AFFIDAVIT

STATE OF ALABAMA

#117

SHELBY COUNTY

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

My name is H.W. Fancher. I am one and the same person as Henry W. Fancher. I am 72 years of age and own jointly with J.L. Fancher, among other land, the following described land:

 $E_{2}^{\frac{1}{2}}$ of the NE $\frac{1}{4}$, of Section 13, Township 24, Range 11 East, Shelby County, Alabama.

I understand that the deeds of conveyance beginning with a deed from Caswell C. Huckabee to William G. Huckabee dated August 25, 1883, and being recorded in Deed Book 6 Page 2 in said Probate Office of Shelby County, Alabama, all show 6 acres as excepted from the Southeast corner of SE_4^1 of NE_4^1 of said Section 13. As far back as I can remember the persons in possession of the SE_4^2 of NE_4^2 of said Section 13 have been in possession of the entire 40 acres and there has been no 6 acres excepted of the southeast corner thereof. My father, John M. Fancher told me during his lifetime that a trade was made with a Mr. Carlton whereby the said John M. Fancher was to convey 6 acres, more or less, in the northwest Quarter of the Southeast Quarter of s_0 decition 13 lying North of Shoal Creek and was to receive in return the 6 acres in the southeast corner of said SE_4^1 of NE_4^1 of said Section 13, but Mr. Carlton never conveyed or delivered s_0 decition 4. Fancher and the Hardmans and their successors in title continued in possession of said 6 acres and the said J.L. Fancher and affiant, H.W. Fancher purchased and received a deed to and went into possession of all of said forty acres and have been in possession of the same xonstantly and continuously until this very day.

H.W. Fancher,

State of Alabama

Shelby County

Sworn to and subscribed to before me this 8 day of August, 1950.

Karl C. Harrison, Notary Public for State of

SEAL

Alama at Large

Filed in the office of the Probate Judge on the 2 day of January, 1951, at 2:00 P.M. and recorded in Deed Record 143 on page 374 this the 9th day of January, 1951.

NO TEX DUE ON THIS INSTRUMENT.

L.C. Waller, Judge of Probate