STATE OF ALABAMA

SHELBY COUNTY

#4384

Before me, Paul O. Luck a Notary Public in and for said County, in said State, personally appeared Ben N. Ruston, who, being duly sworn, deposes and says that he resides near Shelby in Shelby County, Alabama, and that for a period of thirty-five years, last past, he has been acquainted with the location, boundaries, owners, parties in possession of the following described lands situated in Shelby County, Alabama, to wit:

The Southeast Quarter of the Southeast Quarter of Section 6, Township 22, Range 1 East, except 8 acres in the Northwest corner thereof; and the Northeast Quarter of the Northeast Quarter Section 7, Township 22, Range 1

East, except 3 acres in the Southwest corner heretofore conveyed to William T. Arnett. Also, 7 acres in the Northwest Quarter of the Northwest Quarter West of the Montgomery roadand South of the C.O. Foster lands in Section 8, Township 22, Range 1 East, which was heretofore sold and conveyed by Fannie E. Holmes to C.F. McGiboney.

Affiant further says that he knew said lands in the year 1913 at which time G.F. McGiboney and his wife, Emma E. McGiboney resided thereon, together with their family, and that they so continued to reside and use said lands until the death of G.F. McGivoney sometimes in the year 1930, and that after the death of G.F. McGiboney, his wife, Emma E. McGiboney continued in the possession of said lands, either by residing thereon or by tenant, or otherwsie, to the date of herideath in the year 1946, and that since the death of the said Emma E. McGiboney, her heirs at law, George A. McGiboney, and others, have continued in the possession of said lands by agent or tenant.

Affiant further says that on his own personal knownledge that he known that for thrity-five years, last past, that George A. McGiboney, C.R. McGiboney, and Joseph F. McGiboney, and those through whom they hold title

Dmma E. McGiboney and G.F. McGiboney, to the above described ands have been in the open, notorious, peaceable, and adverse possession of said lands, claiming them as their own, respectively, against all the world, and regularly exercising acts of ownership over said lands by residing thereon, and regularly cultivating large parts of said lands in agricultural crops, using other parts for pasturenand woodlands, and that during said time your affiant has never heard the title of said George A. McGiboney, et al, or those through whom they hold title to said lands, to be questioned in any way, and that affiant has lived in said community for the past thirty-five years.

Affiant further says that he is not interested in, nor does he claim any right in and tosaid lands.

Ben N. Ruston

Sworn to and subscribed before me on this the 28th day of February, 1948.

Paul O. Luck Notary Public, Shelby County, Alabama.

(Official Title)

Filed in the office of the Probate Judge on the 24th day of August, 1948 at 10 o'clock A.M. and recorded in the Deed record 134 on page 431 on this the 24th day of August, 1948.

L.C. Walker,

Judge of Probate

To Tay Du on the Instrument