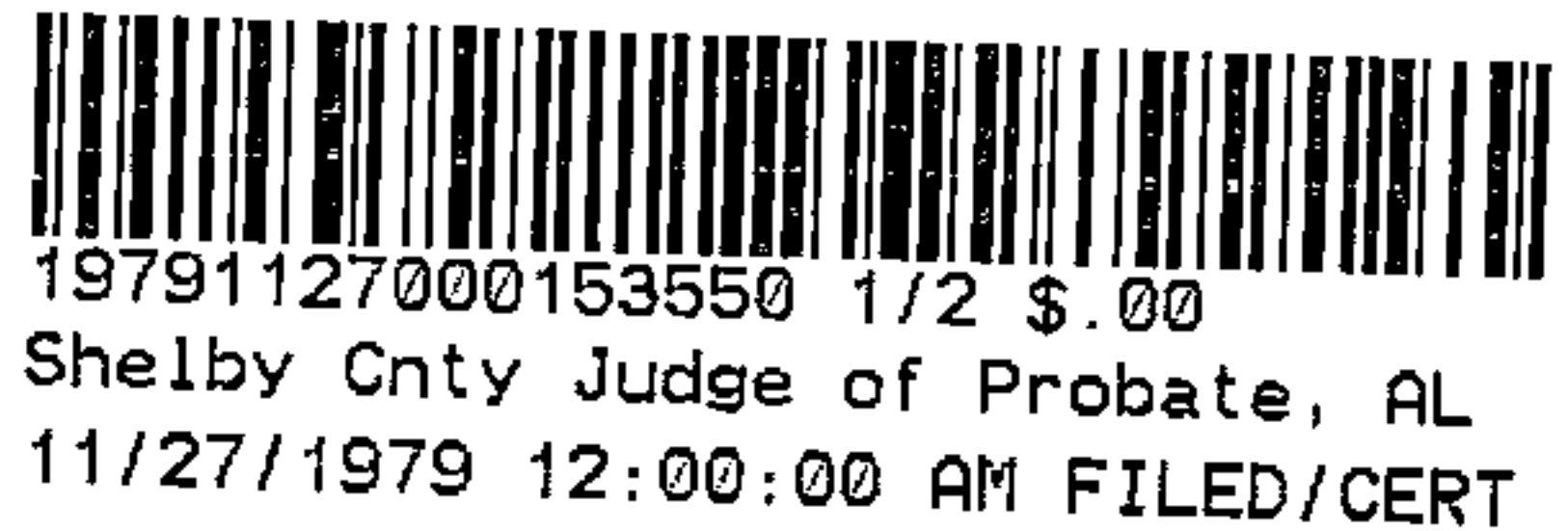


880
STATE OF ALABAMA §
JEFFERSON COUNTY §



Before me, the undersigned authority in and for said County and State, personally appeared William H. Ellis, who, being by me first duly sworn, deposes and says:

My name is William H. Ellis, a practicing lawyer in Birmingham, Alabama, seventy-seven years of age, residing at 206 Malaga Avenue in Birmingham, and I am the owner of the following described real estate situated in Shelby County, Alabama:

The SW 1/4 of the SW 1/4 of Section 33, Township 17, South, Range 1 East, subject to easements and right-of-way of record and less and except, a) certain land conveyed by me to Empire Land Company by deed recorded in Deed Book 77, page 171; and b) that certain parcel of land conveyed by me to Willie Hardy by deed recorded in Deed Book 79, page 241, all recorded in the Probate Office of Shelby County, Alabama, and c) mineral and mining rights.

I am the grantee in that certain warranty deed dated March 21, 1924, wherein my father, C. C. Ellis, and my mother, Mrs. Lizzie H. Ellis, signed as grantors, and my mother's acknowledgment was taken as Mrs. C. C. Ellis, as shown in Deed Volume 73, page 217.

I know that C. C. Ellis, said grantor, was one and the same person as C. C. Ellis, Jr., grantee in deed recorded in Deed Book 45, page 373, and his wife, my mother, was one and the same person as Mrs. C. C. Ellis and Mrs. Lizzie H. Ellis.

I am quite familiar with this 16th Section, for immediately after Father bought it by deed dated May 23, 1911, in the name C. C. Ellis, Jr., the grantors being James E. Owens and wife, Eliza C. Owens, Deed Book 45, page 373, father took actual possession of this land, had another house built on it, and Mother and we children lived there each summer between school terms, with Father coming out on the week-ends. He also promptly had the land surveyed and fenced with a wire fence, and it was farmed and cultivated by various tenants for more than ten years continuously thereafter.

I, therefore, know that Father, his family and tenants had actual, open, exclusive, notorious, continuous and peaceable possession, yet hostile to others, of this land until it was conveyed to me as previously stated in 1924. I have been familiar

BOOK 33 PAGE 811

Wm. H. Ellis
Pro. John A. Hand Bldg.

with the land continuously since acquiring it, and never heard anyone question Father's or, later, my title to it. There was another house on the land and it was occupied by tenants for more than ten continuous years.

Father, C. C. Ellis, Jr., died June 26, 1924, and Mother, Mrs. C. C. Ellis, or Mrs. Lizzie H. Ellis, died July 27, 1937.

Presently, there are no buildings on the property; therefore, there have been no repairs or improvements on the property, and no contract has been made for same.

William H. Ellis

William H. Ellis

Subscribed and sworn to before me on this the 1st
day of October, 1979.

Thomas M. L. L. L.



19791127000153550 2/2 \$.00
Shelby Cnty Judge of Probate, AL
11/27/1979 12:00:00 AM FILED/CERT

STATE OF ALA. SHELBY CO.
JUDGE OF PROBATE

NOV 27 PM 2:42

Thomas M. L. L. L.
JUDGE OF PROBATE

Rec. 3.00
Ind. 1.00
4.00

BOOK 33 PAGE 812