STATE OF ALABAMA)
SHELBY COUNTY

Personally came and appeared before me Dixon B. Jones, a Notary Public Ex Off. Justice of Peace in and for said County in said State J.L. Martin, who after being first by me duly sworn according to law to speak the truth deposes and says:

I am 74 years of age and have lived in Shelby County, Alabama and near the hereinafter described lands all my life;

All that part of the SE of the NW of Section 5, Tp. 24, Range 13 East, which lies south of old Calera and Montevallo Road.

As far back as I can remeber John Boyle, an old negro, lived on and claimed the above land. He died something like 50 years ago and his widow and some of his children remained in possession, living on the land and cultivating it year after year. His widow died a mumber of years ago and two of John's sons, John, Jr., and Jake and his step-son, Henry Graham, remained on said land cultivating it each year, claiming to have bought the interest of the other heirs of John Boyle, Sr. None of the other heirs have been in possession of any part of said land, or made any claim to it that I know of for more than 20 years.

About the year 1925 Jake Boyle, John Boyle and Henry Graham, and their wives sold the above described land, excepting about one acre where the house stood, to R.E. Bowdon, Jr., and placed him in possession. Mr. Bowdon rented the land each year to tenants who cultivated it until about the year 1930 when he and his wife sold the above described land to E.S. Lyman, Jr., The deed from Bowdon to Lyman conveyed all of the SE of NE of Section 5, Tp. 24, Range 13 East lying south of the Columbiana and Montevallo Highway, less one acre of land owned by John Boyle and being the same acre upon which he now resides. The location of the Columbiana and Montevallo Highway is a little North of the old Columbiana and Montevallo road, and under this deed Mr. Lyman went into possession of this small strip upon which three houses are located, in addition to the land south of the old road. Mr. Lyman rented this property to Mr. Edwards, who put tenants in the three houses North of the old road and cultivated the land South of the road. Lyman continued to hold possession of this forty south of highway except one acre where John Boyles house stood, renting it to tenants who occupied the houses and cultivated the land each year until 1937, when he sold all the said land including that North of the old road to F.H. Hardy.

Mr. Hardy took immediate possession and rented the houses to tenents who worked at his lime plant and cultivated said lands until Mr. Hardy's death about 1940. Since then Mr. John Hardy, as Executor of the Estate of F.H. Hardy, deceased, has been, and is now in possession by the agency of his tenants who live in the houses and have cultivated the lands until this year. That at no time since I have known the above described land has Samuel M. Pickler or any one claiming under him beeniin possession of any part of the above described land, nor has any one holding under the Standard Lime Company, or representing said company, been in possession of any part of said land. Not since I have known said land has Minnie K. Randall or William M. Johnson, nor any one claiming under either of them, been in possession of any part of the above described land, but the possession of the above named owners has been against said Samuel M. Pickler, Standard Lime Company, Minnie K. Randall, William M. Johnson and all the heirs of John Boyle, except John, Jr., and Jake Boyle, as well as every one else been adverse and hostifie, continuous, exclusive, direct, peaceful, cuiet, and under claim of ownership, and since 1924 under color of title, except that part between the old road and the new highway, which has been since 1930 under color of title and no one else has been in possession of any part of said land claiming adverse to said owners.

The $N_{\overline{z}}^1$ of the $N_{\overline{z}}^1$ of the $NE_{\overline{z}}^1$ of the $SW_{\overline{z}}^1$ of Section 5, Township 24 North Range 13 East

Back about 1885 or 1890, Alex Nichols went into possession of this land and lived

upon it and cultivated it until about the year 1926, when he sold to F.H. Hardy. Mr. Hardy went into possession and rented the property to tenants, who lived upon it and cultivated it, or living upon adjacent lands and cultivating the above described lands each year until Mr. Hardy died in 1940, and his son John H. Hardy, as Administrator of the estate of F.H. Hardy, deceased, has since been and is now in possession of said land.

Neither Minnie K. Randall, nor William M. Johnson, nor any one claiming this land under either of them has been in possession of any part of this land since Mr. Hardy bought it in 1926. Mr. Hardy's possession was adverse to them and every one else. His possession was also peaceful, quiet, exclusive, continuous, hostile and direct, open, notorious, and under color of title and claim of ownership.

