

State of Alabama |

Shelby County |

Before me, E. E. Wallis, J. P., the undersigned authority in and for said County in said State, personally appeared T. E. Darby who, after being first by me duly sworn according to law to speak the truth, deposes and says he is 72 years of age and has lived in Harpersville, Shelby County, Alabama for the past 37 years, and has all along been well acquainted with the property described below and those in possession of it:

All that part of the W $\frac{1}{2}$  of NW $\frac{1}{4}$  and all that part of E $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 34, Township 19, Range 2 East lying South of the Kymulga Ferry Road; all being in Shelby County, Alabama.

When affiant first remembers said property, which was in 1903, it belonged to M. W. Borum, who rented it out each and every year to tenants until he sold it to W. J. McCall in 1905. I had the property rented at the time W. J. McCall bought it and I remember the occasion well. I know of my own personal knowledge that W. J. McCall was in actual possession of said property until his death in 1921; that he cultivated parts of it and used part of it for a pasture and got fire wood from the wooded parts of said land each and every year during the time he owned it. Since his death, his widow, Sallie McCall, and his children have continued in possession of said property, and they likewise have been farming parts of said land and using parts of it for pastures and getting fire wood, etc, from the wooded parts up until this very day.

That the possession of said heirs of W. J. McCall and those through whom they claim, has as far back as affiant can remember to his own knowledge been open, actual, notorious, adverse, hostile, exclusive, peaceful, quiet, continuous and under color of title and claim of ownership. That affiant has never known of anyone being in possession of said property, claiming adverse to said owners, nor has he known of anyone disputing their title.

W. J. McCall died without leaving a will and at the time of the death of W. J. McCall, he possible owed one or two small accounts but they have long since been paid and there are no claims outstanding against him at this time.

That affiant has known the McCall family for years and knows of his own knowledge that the following named persons are the sole and surviving heirs at law of W. J. McCall, deceased, and that they are all over 21 years of age and of sound mind, namely: the widow, Sallie McCall; a son, O. A. McCall, and wife, Mary McCall; a son, Otis W. McCall, and wife, May McCall; a son, Ocie L. McCall, a single man; and a daughter, Vera McCall Wyatt, and husband Adam Wyatt.

T. E. Darby  
T. E. Darby

State of Alabama

Shelby County

Sworn to and subscribed to before me this 4th day of February, 1941.

E. E. Wallis  
a Justice of the Peace

Filed for record in this office on this the 4th day of February, 1941 at 10 o'clock A. M. and recorded in Deed Record #111, on page 134 and examined.

L. C. Walker