STATE OF ALABAMA

SHELBY COUNTY

Before the undersigned authority personally appeared H. E. Archer who being duly sworn deposes and says as follows:

I am personally acquainted with the family of C. M. L. Fancher and Annie H. Fancher. I have lived within a few miles of their former home for more than 50 years. C. M. L. Fancher died in about the year 1928 and his widow died in about the year 1933. Their only children and heirs were J. R. G. Fancher, and wife, Bell Fancher, S. P. M. Fancher and wife, Idella Fancher, C. W. Fancher and wife, Lanora Fancher, Eliza Mooney and her husband, B. A. Mooney, Ora Wheeler and her husband, Joe Wheeler, Ina Swint and her husband, A. L. Swint, John H. Gardner and wife, Florence Gardner. All of their heirs were over 21 years of age on August 11th, 1933. To the best of my knowledged there were no administration held upon the estates of either C. M. L. Fancher or Annie H. Fancher and there were no outstanding debts against either of them at the time of their deaths, and neith r of them left wills.

I know that C. M. L. Fancher and Annie H. Fancher and the heirs named above were in open, adverse, continuous, and notorious possession of 114 acres more or less located on Yellow Leaf Creek which I understand to be more particularly described as follows:

The SE $_{\pm}^1$ of NW $_{\pm}^1$. The NW $_{\pm}^1$ of SE $_{\pm}^1$. 5 acres in the SW corner of the SW $_{\pm}^1$ of NE $_{\pm}^1$, described as beginning at the SW corner and running east 660 feet, thence north to Powell Branch, thence west along Powell Branch to the rest line of said forty, thence south to the point of beginning. Also the surface right to all that part of the SW $_{\pm}^1$ of SE $_{\pm}^1$ and of the SE $_{\pm}^1$ of SW $_{\pm}^1$ lying north of the south bank of Yellow Leaf Creek. all in section 4, township 20, range 1 east. Except $1\frac{1}{2}$ acres in the SW corner of the SE $_{\pm}^1$ of SW $_{\pm}^1$ sold to J. R. Nance by deed recorded in Book 53, page 301 in Shelby County.

and cated for the said Annie H. Fancher from August 11, 1933, until the time of her death.

H. E. Archer

Sworn to and subscribed before me this 22 day of May, 1940.

J. W. Moore, Justice of Peace.

Filed in this office May 25, 1940 at 8 am and recorded in Deed Record 108 at page 405 and examined.

L. C. Walker, Judge of Probate