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STATE OF ALABAMA

*Chris Calousa*  
~~SHELBY~~ COUNTY

Personally came and appeared before me, \_\_\_\_\_

*Lucy Vance*, a notary public in and for said County in said State, Ed Herron, who, after being first by me duly sworn according to law to speak the truth deposes and says:

My name is Ed Herron. I am 74 years of age. I am well acquainted with the hereinafter described land, having lived in the community 52 years. During all of this time, I have lived on the Southeast Quarter of Section 34, Township 21 South, Range 4 West. The lands as to which I have been questioned are as follows:

Southeast Quarter of Northeast Quarter; Southwest Quarter of Northeast Quarter; North half of Southeast Quarter and Southwest Quarter of Southeast Quarter of Section 1, Township 22, Range 4 West; the South half of Southwest Quarter and Northeast Quarter of Southwest Quarter of Section 2, Township 22, Range 4 West; Northeast Quarter of Southwest Quarter of Section 11, Township 22 South, Range 4 West; South half of Northeast Quarter and Northeast Quarter of Southeast Quarter of Section 35, Township 21 South, Range 4 West; the Southwest Quarter of Northwest Quarter and Northwest Quarter of Southwest Quarter of Section 36, Township 21, Range 4 West.

When I first became acquainted with this land, it was claimed by and in possession of the Southern Mineral Land Company. This company remained in possession of all of the above described land until about the year 1933 when the Southern Mineral Land Company went into bankruptcy and the Southern Mineral Land Corporation purchased all of the above described land through the Bankrupt Court and this company has since been in possession of said land, claiming to own it.

Among those who have represented the Southern Mineral Land Company, as agents in charge of the lands and timber were one by the name of Mr. Paff, a Mr. Warmick, a Mr. Broadhead and a Mr. Hughes and for the Southern Mineral Land Corporation, a Mr. Charles Morgan and Mr. D.W. Litton. These agents on an average of once a month have been over these lands, seeing that no trespassing was being committed, keeping the fires down, and in general, looking after the company's interest. Where the company owned tillable land, these agents looked after renting and collecting rents, etc., how-



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ever, the above described land is not tillable, but is all in woodlands. About the year 1910 or 1912, Mr. Sam Lawley, under contract with the Southern Mineral Land Company, cut all the saw timber on all of the above described land, except Northeast Quarter of Southwest Quarter of Section 11, Township 22, South, Range 4 West, and he cut the timber on this forty about the year 1920. About the year 1935, Mr. H.A. Belcher, under contract with the Southern Mineral Land Corporation located a mill on Section 35, Township 21, Range 4 West and cut all the merchantable timber on all of the above described land. During this operation, he moved his mill about four times about, over the above described land.

Each one of these timber operations covered a period of something like a year. The Belcher operation was not a clean cut job, considerable timber being left in the rougher portions and one Fred Bonds, about the year 1941 or 1942, under contract with the Southern Mineral Land Corporation cut considerable timber off of the above described land. He was engaged in this operation for about two years. In addition to the saw timber, he cut considerable mining timbers from the above described land.

Since I have known this land, from time to time different people with contracts from the Southern Mineral Land Company or Southern Mineral Land Corporation have cut mining timbers from said land. The mining timber cut was more or less a selective cutting, only those timbers making timber the right size for mining props being taken, the larger timber being left for saw milling purposes and the small timber being left to grow. The mining timber operations have been too numerous for me to remember, but they have gone on periodically for the last 50 years.

In addition to riding the woods and cutting timber, as above related, the agents of the Southern Mineral Land Company and the Southern Mineral Land Corporation have been vigilant in watching out for fires on the above described lands, as well as other lands belonging to the company, and when they would discover a fire and when they would be notified by some of the neighbors that fire was in the woods, they would organize fire fighting crews and come



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in and fight the fire and stay with it until it had been extinguished and they were ever watchful to keep the fire from these lands.

These lands are rough timber lands and in my judgment, would never be suitable for cultivation or any other use of service other than to grow timber. At any rate, they have not been used for any other purpose since I have known them, and in my judgment timber growing is the most practical use to which these lands could be devoted.

During the 52 years that I have known the above described land, I know that no one has cut any timber therefrom except those having contracts with the Southern Mineral Land Company or Southern Mineral Land Corporation. I further know that during that time that no one has cut any timber from any of the above described land, claiming a right to do so under any contract with John S. Storrs, his heirs or assigns. I do not know anyone by the name of Storrs, but had anyone by that name or anyone claiming under Storrs or his heirs or assigns cut any timber from said land; I think I would have known it, as I have been active through the years, and for a great length of time was Land Agent for individuals and companies owning land adjacent or near the above described lands and in looking after my duties, it was necessary for me to pass over or near the above described lands from time to time, and I was familiar with all the timber operations in that section of the country on account of it being my job to prevent any timber trespassing on my employer's land.

The above described possession of the Southern Mineral Land Company and the Southern Mineral Land Corporation, during the years above specified, has been actual, open, notorious, peaceful, quite, direct, exclusive, hostile, adverse and under color of title and claim of ownership.

Ed Herrman

Sworn to and subscribed before me on this 17 day of November, 1953.

Lucy Vance  
Notary Public

Filed in the office of the Probate Judge on the 19 day of Nov 1953 at 8 o'clock  
M. and recorded in Deed Book 163 Page 338 this 25 day of Nov 1953  
Deed Tax \_\_\_\_\_ Mort. Tax \_\_\_\_\_ has been paid.

L.C. Walker, Judge of Probate