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AFFIDAVIT

STATE OF ALABAMA

SHELBY COUNTY

#4431

Personally came and appeared before me the undersigned authority in and for Shelby County, Alabama, J.N. Niven, who after being first by me duly sworn according to law to speak the truth deposes and says:

I am 75 years of age. I was born and reared in Shelby County and have lived at Wilsonville in Shelby County for the past 75 years. During that time I have known and been well acquainted with the following described land which is located near Wilsonville, to-wit:

The East half of the Northeast Quarter of Section 35 and the West half of the Northwest Quarter of Section 36, Township 20, Range 1 East.

When I first became acquainted with said land it was in the possession of Elisha J. Holland, who lived upon and cultivated parts, cut wood from parts, and in every way used it as homestead for many years. After the said Elisha J. Holland became too old to work he moved to Wilsonville, but he continued in possession of said land, renting it to tenants, who lived upon it and cultivated until his death about the year 1929. The said Elisha J. Holland was a widower at the time of his death and left surviving him only one child named Prudie G. Holland who was his sole heir at law. After the death of Elisha J. Holland the said Prudie G. Holland took possession of the above described land and each year rents it to tenants who live upon and cultivate it and paid rent to her until her death about the year 1936. Since the death of Prudie G. Holland, Mrs. Minnie Baker has been in possession of said lands renting it to tenants each year who lived upon and cultivate it and paid rents to her and she is now in possession.

I knew this property in 1918-19 and know at that time that W.L. and J.W. Tumlin were not in possession of any part of it nor have I ever known of them claiming any right title or interest in or to above described property nor has A.G. Lamar, W.C. Horton or W.O. Perry ever been in possession of said property or made any claim to it that I have known of. In 1924 the said Elisha J. Holland was in possession of all of said property and neither E.F. Eastus nor S.P. McDonald were ever in possession of any part nor made any claim to said property nor have I ever known of them being in possession of said property or claiming said land. I was acquainted with Mrs. J.W. Bolin in 1927 and I was acquainted with J.W. Bolin and I know that neither of them were in possession of any part of said described land nor making any claim during 1937 nor at any other time nor was Sallie Tinney Bolin ever in possession of any part of said property in 1936 or at any other time nor has she ever made any claim of said property.

That the possession of the said Mrs. Minnie Baker, Prudie G. Holland, and Elisha J. Holland as above has been for more than forty years actual, continuous, peaceful, quite, exclusive, direct, open, notorious, adverse, hostile and under color of title and claimer of ownership.

J. N. Niven

Sworn to and subscribed to before me this the 8th day of September, 1947.

Sadie Bolton  
Notary Public      NOTARIAL SEAL

Filed in the office of the Probate Judge the 22nd day of September, 1947 at 10 o'clock A.M. and recorded in the Deed Record 130 on page 362 on this the 22nd day of September, 1947.

NO TAX DUE ON THIS INSTRUMENT

L.C. Walker,

Judge of Probate