

## AFFIDAVIT

# 1039

STATE OF ALABAMA

JEFFERSON COUNTY

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Mrs. Maggie G. Davis, who is known to me and who being duly sworn deposes and says, to wit:

This affidavit relates to the following described property situated in Shelby County, Alabama:

The SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 32, Township 17, Range 1 East.

I knew J.L. Tinney, who died about the year 1911, and I know of my own knowledge that for ten(10) years immediately preceding his death the said J.L. Tinney was in open, notorious, continuous, hostile, peaceful, adverse, exclusive, possession of the 40 acres described in the first paragraph hereof. I further state that at the time of his death, he was in such possession of said land. I further state that the said J.L. Tinney left no will; that at the time of his death he was survived by the following children and heirs at law, and widow, and no others, to wit: Sallie Isbell; James L. Tinney; Cora T. Poston; Bessie T. Hardy; and Cassidy Tinney, his widow; and upon the death of the said J.L. Tinney, said named children, heirs at law, and widow of said J.L. Tinney entered into possession of said lands described in the first paragraph hereof and remained jointly in open, notorious, continuous, hostile, peaceful, exclusive, adverse possession of the same until the year 1920, when all of said children, heirs at law, and the widow, Cassidy Tinney, then all being over the age of twenty-one years, sold and delivered possession of said property to the said Mrs. Sallie Isbell, one of the joint tenants, as aforesaid; that the said Mrs. Sallie Isbell, immediately upon acquisition of the property, as aforesaid, went in to possession of said property, and from that time until October 2, 1948. she exercised open, notorious, continuous, hostile, peaceful, adverse, exclusive possession of said property, with the exception of certain portions thereof sold by her during that time, said excepted portions being as follows:

- (a) 5.05 acres sold to Empire Land Company, as shown by deed recorded in deed book 77, page 363 in the Probate Office of Shelby County, Alabama.
- (b) 2 acres sold to Tom Phillips and wife, by deed recorded in deed book 96, page 345, Shelby County, Alabama.
- (c) Lot sold to E.A. Lokey and wife, as described in deed recorded in deed book 137, page 628 in said office.
- (d) Lot sold to John W. Bailey and wife, Bessie L. Bailey, by deed recorded in deed book 137, page 571, in said office.
- (e) Lot sold to Russell Mich by deed recorded in deed book , page in said office.
- (f) Lot sold to Ollie Isbell by deed recorded in deed book , page , in said office.

October 2, 1948, the said Sallie Isbell, and husband, Mart Isbell, conveyed all of said 40 acres, with exceptions as specified in the preceding paragraph, to Bernice Isbell, and I know of my own knowledge that the said Bernice Isbell, immediately upon her acquisition of said property, went into possession thereof, and from that time until the present date has held open, notorious, continuous, hostile, peaceful, adverse, exclusive possession of said property, with the exception of a small tract conveyed by her on March 21, 1950, to E.A. Lokey and wife, Martha Lokey, by deed recorded in deed book 140, page 414, in the office of the Judge of Probate of Shelby County, Alabama

I further state that all of the aforesaid successive persons in the chain of title throughout the period of time covered by this affidavit have been recognized throughout the general vicinity of said property as being successively the absolute owners thereof, each of them claiming the same as their own, and I have never heard of any of the aforesaid successive owners being questioned by anyone in any respect.

Mrs. Maggie G. Davis

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of December, 1950.

SEAL

Newton S. Chamblee, Notary Public

Filed in the office of the Probate Judge on the 26 day of December, 1950 at 10:00 A.M and recorded in Deed Record 143 on page 299 this the 3 day of January, 1951.

L.C. Walker

Judge of Probate

NO TAX DUE ON THIS INSTRUMENT