

STATE OF ALABAMA  
SHELBY COUNTY

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

My name is E. E. McClannahan and I am 88 years of age. I have all along been familiar with the following described land and the persons in possession of it. Said land being described as follows:

A part of the SW<sup>1</sup>/<sub>4</sub> of Section 36, Township 21 South, Range 1 West, described as follows: Begin at the southwest corner of said Section 36 and run north along the west boundary of said Section 1709 feet; thence run east and parallel with south line of said Section a distance of 1345 feet, more or less, to west right of way line of L & N Railroad; thence run in a southeasterly direction along the west right of way line of said Railroad to the south line of said Section 36; thence run west along the south line of said Section 36 to the point of beginning; being situated in Shelby County, Alabama.

It has been common knowledge in our community that the above land, along with other property was purchased by Ben Nelson in 1871. The children of Ben Nelson were: A. D. Nelson, E. J. Nelson, L. E. Nelson, Daisy Glenn and Elisha Nelson; that Enthy Nelson was his widow and Adolphus Wallace was the son of Daisy Glenn and a grandson of Ben Nelson. It was also common knowledge in the community that all of said heirs mortgaged their interest in said land to Dock or A. D. Nelson and could not pay for it and A. D. Nelson took said land over as his own and his heirs were the absolute owners and were in control of the land continuously after that time for some 60 years and up to the present time. Affiant further says that it is his information that Elisha Nelson did not own or claim any interest in said land after A. D. Nelson took it over as mentioned above, but after A. D. Nelson died, his widow, Pearl Nelson, let Elisha Nelson live on part of said land and it was assessed to him, but he did not own or claim to own said land. Affiant says he married more than 50 years ago and said A. D. Nelson was in possession of the property at that time. Affiant says A. D. Nelson died intestate about 1910 and left as his sole and surviving heirs at law the following persons: Eva Barnes, whose husband is Morris Barnes; Thomas J. Nelson, whose wife is Evelyn Nelson; Louise Thomas, whose husband is Jack Thomas and A. D. Nelson, Jr., whose wife is Isabella Nelson. The said A. D. Nelson, Jr. died September 16, 1960, and left surviving him his widow, Isabella Nelson and one daughter, Doris Nelson Roberson, whose husband is Otto Roberson.

lying west and north of the above described land being all  
Affiant further says said land, along with other land, the property originally owned by A. D. Nelson, throughout the years has been bounded as follows: on the east by L & N Railroad, on the south by a fence running from the Railroad to the Egg & Butter Road, and a good part of the north line has been

marked by a settlement road and the westline by the Egg & Butter Road. Affiant says throughout the years A. D. Nelson or Dock Nelson and then A. D. Nelson's widow and heirs have been in the absolute and complete control of said land and he has never heard of anyone contesting their title or disputing their possession.

It has been called to affiant's attention that Pearl Nelson made certain deeds to certain persons purporting to convey said land; however, Pearl Nelson only owned such interest as she inherited from A. D. Nelson as his widow.

B. E. McClannahan

Sworn to and subscribed to before me on  
this the \_\_\_\_\_ day of \_\_\_\_\_, 1967.

Notary Public

State of Alabama

Shelby County

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

My name is Louise Thomas. I am 49 years of age. I was present when B. E. McClannahan made the above affidavit in the presence of Karl C. Harrison and I know that he gave Mr. Harrison the above information; however, before the affidavit could be typed and brought back for the signature of B. E. McClannahan he became disabled and sick and not able to sign the same. However, I know he did make the above statements as far back as I can remember and from common knowledge in the family prior to that time, I know the matters and things set out in the affidavit of B. E. McClannahan are true and correct.

Louise Thomas  
Louise Thomas

State of Alabama

Shelby County

Sworn to and subscribed to before me on  
this the 19<sup>th</sup> day of October, 1967.

Martha S. Jones  
Notary Public

STATE OF ALA. SHELBY CO.  
NOTARIES THIS  
INSTRUMENT WAS FILED  
1967 SEP 24 PM 10:27  
U.C.C. FILE NUMBER 68  
REC. 9X.2 PAGE 15 SHOWN ABOVE  
Clerk of Probate  
Jesse W. Brantley

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PAGE  
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