

2170 FILED 27 FEBRUARY 1959

Personally appeared before me the undersigned authority in and for said state and county, H. V. Miller, a resident of Vandiver, Shelby County, Alabama, and Mack T. Weldon, a resident of Route 1, Sterrett, Alabama, who first being duly sworn in accordance with the law to speak the truth depose and say that they are over 60 years of age and are and have been familiar with the following described property and the owners and parties in possession of the same for at least 40 years last past to wit:

The North Half of the Northeast Quarter and the North 20 acres of the Southeast Quarter of the Northeast Quarter, all in Section 10, Township 18, Range 1 East, situated in Shelby County, Alabama.

Affiants further depose and say that they knew and were well acquainted with E. B. Whitfield and wife, Nora Whitfield and recall when E. B. Whitfield purchased this land from the Birmingham Trust and Savings Bank in March of 1922; and that the said E. B. Whitfield went into immediate possession of the said property at that time and claimed the same as his own against all the world. Affiants further depose and say that the said E. B. Whitfield and wife, Nora Whitfield, gave the said Birmingham Trust and Savings Company a mortgage when they purchased the property and that the said mortgage was foreclosed in September of 1929; however, the said E. B. Whitfield also known as Edward B. Whitfield never gave up the possession of said property and in November of 1930 the said Birmingham Trust and Savings Company conveyed their interest in said land to Edward B. Whitfield; that the said Edward B. Whitfield and his family continued in possession of the above described property. Affiants further depose and say that the said Edward B. Whitfield and wife, Nora Whitfield conveyed portions of this property to their children, among whom was Hubert F. Whitfield, to whom they conveyed the Northwest Quarter of the Southeast Quarter of the Northeast Quarter and the West Half of the Northeast Quarter of the Northeast Quarter of Section 10, Township 18 South, Range 1 East, on August 4, 1957.

Affiants further say that of their own knowledge the above described property has been in the possession of E. B. Whitfield, who is one and the same person as Edward B. Whitfield, and his successors in title since 1922; and that they have never heard the title of Hubert F. Whitfield or his predecessors in title questioned or disputed in any way; that the said possession of Edward B. Whitfield and his successors in title has been notorious, actual, adverse, hostile, exclusive, peaceful, quiet, continuous and under color of title and claims of ownership.

Francis V. B. Miller
H. V. Miller

Witness,

H. R. Justice

Mack T. Weldon
Mack T. Weldon Mark

Sworn and subscribed to before me on this 23rd day of February, .

1959.

Frances Warren
Notary Public, Shelby County,
Alabama.

STATE OF ALABAMA
SHELBY COUNTY

I, Frances Warren, a Notary Public in and for said County, in said State, hereby certify that H. R. Justice, subscribing witness to the foregoing affidavit, known to me, appeared before me this day, and being sworn, stated that Mack T. Weldon the affiant has voluntarily executed the same in his presence, on the day the same bears date; that he attested the same in the presence of the affiant, and

Given under my hand this the 23rd day of February, A. D.,

1959.

Frances Warren
Notary Public, Shelby County, Ala.

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STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within affidavit was filed for record the 27 day of Feb 1959 at 0 clock 18 M., and recorded in Deed record Page 254 and the Mortgage Tax Deed Tax has been paid.

Conrad M. Fowler Judge of Probate