

STATE OF ALABAMA

SHELBY COUNTY

10082

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

My name is J. J. Wyatt. I am 80 years of age and have lived in the Siluria area most of my life and near the hereinafter described land, to-wit:

All that part of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35, Township 20 South, Range 3 West that lies west of Buck Creek; situated in Shelby County, Alabama.

I first knew this property when it was owned by James Patterson. Mr. Patterson did not live on this particular land, but adjoining property and he rented this out to tenants who farmed it and I recall one of his tenants was Clay Butler who cultivated the land for many years. There was an old road along the north line of this land, but the same has been abandoned and not used for more than 40 years. There was a fence along the west and south line of said property when Patterson owned the same. James Patterson sold said land to W. H. Cofer in 1915 and in 1918 conveyed the same back to him. Then a short time later James P. Patterson, being one and the same as James Patterson and Jim Patterson, sold the land to John R. Swiney as shown by deed recorded in Deed Book 62 page 611 in Probate Office of Shelby County, Alabama. John R. Swiney went into immediate possession of the above described land and either he or his son or at times his tenants, farmed the same each and every year. However, in 1919, John R. Swiney conveyed said land to his wife, Kate Swiney, but he continued to cultivate the same. The said Kate Swiney died approximately 46 years ago, but her husband and children continued in possession of said land until they sold it in 1937 to George L. Scott, Sr. The said John R. Swiney died during the year 1938. After George L. Scott, Sr. purchased the land, he erected a new fence and let tenants use it for a pasture until he sold the same to Thomas C. Cairns who used the same for a pasture and kept the fences in a good state of repair to this very day.

Many years ago there was some error in the assessing of this property and W. V. Hammonds bought the land in at a tax sale, along with other properties. Mr. Hammonds told me several years ago about this error and I know he has never claimed to own any interest in the above land.

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Throughout the years that I have known said property, I have never
heard of anyone contesting the title or disputing the possession of Thomas C.
Cairns or his predecessors in title.

J. J. Wyatt
J. J. Wyatt

Sworn to and subscribed to before me on
this the 5th day of April, 1968

[Signature]
Notary Public

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State of Alabama

Shelby County

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

The said Leland Swiney is 57 years of age and Eva Swiney Harvell is 60 years of age. We have known the property described in the affidavit of J. J. Wyatt for approximately 46 years and from that time on, we know the matters and things mentioned in the foregoing affidavit of J. J. Wyatt are true and correct. Our father John R. Swiney owned the land as mentioned and we know the history of its ownership. We have never heard of anyone contesting the title or disputing the possession of Thomas C. Cairns or the persons through whom he claims title.

Leland Swiney
Leland Swiney

Eva Swiney Harvell
Eva Swiney Harvell

Sworn to and subscribed to by Leland Swiney and Eva Swiney Harvell before me on this the 27 day of April, 1968.

[Signature]
Notary Public

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