

STATE OF ALABAMA

JEFFERSON COUNTY

Before me the undersigned authority in and for said County and State personally appeared B. M. Nabers, who is known to me and who being first duly sworn deposes and says as follows:

That he has read the affidavit made by Mal G. Roy dated January 8, 1946, and that the facts stated therein are true and correct in so far as they relate to the land in question, ^{hereinafter described} since September 14, 1934, but back beyond and prior to September 14, 1934 affiant was not acquainted with nor had knowledge concerning the possession of it. But that since September 14, 1934, affiant knows of his own knowledge, and so states, that the children and widow of J. C. Nabors, namely, Pluma Roy (Pluma Nabors), Exer Byars (Exer Nabors), and Lenna Wyatt (Lenna Nabors), Bess Wyatt (Bess Nabors) Will Nabors, Arthur Nabors, Floyd Nabors and Burr Nabors who were the children of J. C. Nabors (James C. Nabors) and Mrs. J. C. Nabors (S. M. Nabors), his widow, were in the actual, peaceable, open, continuous, uninterrupted and adverse possession of the E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 34, Township 21, Range 3 West, Shelby County, Alabama, up to and including November 1, 1939, on which date, November 1, 1939, affiant bought from them said land, and paid them \$200.00 by cash and check as the purchase price therefor; that said check was drawn on the First National Bank of Birmingham, Alabama, and was by said bank paid, and affiant was by them put in the actual possession of said land, and has had the actual, open, peaceable, continuous, uninterrupted, adverse possession thereof since said purchase; and affiant further states that he knows and so states that Mrs. S. M. Nabors is one and the same person as Mrs. J. C. Nabors, and was the widow of the said J. C. Nabors; that the money, \$10.00 cash and check for \$190.00 was paid to Mrs. S. M. Nabors on November 1, 1939; that on said date the said Mrs. S. M. Nabors, the widow of the said James C. (J.C.) Nabors and their children;

namely, Pluma Nabors (Pluma Roy), Exer Byars (Exer Nabors), Lenna Wyatt (Lena Nabors), Bess Wyatt (Nabors), Will Nabors, Arthur Nabors, Burr Nabors, made and delivered a warranty deed to affiant B. M. Nabers conveying the said E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 34, Township 21, Range 3, West, Shelby County, Alabama, but the said deed has been lost or misplaced and affiant has made diligent search for said deed and has been unable to find or locate the same, and that said deed by reason thereof was not recorded in the Office of the Judge of Probate in Shelby County, Alabama. Affiant further states that the said Mrs. S. M. Nabors. to whom said purchase money was paid, was the widow of J. C. Nabors, and that said other grantors in said deed were the children of, and are all the heirs of the said J. C. Nabers and Mrs. S. M. Nabors, (Mrs. J. C. Nabors), their mother; that all of the aforesaid grantors were of sound mind and over 21 years of age when said deed was executed and delivered to affiant, B. M. Nabers.

B. M. Nabers

Sworn to and subscribed before me
this the 10 day of January 1946.

Martha Banyard
Notary Public

STATE OF ALA., SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 1/12

9-12-1946

RECORDED & \$ MTC. TAX

\$ DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Conrad M. Stander
JUDGE OF PROBATE