrest Jones and the persons through whom he claims have owned said land continuously, openly, adversely, notoriously since as far back as affiant can remember and affiant has never heard of any one disputing their title or claiming adversely to them.

W. E. Oldham

STATE OF ALABAMA

SHELBY COUNTY

Sworn to and subscribed by me this 23rd day of June, 1947.

Karl C. Harrison

Notary Public for State of Alabama at Large

Filed in the office of the Judge of Probate on the 2nd day of August, 1947 at 10 A.M. o'clock and duly recorded in Deed Record 130 page 108 on the 6th day of August, 1947.

L.C. Walker

Judge of Probate

No Tax Due