

#3894

BOOK 147 PAGE 160

STATE OF ALABAMA

SHELBY COUNTY

Before me, T. S. Wallace, the undersigned authority in and sometimes known as Emmie Pitts Davidson for said County, in said State, personally appeared Emmie P. Davidson, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Emmie P. Davidson. I am 48 years of age and am a daughter of J. B. Pitts and his wife, Emma Pitts. My father purchased the following described land, along with other lands, in October, 1905, from the New England Mortgage Security Company. Said land being described as follows:

A tract of land in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 25, Township 21 South, Range 1 West, Huntsville Meridian, more particularly described as follows: From the northwest corner of the said NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 25 as a point of beginning, run north, 88 degrees 00 minutes east, with the north line of said forty acre tract a distance of 680.0 feet to a point; thence south, 1 degree 00 minutes east, a distance of 600.0 feet to a point; thence south, 88 degrees 00 minutes west a distance of 680.0 feet and to the west line of said forty acre tract; thence north, 1 degree 00 minutes west, with the west line of said forty acre tract, a distance of 600.0 feet and to the point of beginning; said land situated, lying and being in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 25, Township 21 South Range 1 West, Columbiana, Shelby County, Alabama, and containing 9.365 acres, more or less.

Soon after my father purchased said land he made a deed to my mother, Emma Pitts, on December 30, 1905, conveying the above described land along with other land. Said deed was recorded in Deed Book 43 Page 572 in the Probate Office of Shelby County, Alabama. My mother went into immediate possession of said land and it was a part of her homestead and the above described land was enclosed by a fence on its west side and bounded by a ditch and a fence on its north side and on its east and south sides, it joined other lands owned by my mother. Said 9.365 acres was used as a part of my mother's farm and the same was cultivated in either cotton or corn each and every year until this very day.

On February 15, 1937, as shown by deed recorded in Deed Book 100 Page 410 in said Probate Office, Mrs. Emma Pitts conveyed to my husband, Joe S. Davidson, the above described 9.365 acre parcel of land along with other land. My mother and father were not in good health at that time and as a convenience to them, they asked my husband to help them look after the place. There was no change in possession and my mother and father continued to occupy the place continuously as they had done in the past.



Then on May 22, 1942, as shown by deed recorded in Deed Book 115 Page 150 in said Probate Office, my husband and I conveyed said land back to the said Mrs. Emma Pitts and she has continued in possession of the same until this very day.

I am familiar with the 9.365 acre parcel of land and am also familiar with the Columbiana-Shelby road. I know that the Alabama Power Company has a right of way along some of my mother's land which joins said road, but said easement does not come within several hundred yards of said 9.365 acre parcel of land and I know of my own knowledge that said Company has no easement across said land.

Affiant further says that Emma Pitts and her predecessors in title have, during all the years she has known said land, owned it and occupied it openly, adversely, continuously and notoriously and that she has never known of anyone contesting their possession or disputing their title.

Emmie P. Davidson  
Emmie P. Davidson

State of Alabama

Shelby County

Sworn to and subscribed to before me this 10th day of June, 1951.

L. S. Wallace  
Notary Public

State of Alabama

Shelby County

Before me, B. D. Norman, the undersigned authority in and for said county, in said state, personally appeared Nathan Pitts, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Nathan Pitts. I am 53 years of age and am a son of J. B. Pitts and Emma Pitts. I have read the above affidavit made by Emmie P. Davidson on this day and I know of my own knowledge that the matters and things she mentioned therein are true and correct.

Nathan J. Pitts  
Nathan Pitts

State of Alabama

Shelby County

Sworn to and subscribed to before me this the 21st day of June, 1951.

B. D. Norman  
Notary Public