

STATE OF ALABAMA,

SHELBY COUNTY.

Before the undersigned authority personally appeared C. P. Martin, who is known to me and who being by me first duly sworn deposes and says:

I am sixty-seven years of age. I am acquainted with the following described tract of land situated in Shelby County, Alabama, and have known it all my life, viz:

Two acres of land in the NW 1/4 of NE 1/4, Section 23, Township 22, Range 2 West, and more particularly described as follows:

Beginning at a point where the South line of said forty intersects the Mud-Town Dirt road; thence NE along said dirt road 418 feet; thence West parallel with said South line 295½ feet; thence SW 418 feet; thence East along said South line 295½ feet to point of beginning, containing two acres.

When I was a small boy I remember when Sarah Jones bought the property from Gilbert B. Deans and wife, Mary L. Deans, and she immediately went into possession of it, cleared up portions of it and built a house on it. This particular house was on the south one acre of the above described land. Sarah Jones has been dead a long time but I do not know the date of her death but I do know she has been dead many, many years. After the death of said Sarah Jones, Bedie Jones was in possession of the property, claiming to own it and living upon it for a great number of years and during that time there was a dwelling house on the north acre. Bedie Jones was in possession of the entire tract of land for a great number of years prior to her death and for ten years or more before she deeded Mary E. Ellison the north acre on the 15th day of March, 1927. Bedie Jones deeded the north acre of this property to Mary E. Ellison and on the 12th day of January, 1928 Mary E. Ellison deeded the north acre to Mary A. Franklin. Mary A. Franklin went into immediate possession of the north acre after she obtained a deed from Mary E. Ellison, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 75 at page 607, and she lived in the dwelling house on the north acre from the time she got a deed to it until November 4, 1952, when she deeded it to C. R. Wamble, who in turn deeded it to George W. Estes, Sr.

Mary E. Ellison, to whom Bedie Jones deeded the north acre has been dead for ten years or more. Miss Bedie Jones died sometime in December, 1951, and her sole heirs at law and next of kin deeded the entire two acres to Mary Franklin.

During the time I have know the place, which goes back fifty years or more, no other person, firm or corporation has been in possession of this two acres or any part except the ones I have mentioned in this affidavit. Neither Lila B. MacKnight, C. M. Shelley, Elizabeth M. Shelley, James E. Shelley, Hallet K. McKnight, E. C. Burton, Annie M. Burton, Martha J. Lambert nor D. L. Lambert have ever been in possession of any part of this two acre tract of land. They did own land next to it but they were not in possession of and never did own this particular tract of land.

Mary L. Deans and Gilbert B. Deans did once own the two acre tract of land and other land around it but they deeded the two acres to Sarah Jones by deed dated November 28, 1898, and thereafter they had no possession of the two acre tract and never thereafter did they advance any claim to it.

C. P. Martin
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mark

Sworn to and subscribed before me on
this the 10th day of February, 1953.

Handy Ellis
Notary Public State at Large for Alabama.

Filed in the office of the Probate Judge on the 10 day of Feb 19 53 at 2 o'clock P M
and recorded in Book 158 Page 1 this 11 day of Feb 19 53.
Deed Tax — Mortgage Tax — has been paid.

L.C. Walker, Judge of Probate