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STATE OF ALABAMA

SHELBY COUNTY

Before the undersigned authority personally appeared W.R. Tate who is known to me and who being by me first duly sworn does depose and say as follows:

I have lived in Harpersville or the vicinity thereof all of my life, a period of 70 years. I am acquainted with the SE4 of the NE4 of Section 29, Township 19, Range 2 East. This 40 acres is part of the farm known as Dr. McGraw's place. J.E. Brumbaugh purchased this 40 acres together with other lands from T.E. Darby and wife, L.E Darby, on or about the 18th day of October, 1928. Record of this deed appears in the Probate Office of Shelby County, Alabama, in deed book 87 at page 62. T.E. Darby obtained title to this land and other lands from the McGraw heirs on or about October 31, 1919. Record of this conveyance appears in the Probate Office of Shelby County, Alabama, in deed book 65, at page 551. I remember that T.E. Darby cleared off a good portion of this 40 acres and placed it under cultiv tion and that J.C. Brumbaugh cultivated this land or portions thereof each and every year from the date he obtained title up to present date. Both T.E. Darby, during the period of time he had title to this 40 acres, and J.C. Brumbaugh, since thetime he purchased this land in 1928 have had open, continuous, exclusive, peaceable, hostile, adverse and notorious possession of this 40 acres, claiming to own same in fee simple.

I am acquainted with J.R. Bird and wife, J.A. Bird, J.R. Bird passed away during the spring of 1950. I know that neither J.R. Bird nor his wife, J.A. Bird, ever claimed to own any interest or title in said 40 acres dueing the time it has been in the possession of Mr. T.E. Dabby or Mr. J.C. Brumbaugh. I am acquainted with the SW4 of the NE4 and the SE4 of the NW4, all in Section 29, Township 19, Range 2 East, Shelby County, Alabama. I have known this land all of my life. The East forty of this tract of land lies immediately West of the forty which is the subject matter of the affidavit. J.R. Bird and wife, J.A. Bird, have been in possession of this 80 acre tract claiming to own same for 35 years or more.

Bone this the 10th day of November, 1950.

W.R. Tate

Sworn to and subscribed before me on this 10th day of November, 1950.

Conrad M. Fowler

Filed in the office of the Probate Judge on the 10 day of November 1950 at 3:00 P.M. and recorded in Deed Record 143 on page 48 this the 20th day of November, 1950.

L.C Walker, Judge of probate

NO TAX DUE ON THIS INSTRUMENT.