STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority, in and for said County, in said State, personally appeared Tom C.

Elliott, who, being first duly sworn deposes and says that he resides at Vincent Alabama; that he is 77 years of age and for a period of more than 70 years, last past, he has been acquinted with the location, boundaries, parties in possession and owners of the following described lands, situated in Shelby County, Alabama, to wit:

The West Half of the Southwest Quarter, and the Southwest Quarter of the Northwest Quarter of Section 16 Township 19, Range 2 East, in Shelby County, Alabama.

Affiant further says that he knew C. C. Elliott during his life time, and that he was a first cousin of your affiant; that your affiant remembers the occasion when the said C. C. Elliott bought the above described lands from the several heirs at law and next of kin of Bennett Davis and wife, Eliza T. Davis, (sometimes called E. T. Davis), and secured deeds from the several heirs at law of said Bennett Davis and wife, Eliza T. Davis, conveying to said C. C. Elliott the above described lands.

Affiant further says that the following named persons were all of the heirs at law and next of kin of Bennett Davis and wife, Eliza T. Davis, on the date of the several deeds to the said C. C. Elliott, as aforesaid, insofar as your affiant knows, or has ever heard, namely: G. W. Davis, and wife, Sallie Davis, H. C. Davis, and wife, Fannie B. Davis, G. W. Bilbrey and wife, Mary J. Bilbrey, E. D. Hatcher and wife, Essie Hatcher, Elizabeth Coshatt, John B. Davis, Livonia Simmons, N. C. Bilbrey, and wife, Mary A. Bilbrey, and L. C. Bilbrey and wife, Elezabeth E. Bilbrey, W. L. Davis, and wife, S. P. Davis, L. C. Davis and wife, S. M. Davis, Rosa P. Vincent, W. S. Bilbrey and wife, Fannie Bilbrey, B. D. Bilbrey, T. H. Davis, Carrie N. Davis, A. J. Worlick and wife, Sarah E. Warlick, B. S. Davis and wife, Mollie Davis, Jane McElroy, F. T. Davis and wile, Dora Davis, R. W. Denty, and wife M. E. Denty, William C. Davis and wife, Lela F. Davis; D. C. Davis, deceased, whose interest in said lands was conveyed by T. B. Davis as Administrator of the Estate of D. C. Davis, deceased, to C. C. Elliott, and H. A. Davis and wife, M. F. Davis, J. A. Davis and wife Florence Davis, and A. G. Davis; affiant further says that the said C. C. Elliott departed this life in Shelby County, Alabama on or about the 18th day of July 1908, and left surviving him his widow, Tennie Fallon Elliott, and the following next of kin, Hilliary Herbert Elliott, Lilla Elliott, James Lawrence Elliott, and Louis Denson Elliott; and that the said widow of said decedent departed this life on November 29, 1948, and that the sole heirs at law and next of kin of the said C. C. Elliott and Tennie Fallon Elliott are Hilliary Herbert Elliott, Lilla Elliott Fancher, James Lawrence Elliott, Louis Denson Elliott. ~

Affiant further says that of his own personal knowledge, he knows that for more than 70 years, last past, that the next of kin of C. C. Elliott and wife, Tennie Fallor Elliott, as heretofore named, and those through whom the said next of kin hold title, namely Tennie Fallon Elliott, C. C. Elliott, and the heirs at law and next of kin of Bennett Davis, as named in the foregoing paragraphs of this affidavit, to the above described lands, have been, respectively, in the open, notorious, continuous, peaceable, and adverse possession of said lands claiming said lands as their own, respectively, against all the world, and regularly and continuously exercising acts of ownership over said lands by cultivating the same in agricultural crops, residing thereon, and using other parts thereof for timber and pasture purposes; that affiant has never heard the title of the said heirs at law of the said C. C. Elliott, as heretofore named, or thorse through whom they hold title to said lands to be questioned in any way, or their rights of possession disputed or interrupted.

Affiant further says that for a period of more than seventy years, last past, he has been acquinted with the location, boundaries, use, possession and ownership of the following described lands in bhelby County, Alabama. to wit:

The East Half of the West Half of Section 16, and the West Half of the East Half of Section 16, all in Township 19, South, Range 2 East, in Shelby County, Alabama.

