STATE OF ALABAMA, )
SHELBY COUNTY. )

Before me, L. H. Fllis, a Motary Public in and for said County, in said State, personally appeared W. F. Price, who is known to me and who, being by me first aduly sworn, deposes and says that he is acquainted with the north west quarter of the north west quarter of Section 26, Township 21 Range 1 West, Shelby County, Alabama, and has known said land since 1912.

Further deposing affiant says that at the time he and W. D. Bearden purchased a portion of said forty from Henry Milner, evidenced by deed dated March 16, 1912, and recorded in the Probate Office of Shelby County, Alabama, in Deed book 49 at page 631, they did not go in possession of the strip of land on the west side of said forty and north of the Southern Railroad described as follows:

Beginning at the north west/corner of said north west quarter of north west quarter, thence east 104.2 feet, thence south 5 degrees 30 minutes east 1037 feet to the right of way of the Southern Railroad, thence south 52 degrees and 25 minutes west along said right of way 258 feet to the west line of said Section 26, thence north 1184 feet to the point of beginning, containing 4.56 acres more or less.

Further deposing affiant says that he and W. D. Bearden never did possess said strip of land and never did claim to own it, but at the time they bought it, there was a rail fence along the east line of said strip and later he and W. D. Bearden tore down the rail fence and put up a wire fence along said line, and that he and Bearden never did claim any land west of said fence.

Further deposing affiant says that he is acquainted with James Finley, the grantee in that deed dated the 10th day of January, 1907, and recorded in the Probate Office of Shelby County, Alabama, in deed book 34 at page 339, and said Finley being grantor in that certain deed dated November 21, 1908, and recorded in the Probate Office of Shelby County, Alabama, in deed book 39 at page

Further deposing affiant says that Sarah C. Finley, the wife of said James Finley, died intestate something like one year ago.

W. F. Price

Sworn and suscribed to before me this the 12th day of July, 1934.

L. H. Ellis
Notary Public

Filed in office October 12th, 1934, and duly recorded in Deed Record 97, Page 574 and examined.

- Cage Head, Judge of Probate.