

3489

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared H. M. Whitfield, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is H. M. Whitfield. I am 64 years of age and have lived in and around Vandiver all of my life and have all along been familiar with the hereinafter described land. Said land being described as follows:

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and S $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 12, Township 18, Range 1 East, being 15 acres, more or less, and situated in Shelby County, Alabama.

Affiant further says that he purchased a tract of land 157 $\frac{1}{4}$ yards square off the northwest corner of the above described land in 1933 from J. W. and Mary J. Grizzle as shown by deed recorded in Deed Book 100 page 523 in the Probate Office of Shelby County, Alabama. Affiant further says that all of the above described land, along with other land was owned by D. A. Whitfield who entered the same and was affiant's grandfather; that D. A. Whitfield died in 1921 without leaving a Will and left surviving him a widow who died in 1931, and the following children: W. Y. Whitfield, Mary J. Grizzle, Pearlle Haywood and Leatha Brasner. Affiant further says that after the death of D. A. Whitfield, said four children divided the land owned by him, and W. Y. Whitfield was allotted all the above described land, except for the portion affiant purchased from Mr. & Mrs. Grizzle, which portion was allotted to Mary J. Grizzle, along with other property. Affiant says each of the children went into possession of the land as the owners of it and all of said heirs of D. A. Whitfield recognized the apportionment of said lands as final. Affiant further says W. Y. Whitfield died without a Will and without a widow and left affiant and the other sons and daughters, with their husband and wife named in that certain deed signed by said heirs on April 14, 1956, and recorded in Deed Book 181 page 189 in said Probate Office. Affiant says said persons were the sole heirs of W. Y. Whitfield. Affiant further says that said 157 $\frac{1}{4}$ yard tract mentioned above was originally owned by D. A. Whitfield and the same was allotted to his daughter Mary J. Grizzle in the division of lands as mentioned above, and she and her husband went into immediate possession of the same and lived on it and rented it out for a short time until they sold it to affiant in 1933, as mentioned above. Affiant says there is a house situated on the tract of land and he has rented it out each and every year until this very day and no one has ever contested his possession or disputed his title to said parcel of land. Regarding the remainder of the land, affiant says he went into immediate possession of the same when it was conveyed to him by his brothers and sisters and he has been in possession of it and has rented portions of it from year to year until this very

day and no one has ever contested his title or disputed his possession of said property.

In dividing the land between the children, there were some mistakes made in the descriptions shown on the deeds, but the errors have been corrected so far as it pertains to affiant's land and the description above is the true and correct described of the land now owned and claimed by affiant. However, affiant is selling his daughter and her husband, L. B. Brasher and Lounell W. Brasher a portion of the above described land and the deed to them is dated February 20 1964.

H. M. Whitfield

H. M. Whitfield

Sworn to and subscribed to before me this

the 30th day of March, 1964.

Martha B. Jones
Notary Public

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Herdis Whitfield, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Herdis Whitfield. I have read the above affidavit of H. M. Whitfield and since as far back as I can remember, I know the same to be true and correct. I am 52 years of age.

Herdis Whitfield
Herdis Whitfield

Sworn to and subscribed to before me this

the 28th day of March, 1964.

Martin A. Quinn
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 3/29/64
4/2 19
RECORDED & \$ MTG. TAX
& \$ DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Conrad M. Joubert
JUDGE OF PROBATE