THE STATE OF ALABAMA,

Before me, H R Justice a Notary Public in and for said County, in said State, personally appeared I, C Justice, who is known to me and who, being by me first duly sworn, deposes and says that he is acquainted with the south half of the north east quarter of Sec. 29, and that part of the north west quarter of the south east quarter of section 29, lying north of the Central of Georgia Railroad, and has known said land since June the first 1902.

Further deposing affiant says that on the first day of June, 1902, J. C. Ballew was living upon said land and was in possession of same, claiming to own it and that said J. C. Ballew remained in the actual, open, notorious, continuous, exclusive, adverse possession of said land until he sold and deeded the same to affiant on the 20th day of

January 1904, by deed which is recorded in the Probate Office of Shelby County, Alabama, in deed book 32, at page 260, and that during said time said Ballew lived upon said land and cyltivated portions thereof each and every year.

Further deposing affiant says that he went in possessionmof said land immediately upon the execution of said deed from Ballew to him and remained in the actual, open, norotious, continuous, exclusive, adverse possession of same until he deeded it to Will Shorter, by deed dated April 6, 1923, which is recorded in the Probate Office of Shelby County, Alabama, in deed book 69 at page 618, and during said time he had portions of it cultivated each and every year, and had tenants in possession thereof during all of said time; and that Will Shorter went in possession of said land upon the execution of affiant's deed to him, as aforesaid; and since that time has remained in the actual, open, notorious, continuous, exclusive, adverse possession of same, living upon it and cultivating portions of it each and every year down to the present time.

Further deposing affiant says that Robert Armstrong and M. C. Armstrong, who executed a mortgage to Ezekial Isbell on the 14th day of November, 1903, covering a seven eighths interest in the east half of the north east quarter of sections 29, Township 18 Range 2 East, was not in possession of and had no interest in or title to the south east quarter of the north east quarter of Sections 29, Township, 18, Range 2 East, and that they or neither of them have ever been in possession of said last named forty from Hune the first, 1902 down to the present time, or advanced any claim or ownership over or interest in said forty acre tract of land.

I C. Justice

Sworn and subscribed to before me this the 28th day of March, 1934.

H R Justice, Notary Public.

Filed for record in this office April 14th 1934 at 3 o'clock PM and duly recorded in deed record 95, page 300 and examined.

Cage Head, Judgetof Probate.