State of Alabama, Shelby Connty.

Personally came and appeared before me, J. R. Jamson, A Justice of the Pease, in and for said County in said State, E. F. Mulkey, who after being first by me duly sworn according to law to speak the truth deposeth and says, that he is 69 years of age and has lived in and about Montevallo, Alabama, all of his life and has known the hereinafter described property for more than forty years, to wit:

Parts of lots 19 and 20 in the survey of the Town of Montevallo, more particularly described as follows: - Commance at the intersection of the Northwest side of Broad Street in the Town of Montevallo and the Northeast side of Shelby Street run thence Northeast along said line of Broad Street 133 feet 2 inches for a point of beginning; thence continue Northeastrly along said line of Broad Street 25.4 feet, run thence Northwesterly parallel with Shelby Street 300 feet, more or less, to the Southeast line of Valley Street, run thence, Southwesterly along said line of Valley Street 25.4 feet, run thence Southeasterly to the point of beginning.

Affiant remembers that something like forty years ago George W. Morgan, Samuel J. Morgan and C. L. Meroney were doing business as Morgan & Meroney in a store house located partly on this lot and partly on an adjoining lot, the property being known as the Morgan Store Building, After several years Meroney withdrew from the business and it was continued by the Morgans as Morgan Brothers and later incorporated as Morgan Brothers Mercantile Co., later Mercantile Co. This business continued on this property until about 1914, when the building was destroyed by fire.

The above described lot remained vacant after the fire until about the year 1925 when W. H. Mitchell bought it and built a brick store covering all of the front of said lot, this building he rented to tenants who conducted a mercantile business therein until about 1933 when Mr. Mitchell died. Since the Birmingham Trust and Savings Company, as Trustee of Mr. Mitchells estate has rented this building to tenants who have conducted business therein as before.

That for more than forty years the Birmingham Trust and Savings Company, as Trustee and those through whom it holds have been in the actual, open, notorious, peaceful, quiet, exclusive, continuous, adverse and hostile possession of said lot and improvements claiming the same under color of title. That no one at any time has been in possession of any part of said lot claiming adverse to said owners nor has any one ever asserted any adverse claim of any kind that affiant has ever heard of.

E. F. Mulkey

Sworn to and subscribed beofre me this the 14th day of December, 1935.

J. R. Johnson

Justice of the Pease

Filed for record in this office the 3rd day of June, 1936, at 10:30 A.M. and recorded in Deed Record #101, at page 17, and examined.

L. C. Walker, Judge of Probate, Shelby County Alabama