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STATE OF ALABAMA

SHELBY COUNTY

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

I am acquainted with the following described land situated in Shelby County, Alabama, namely:

The S $\frac{1}{2}$  of NW $\frac{1}{4}$ ; SW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; and N $\frac{1}{2}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 35, Township 19 South, Range 1 West.

My wife, Edna Holcombe Payne, is a daughter of T. B. Holcombe, deceased. Mr. T. B. Holcombe died intestate about the 3rd day of April, 1941, and there was never any administration of his estate.

On January 9th, 1894, Davis Atkinson deeded this property to T. B. Holcombe, who was my father-in-law. The grantor, Davis Atkinson, is dead and has been dead about 15 years. Mr. T. B. Holcombe went into possession of the land conveyed in the deed of Davis Atkinson to him, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 24, page 76, namely: The SW $\frac{1}{4}$  of NW $\frac{1}{4}$  and SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , and SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , and N $\frac{1}{2}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 35, Township 19, Range 1 West, and lived upon it continuously and cultivated portions of it or had it cultivated each and every year until the date of his death. After the death of T. B. Holcombe, his widow and heirs at law remained in possession of said property, some of them actually living upon it and cultivating portions of it until they deeded it to me and my wife.

On September 9th, 1947, Nancy Holcombe, the widow of T. B. Holcombe, deceased, and all his heirs at law and next of kin at that time entitled to share in the distribution of his estate, deeded the property to my wife, Edna Holcombe Payme, and me, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 142, page 335.

As stated above, on the date of execution of the last mentioned deed to me and my wife, T. B. Holcombe was not survived by any descendants of any deceased children other than those who joined in the execution of said deed.

On the execution of the deed to my wife and I, we went into possession of said property and either lived upon it and cultivated portions of it or had it done each and every year until we deeded it to William W. Adams on March 4, 1952, which deed is recorded in the Probate Office of Shelby

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County, Alabama, in Deed Book 191, page 393.

It should be noted that the mineral and mining rights were excepted in the deed of Davis Atkinson to T. B. Holcombe, and, of course, railroad right of way and public road rights of way, if any, and also transmission line permit to Alabama Power Company.

The Materials Option made by me to the State of Alabama on June 21st, 1951, which is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 146, page 469, has been terminated because the road project therein referred to has been completed.

During the time T. B. Holcombe owned the property, he was in the actual, open, notorious, continuous, exclusive, adverse, hostile possession of same, living upon it and having portions of it cultivated each and every year until his death, and after his death the heirs of T. B. Holcombe, including his widow, were in the actual, open, notorious, continuous, exclusive, adverse, hostile possession of said property, some of them living upon it and having portions of it cultivated each and every year until they deeded it to me and my wife, as aforesaid.

E. H. Payne  
E. H. Payne

Sworn to and subscribed to before me

on this the 31st day of March, 1958.

Marion F. Farmer  
Notary Public  
State at Large for Alabama

State of Alabama, Shelby County

I, L. C. Walker, Judge of Probate, hereby certify that the within

day of April, 1958, at 8 o'clock A. M., and recorded in Deed Record 192 Page 333 & examined

and the Mortgage Tax of \$

Fee \$

Deed Tax of \$

was filed in this office for record the 1

has been paid.

L. C. Walker Judge of Probate