AFFIDAVIT

3045

STATE OF ALABAMA

SHELBY COUNTY

Before me, T.S. Wallace, the undersigned authority in and forsaid County, in said State, personally appeared Maisy Lee Austin, who after being by me first duly sworn to speak the truth, deposes and says:

My name is Maisy Lee Master. I have lived in and around the Town of Helena, Alabama, for many years and have all along been well ac quainted with the following described property and the persons in possession of it. Said property being described as follows:

A part of Lot 3 Block 13 according to Joseph Squire's map of the Town of Helena, Alabama, being more particularly described as follows: Begin at the northwest corner of said Lot 3, said point being on the west line of Section 15, Township 20, Range 3 West, and being 499.5 feet, more or less, south of the one-half mile post of said section; from said beginning point, run east along the north line of said Lot 3 a distance of 130 8/10 feet to the west line of 4th Street; thence run along said street in a southerly direction 5 feet to an angle in said street; thence continue along the west line of said street south, 19 degrees and 10 minutes east, 25 feet; thence west and parallel with the north line of said Lot 3 a distance of 138.9 feet more or less, to the west line of said Section 15; thence north along said section line 50 feet to the point of beginning, the same being situated in NW4 of SW4 of Section 15, Township 20, Range 3 West, Shelby County, Alabama.

When I first remember said property it belonged to J.H. Strickland. I don't recall when he bought it but I do remember that he owned it and was in actual possession of it for several years prior to the time he sold it to T.H. Griffin. I knownthat the said Strkckland's name was J.H. Srickland and not J.W. Strickland. I don't recall the exact date T.H. Griffin purchased said land, but I remember that he did purchase it and I remember that he owned it and was in possession of it for several years prior to the time he sold it to James R. Bald in the year 1911, as shown by deed recorded in Deed Book 45, page 641 in the Probate Office of Shelby County, Alabama.

James T. Bald went into immediate possession of said land when he purchased it and he owned it and was in possession of it continuously until he sold it to J.L. Tucker in the year 1921, as shown be deed recorded in Deed Book 75 page 575 in said Probabe Office. J.L. Tucker went into immediate possession of said land

and owned it and occupied it and used it continuously each and every year until he sold it in the year 1939 to F.R. Lubright, as shown by deed recorded in Deed Book 140, page 582 in said Probate Office. F.R. Lubright went into immediate possession of the same and owned it and used it until his death on November 7, 1941, and since that time his widow, Pattie S. Lubright, has been in the actual possession and has claimed to own said land. The lot described above is a part of Lot 3 in Block 13, according to Joseph Squire's map of the Town of Telena, Alabama, and the persons mentioned above as having owned said lot as hereinabove described in detail, have owned it along with the remainder of said Lot 3.

Affiant further says that Pattie S. Lubright and her predecessors in title, as far back as affiant can remember, had the actual, open and notorious ownership and possession of said land and affiant has never heard of appone disputing their title or contesting their possession.

Affiant further says that she is familiar with the following described property:

Begin at a point on the section line on the north edge of Buck Creek, a distance of 31 chains and 48 links south of the northeast corner of Section 15, Township 20, Range 3 West; thence westerly along the edge of Buck Creek to a point opposite the mouth of the Codo Spring Branch; thence along said Spring Branch to its intersection with the MattierM. Leonard tract; thence due east along the north boundary of said Mattie M. Leonard tract to Prairie Branch; thence along Prairie Branch to the rail—road; thence easterly along said railroad to the said section line; thence north to the point of beginning; containing  $45\frac{1}{2}$  acres, more or less, except the right of way for the L & N or S & N .A. Railroad Company; being situated in Shelby County, Alabama.

Affiant further says that Needham Lee, sometimes referred to as N. Lee, and his wife, Martha Lee, were affiants grand-father and grand-mother. Affiant further says that both of said persons died sometime prior to the First World War. Affiant Says that she recalls that C.T. Davidson and George W. Commors, sometimes referred to as George W. Commors, Sr., purchased said tract of land and affiant recalls that the said C.T. Davidson had the same in possession and under fence continuously from the time he purchased said land and that the said C.T. Davidson rented it out to tenants until his death. After his death, his heirs went into immediate possession of said land and they have rented it out to tenants and have been in the actual possession of its continuous until this very day. Affiant further says thatduring all these years and to her recollection for more than 35 years, saidparcel of land has been under fence. Affiant further says that she knew Oscar Lee and that on May 24, 1909, he and his wife, Aubra Lee, were residents of the State of Texas. Affiant further says that during all the years the said C.T. Lavidson and George W.

Commors Sr. and their heirs have been in possession and have claimed to own said land that whe has never hears of anyone distputing their title to contesting their possession.

Affiant further says that she knen John Bishop and his wife, MA Bishop during their lefetimes and she also knew Mrs. Nettie Trucks to whom the dais Bishops conveyed certain land on July 30, 1908. as shown by deed recorded in Beed Book 45 page 344 in said Probate Office. Affiant further says that the said John Biship and M.W. Bishop have been dead for many years.

Maisy Lee Austin

State of Alabama

Shelby County

Sworn to and subscribed to by Maisy Lee Mustin before me this the 17 day of February, 1951.

SEAL TS Wallace Notary Public

Hecord 145 on page 466 this the 4 day of June, 1951.

L.C. Walker

Judge of Probate