

A F F I D A V I T.

STATE OF ALABAMA)

Tallapoosa COUNTY)

Before me, Handy Ellis, the undersigned authority in and for said County in said State, personally appeared E. M. Ware, who is known to me and who, after being by me first duly sworn, deposes and says as follows:

I am a resident of Tallapoosa County, Alabama and am 73 years of age. I am the affiant in that certain affidavit dated November 5, 1951 and recorded in Volume 149 Page 264, in the Probate Office of Shelby County, Alabama; that, supplementing aforesaid affidavit, the affiant states that the grantees in the deed from Susan M. McKenzie to Ella Ware, Mary S. Ware, Julia E. Ware and Elisha M. X. Ware ^(E.M. Ware) and Margaret Ware, dated May 2, 1895 and recorded in Volume 25, Page 201 in the Probate Office of Shelby County, Alabama, are the affiant, and affiant's mother and three sisters; that, on the date of said deed, the affiant's father, Elisha Russell Ware, was dead, and that the deed described above was made for the purpose of placing the whole undivided title to the South 1/2 of NE 1/4 of Sec. 12 Tp. 24, R 15 East, Shelby County Alabama, in the grantees therein; that the grantees took possession of said property immediately and, subsequent to the death of affiant's mother, Ella McKenzie Ware, affiant and affiant's two sisters conveyed their respective interests to K. N. Matthews and wife, Mamie Ware Matthews, in the manner and on the date set out in affiant's affidavit of November 5, 1951; that K. N. Matthews and wife, Mamie Ware Matthews, immediately took possession of said land, holding it open and adverse to all the world, including the previous joint owners thereof, as their own property; that, after K. N. Matthews and wife, Mamie Ware Matthews, obtained title to said property, my sister, Mamie Ware Matthews, died intestate, leaving surviving her only one daughter and heir at law, viz: Mabel Wilmering Daughtery, the wife of Tom Daughtery, and her husband, K. N. Matthews; and leaving no unpaid debts or claims against her estate, and no child, or children of a deceased child,

or children; that K. N. Matthews subsequently re-married, to Eunice P. Matthews, one of the grantors in the deed to A. V. Glasscock, recorded in Volume 124 Page 137 in the Probate Office of Shelby County, Alabama; that the land described in said deed was not the homestead of any of the parties to said deed on the date thereof; that there were no children of this marriage between K. N. Matthews and Eunice P. Matthews and both of these parties are now deceased; that after K. N. Matthews and wife, Mamie Ware Matthews obtained title to the South $1/2$ of NE $1/4$ of Section 12 Tp. 24 R 15 E Shelby County, Alabama, as aforesaid, they commenced assessing the property for taxes in their own name and used it as their own property and not as property in which any of the remaining McKenzie or Ware heirs had any interest in whatsoever, and no McKenzie or Ware heir or any other person has asserted any claim to said property adverse to that of K. N. Matthews and Mamie Ware Matthews and the persons holding title under them since to-wit, November 29, 1902, when title to said property vested in said K. N. Matthews and Mamie Ware Matthews.

E. M. Ware,

E. M. Ware, Affiant

Sworn to and subscribed before me
this 20th day of December, 1951

Handy Ellis
Notary Public State of
Large

Filed in the office of the Probate Judge on the 21 day of Dec 1951 at 8 o'clock A. M.
and recorded in Deed Book 150 Page 115 this 2 day of Jan 1952
Deed Tax Mortgage Tax has been paid.

L.C. Walker, Judge of Probate