AFFIDAVIT

#451

STATE OF ALABAMA,

SHELBY COUNTY.

Before the undersigned authority personally appeared James M. Whorton, who is the same person as J. M. Whorton, who is known to me and who being by me first duly sworn deposes and says:

I am acquianted with the SW 1/4 of SE 1/4, Section 32, Township 20, Range 1 East, Shelby County, Alabama. In 1918 I purchased this forty and the SW 1/4 of NE 1/4, and W 1/2 of NW 1/4 of NE 1/4, Section 5, Township 21, Range 1 East, Shelby County, Alabama, from A. F. Clinkscales, and on the 27th day of November, 1918, he executed me a deed conveying all of said property, which is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 64, at page 517. Immediately upon the execution of said deed I went into possession of said property, moved upon it and have lived upon it continuously from that day to the present, and during all those years I have cultivated portions of it, or had it cultivated, down to the present time, and no other person, firm, or corporation has had any possession of said property during those years.

My attention is called to a deed executed by W. M. Whorton and wife, Ruth Whorton, to A. H. Whorton and Mary Gray Whorton, dated November 5, 1938, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 107, at page 481. Said W. M. Whorton did not own and never did own or possess the SW 1/4 of SE 1/4 of Section 32, Township 20, Range 1 East, and A. H. Whorton and Mary Gray Whorton never did possess it and never did go into possession of it. There is a mistake in the description of the deed last above referred to because neither W. M. Whorton or A. H. Whorton have ever been in possession of the forty which I own, viz: The SW 1/4 of SE 1/4, Section 32, Township 20, Range 1 East.

James M. Whorton

Sworn and subscribed to before me on this the 24th day of November, 1950.

Handy Ellis, Notary Public State at Large.

Filed in office of Judge of Probate on the 24th day of November, 1950, at three o'clock P. M., and recorded in Deed Record 143 page 122.

This the 1st day of December, 1950.

L. C. Walker, Judge of Probate