Affiant further says that William Elliott entered, from the United States Government, all of the above described tract of land.

Affiant further says that Jamesa L. Elliott, being the one and same person as J. L. Elliott, was a son of William Elliott, and that C. C. Elliott was a son of the said James L. Elliott; that the said James L. Elliott

purchased the above described lands at an Administrators sale of the Estate of William Elliott, deceased, and secured a deed from the Administrators of said Estate; affiant further says that later the said James L. Elliott secured deeds from all of the heirs at law and next of kin of said William Elliott, deceased, and that said heirs at law and next of kin, insofar as your affiant knows or has ever heard are as follows: J. V. R. Perry, John Perry, Luther B. Thweat, W. K. Jennings, Margaret Jennings, Minerva Phelps, W. A. Townsend, Elizabeth Townsend, Martha Perry, Bennett W. Elliott, Mary J. Elliott, John T. Elliott, Jane A. Elliott, all as shown by deed of record in the Probate office of Shelby County, Alabama.

Affiant further says that James L. Elliott conveyed 160 acres of the above described lands to his son, C. C. Elliott, in the year 1892, which land is described as follows:

The West Half of the Southeast Quarter and the East Half of the Southwest Quarter of Section 16, Township 19, Range 2 East,

and continued to reside on the West Half of the Northeast Quarter of said Section and on the East Half of the Northwest Quarter of said Section 16, Township 19, Range 2 East with his wife, Sophronia Elliott who was the Mother of the said C. C. Elliott; later, in 1908 Sophronia Elliott, J. E. Elliott, who was the son of James L. Elliott, and Lilla Kidd, who was the daughter of the said James L. Elliott conveyed all of said lands to Tennie Elliott and the heirs at law, as named herein, of C. C. Elliott, deceased.

Affiant further says of his own personal knowledge, he known that for a period of seventy years, (70) last past, that Hilary Herbert Elliott, Lilla Elliott Fancher, James Lawrence Elliott, and Lewis Denson Elliott, and those through whom they hold title, namely, Tennie Fallon Elliott, C. C. Elliott, James L. Elliott, and William Elliott to the lands described as follows, to wit: J

The East Half of the Southwest Quarter and the West Half of the Southeast Quarter and the East Half of the Northwest Quarter, except that part conveyed to J. E. Davis, and all that part of the West Half of the Northeast Quarter situated West of Harpersville road, and North of Vincent road, except that tract sold to J. E. Davis, described as follows: Beginning at a point of intersection of the Harpersville Road with Vincent Road, and run thence North 41 degrees and 45 minutes West 580 feet along said road; run thence 78 degrees West 243 feet; run thence South 700 feet; run thence East 443 feet; run thence South 31 degrees East 198.5 feet to the Harpersville Road; run thence North 12 degrees 30 minutes East along said Marpersville Road 296 feet to point of beginning, and containing 5.07 acres, more or less; also, EXCEPT, the STEVENS TRACT described as beginning at the point of intersection of the Harpersville Road with the Vincent Road and run thence North 420 feet; run thence Couth 76 degrees and .08 minutes East 432.7 feet, run thence South 420 feet to the Vincent Road; run thence in a Westerly direction South 85 degrees West along said Vincent Road 179.2 feet; continue thence Westerly along said road North 68 degrees West, 166.7 feet to the point of beginning, and containing 4.25 acres, and being in the Northwest Quarter of the Northeast Quarter of said Section 16, Township 17, Range 2 East,

have been, respectively, in the open notorious, continuous, peaceable, and adverse possession of said lands, regularly and continuously cultivating the same in crops and claiming said lands as their own, respectively, against all the world, and regularly and continuously exercising acts of ownership over the same, and that affiant has never heard the title, nor the right of possession of the said Hilliary Herbert Elliot, Lillia Elliott Fancher, James Lawrence Elliott, and Louis Denson Elliott, and those through whom they hold title, as herein named, to be questioned in any way.

