State of Alabama

Jefferson County) Before me, a Notary fublic in and for said County in said State, personally appeared F.M.Joy, who, being first duly sworn, deposes and says: that he is well amquainted with the land described as the East half of the Southeast quarter of Section 24, Township 18, Range 2 West, situated in Jefferson and Shelby Counties, Alabama, that part lying West of the Little Cahaba River being in Jefferson County, Alabama, and that vpart lying East of said River being in Shelby County, Alabama; that said land was conveyed by the State of Alabama to Theodore Swann on or about the 29th Day of November 1921 and he went into possession of the same immediately after such conveyance and began the construction of a buidding and other improvements on that part of the Northeast quarter of the Southeast quarter of said Section 24 situated West of said river; that shortly thereafter the said Swann, by deed dated December 7,1921, conveyed the Southeast quarter of the boutheast quarter of said bection 24 to E.E.Ellis, who went into possession of the same, the said Swannretaining possession of the Northeast quarter of the Southeast quarter of said Section 24, claiming to own the same; that the said Swann has remained in possession of the Northeast quarter of the Poutheast quarter of said Section 24, claiming to own the same, since the aforesaid conveyance to him by the State of Alabama and his possession thereof has been continuous, exclusive, open and notorious from the date of such acquisition on or about November 29, 1921 until the present time; that the said Theodore Swann reacquired all that part of the Southeast quarter of the Southeast quarter of said Section 24 East of said River, and also a five acre tract in the Northeast corner of the Northeast quarter of the Northeast quarter of Section 25, Township 18, Range 2 West, from Henry H. Howell and wife by deed dated April 1, 1927 and immediately went into possession of the same and has occupied the same continuously, exclusively, openly and notoriously from the 1st day of April 1927 until the present time; that the said Swann has, therefore, bee been in possession, under claim of ownership . based on the aforesaid deed from the State of Alabama dated November 29, 1921, of the entire Northeast quarter of the Southeast quarter of said Section 24 since the date of said deed to the present time; and that the said Swann has been in possession of all that part of the Southeast quarter of the Southeast quarter of said Section 24 East of said River, and also a five acre tract in the Northeast corner of the Northeast quarter of the Northeast quarter of Section 25, Township 18, Range 2 West, under claim of ownership based on the aforesaid deed dated aprid 1, 1927 executed to him by Henry H. Howell and wife, From the date of said deed to the present time; and that this affiant has never heard of any claim made to any part of the Northeast quarter of the Southeast quarter of said Section 24, or of any part of that part of the Southeast quarter of the Southeast quarter of said Section 24 lying East of said River or any part of said five acre tract in said Section 25, during said periods of time by any person whomsoever, except the said $^{\mathrm{T}}$ heodore Swann, who as aforesaid has been continuously in possession thereof under claim of ownership, openly and notoriously to the exclusion of every other person.

F. M. Joy

Sworn to and subscribed before me, .
this 8th day of March, 1938
Bessie S Barry
Notary Public

Filed for record in this office March 15th 1938 at 10 AM and recorded in deed record 104 page 264 and examined. C Walker, Judge of Probate