

STATE OF ALABAMA,  
SHELBY COUNTY.

Before the undersigned authority personally appeared Defford E. Morris, who is known to me and who being by me first duly sworn deposes and says:

I am acquainted with the E 1/2 of SW 1/4 and W 1/2 of SE 1/4, Section 7, Township 19, Range 2 East, Shelby County, Alabama. I have been knowing this land for fifteen years or more. S. E. McGraw purchased this land from the State Auditor, as disclosed by the record, on the 15th day of October, 1937. Mr. McGraw moved a sawmill on to this tract of land soon thereafter and cut the timber therefrom. He cut the biggest timber and left the other there. This first cutting was shortly after the date of the tax deed and thereafter he went upon the property again with a sawmill and cut it again. They cut some long stuff the second time to re-build the McGraw store at Vincent which had burned. Mr. McGraw remained in possession of the property, exercising acts of ownership over it continuously until he deeded it to me about the year 1944. Mr. McGraw deeded the property to me about the year 1944 but I forget the exact date. The deed was delivered to Mr. Roy Gardner when I deeded the property to him but I understand he has lost it. I went into possession of said property immediately upon receiving deed from Mr. McGraw and shortly thereafter moved a sawmill on the property and cut the largest timber and then later I cut some more timber from it and continuously every year I either cut some timber from the property or cut some posts until I sold it to Mr. Roy Gardner on April 31, 1948, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 132, at page 335. Mr. McGraw has recently executed a deed conveying this property to me, the deed to take the place of the old deed which has been destroyed.

I am also acquainted with the NE 1/4 of NW-1/4 of Section 6, Township 20, Range 2 East, Shelby County, Alabama, and have known said land for twenty-five or thirty years. When I first knew it it was known as the Fies land but whether it was held by a corporation or individual I do not know but it was known as the Fies property all through the years. C. C. Vaughn purchased it from Fies and Sons on the 15th day of February, 1944, as disclosed by the record, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 118, at page 141.

BOOK 150 PAGE 516

I purchased it from C. C. Vaughn and got a deed to it a few days after he purchased it from Fies and Sons. The last twenty-five or thirty years prior to 1944 when Fies & Sons sold the property to Vaughn this forty acres of land was known as the Fies property and I never heard of anyone else claiming title to it or being in possession of it during all that time except Fies. After I purchase the land in 1944 I cut the timber off it and hauled it to my sawmill, which was not located on the land. The mill was about one mile away from the forty and I remained in possession of the forty continuously until I deeded to to Roy Gardner. No other person, firm or corporation has advanced any claim to this forty during the time intervening from the time I procured a deed to it from C. C. Vaughn until I deeded it to Roy Gardner and wife in 1948 by deed recorded in the Probate Office of Shelby County, Alabama, in Deed Book 132, at page 335.

Defford E. Morris  
Defford E. Morris

Sworn to and subscribed before me

on this the 23rd day of January, 1952.

Henry E. Lee  
Notary Public State at Large for Alabama

Filed in the office of the Probate Judge on the 23 day of Jan 1952 at 8 o'clock PM  
and recorded in Deed Book 150 Page 515 this 23 day of Jan 1952.  
Deed Tax        Mortgage Tax        has been paid.  
L.C. Walker, Judge of Probate