Affiant further says that said lands have been used for forming purposes and pasture purposes for more than 70 years by the parties herein named.

bloundaries, use, and ownership of the 13 acres on the East side of the Northwest Quarter of the Northwest Quarter of Section 16, Township 19, Rnage 2 East, and that the same was purchased by J. L. Elliott, being one and the same person as James L. Elliott, from the Executors of the Estate of Benett Davis, deceased, and that later J.E. Elliott who was a brother of C. C. Elliott, conveyed said lands to C. C. Elliott, and in 1908, the widow and heirs at law of the said James L. Elliott conveyed said lands to the widow and next of kin of C. C. Elliott, deceased, as shown of record in Deed Book 41, on page 336, in the office of the Judge of Probate of Shelby County, Alabama.

Affiant further says that he knows of his own personal knowledge that for more than 70 years, last past that the heirs at law, as named herein, of C. C. Elliott, deceased, and those through whom they hold title to the above 13 acres of land, have been, respectively, in the open, notorious, continuous, peaceable, and adverse possesion of said lands, claiming them as their own, respectively, against all the world, and regularly exercising acts of ownership over the same, and regularly cultivating said lands in crops, and that affiant has never heard the title or rights of possession of said heirs at law, as aforesaid, of the said C. C. Elliott, deceased, or those through whom they hold title to said lands to be questioned in any way.

Affiant further says that for more than 70 years, last past he has been acquainted with the location, use, possession and ownership of that part of the

Northeast Quarter of the Northeast Quarter lying North of the Vincent Road, and West of Baker Spring branch in Section 16, Township 19, Range 2 East,

and that of his own personal knowledge he knows that for more than 70 years, last past, that the heirs at law, as named herein, of C. C. Elliott, deceased, and those through whom said heirs hold title to the above described tract have been, respectively, in the open notorious, continuous, peaceable, and adverse possession of said lands, claiming them as their own, respectively, against all the world, and regularly and continuously exercising acts of ownership over said lands, and that afficient has never heard the title of the said heirs, or those through whom they hold title to be questioned in any way.

Affiant further says that for more than 70 years, last past, he has been acquainted with the location, ownership, use, and possession of

The South Half of the Southeast Quarter of the Southwest Quarter, and the South Half of the Southwest Quarter of the Southeast Quarter which lies South of Spring Creek, and West of Baker spring branch, in Section 9, Township 19, Range 2 East.

Affiant further says that of his own personal knowledge that he known that for more than 70 years, last past that Hilliary Herbert Elliott, Lilla Elliott Fancher, James Lawrence Elliott, and Louis Densoh Elliott, and those through whom they hold title, namely, Tennie Fallon Elliott, C. C. Elliott, T. E. Elliott, James L. Elliott, and C. F. Elliott, to the above described lands, have been, respectively, in the open, notorious, continuous, peaceable and adverse possession of said lands, claiming said lands as their own, respectively, against all the world, and regularly exercising acts of ownership over said lands, either in person, or by tenant, and regularly and continuously resided upon said lands and used the same for farming purposes for more than 70 years, and that affiant has never heard the title of the above named owners, or those through whom they hold title to be questioned in any way.

Affiant further says that he known of his own personal knowledge that for a period of 70 years, last past, that the lands described in this affidavit, as being the lands of the said Hilliary Herbert Elliott, Lilla Elliott Fancher, James Laurence Elliott, and Louis Denson Elliott, have been continuously in the possession of the owners herein set forth, and that said lands have been used as a plantation, and has been cultivated and residences have been located thereon and that the possession thereof by the several owners, named herein, has been open, notorious continuous, peaceable, and adverse for a period of approximately, seventy years, and that the affiant has never heard the rights of the several owners herein to be questioned by any one during the time he has known said lands, and that your affiant was born near said lands and has lived in close promimity thereto all of his life.

Affiant further says that he knows that for more than 50 years, last past, that neither T. J. Martin, or E. M. Martin, or L. Lamar, or E. Lamar have ever been in the possession, or made any claim to the the that of the Southeast Quarter of Section 16, Township 19, Range 2 East.

Tom C. Elliott

Sworn to and subscribed before me, on this the 14 day of May, 1949.

Paul O. Luck
Notary Public, Shelby County (Alabama 9uired)

Filed in the office of Probate Judge on the 12th day of July and recorded in Deed Record 138 on page 579 on the 18th day of July, 1949.

L. C. Walker Judge of Probate