The $N_{\overline{Z}}^{\frac{1}{2}}$ of the $N_{\overline{Z}}^{\frac{1}{2}}$ of the $SW_{4}^{\frac{1}{2}}$ Section 5, Township 24 North Range 13 East

James Clifford and his wife Peggy Clifford were living on this land when I first remembered it. They were also known as James Cliff and Peggy Cliff. They were uneduated and signed their names both ways. They lived upon it, cultivated the land until the year 1916 when James Clifford or James Cliff, died. Soon thereafter his widow had this land set apart as her homestead, and sold it to Mr. L.H. Ellis, She moved away and no one has been in actual possession of this land since. The house is now gone and the fields are growing upl

I am acquainted with the lands owned by Mr. L.B. Moody which he required from Mr. E.J. Reynolds. It lies to the south of the above described land and there is a ten acre strip between them. Mr. Moody's land being the S_{2}^{1} of SE_{4}^{1} of SW_{4}^{1} of Section 5. Neither Mr. S.M. Pickler, E.J. Reynolds or L.B. Moody have ever at any time been in possession of any part of the N_{2}^{1} of the N_{2}^{1} of the SE_{4}^{1} of the SW_{4}^{1} of said Section 5, and the possession of said Cliff, or Clifford, was adverse to them, as well as every one else. The Cliffords, or Cliffs' possession was also hostile, open, notorious, continuous, direct, exclusive, peaceful, quiet and under claim of ownership.

All that part of the West half of the SW_{4}^{1} , and the SW_{4}^{1} of the NW_{4}^{1} which lies South of the Montevallo and Columbiana Highway, Section 5; all that part of the SE_{4}^{1} of the NE_{4}^{1} , and the NE_{4}^{1} of the SE_{4}^{1} which lies South of the Montevallo and Columbiana road, and the S_{2}^{1} of the SE_{4}^{1} of the SE_{4}^{1} of Section 6; the N_{2}^{1} of the NE_{4}^{1} ; the E_{2}^{1} of the NW_{4}^{1} , and the SW_{4}^{1} of NW_{4}^{1} of Section 8; all in Township 24 North, Range 13 East.

This tract of land with other lands lying to the North of it was owned by J.B. Randall and heroperated a lime plant on the land to the North of this land. He cultivated part of the above described land each year and cut cord wood from other parts for his lime kiln. I worked for Mr. Randall and was familiar with this land and have been since. About the year 1900 Mr. Randall became financially involved and there are a number of executions against him and he went into bankruptcy. In 1905 F.H. Hardy bought all of the above described land with the other lands lying to the North of it from Bankrupt Court. He has since continually been in possession of all of said lands, operating the lime plant, farming parts, pasturing parts, cutting wood from parts for his lime kiln and other purposes, he thus continued in the possession until his death in 1940. His son, JOHN Hardy was appointed Administrator of his estate and has since been in possession of all of said property, operating the lime plant part of the time, renting the land to tenants who cultivated it, and in every way exercising possession of said land.

I am well acquainted with the E_2^1 of the NI_4^1 of Section 8 of the above described lards and have cut wood from it many times. I know that it belonged to Mr. John B. Randall at the time he was declared bankrupt and that Mr. Hardy took possession of it under his deed from John H. Wallace, as Trustee in Bankruptcy of John B. Randall, and remained in possession, cutting wood from it from year to year, that being the only purpose to which it could be used, as it was wooded land and none of it has ever been in cultivation.

Possession of said John B. Randall, F.H. Hardy and John Hardy, as Administrator of the estate of F.H. Hardy, deceased, has been for more than fifty years, continuous, exclusive, direct, peaceful, quiet, open, notorious, adverse, hostile and under color of title and claim of ownership.

Witness S.A. Lokey
Dixon B. Jones

J.L. x Martin mark

Subscribed to and sworn before me on this the 13 day of May, 1943.

NOTARY STAL Dixon B. Jones Notary Public Ex. Off. Justice Peace

Filed in the office of the Probate Judge the 14th day of May, 1943 at 12 o'clock Noon and duly recorded in the Deed Record 117 on page 1 on this the 14th day of May, 1943.

L. C. Walker,

Judge of P robate

NO TAX DUE ON THIS INSTRUMENT