

Before the undersigned authority personally appeared Coy E. Holdsambeck, 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, and have know it for more than 25 years, viz:

Begin at the NW corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 18, Township 22, Range 3 West; thence East along the North line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and the North line of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, for a distance of 2373.77 feet to a point on the West right of way line of the Southern Railroad (B.B.&B. RR) thence 120 deg. 50 min. right and along said West right of way line for a distance of 1541.99 feet to a point on the South line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SE $\frac{1}{4}$, that point also being on the North right of way line of the old Montevallo-Tuscaloosa road; thence 59 deg. 14 min. right and West along the south line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SE $\frac{1}{4}$ for a distance of 1562.29 feet to the SW corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$; thence 89 deg. 01 min. right and North along the West line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ for a distance of 1322.47 feet to the point of beginning with the following EXCEPTIONS:

- (1) A tract of land situated in the SW corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 18, Township 22 South, Range 3 West, described as follows: Begin at the SW corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 18, Township 22 South, Range 3 West, thence North along the West line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ for a distance of 351.04 feet; thence 132 deg. 00 min. right 260 feet; thence 7 deg. 20 min. right 241.36 feet to a point on the South line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$; thence 131 deg. 39 min. right and West along said south line 350.53 feet to the point of beginning.
- (2) A tract of land situated in the NW corner of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 18, Township 22, Range 3 West, described as follows: Commence at the NW corner of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$; thence East along the north line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ for 27.64 feet to the point of beginning; thence continue along last described course 217.63 feet; thence 73 deg. 32 min. right 417.42 feet; thence 106 deg. 28 min. right 217.63 feet; thence 73 deg. 32 min. right 417.42 feet to the point of beginning.
- (3) A tract of land situated in the SE corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and the SW corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 18, Township 22, Range 3 West, described as follows: Begin at the SE corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 18, Township 22 South, Range 3 West, thence West along the South line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ 313.49 feet; thence 89 deg. 43 min. right 586 feet; thence 90 deg. 10 min. right 919.80 feet to a point on the west right of way line of the Southern Railroad (B.B. & B. RR); thence 120 deg. 53 min. right and along said right of way line 683.98 feet to a point on the south line of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ and the North right of way of the old Montevalb- Tuscaloosa road; thence 59 deg. 14 min. right and along said South line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ 253.51 feet to the point of beginning.

When I first knew the property, which was subsequent to 1920, Mr. Francis Oliver Samuel was in possession of it and occupied it along with his wife as a homestead and he continued to occupy the land as a homestead until he died in 1933. Francis Oliver Samuel willed the property to his wife, Minnie Samuel, who is now Minnie Samuel Head, and she continued to occupy the dwelling house on the property as a homestead until she deeded it to James F. Kinard and Annie Kinard, by deed dated October 9th, 1947, which is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 130, page 480. However, on November 27th, 1941, Mrs. Head had deeded to George

W. Whatley four acres of the land as described in deed from her to said Whatley, recorded in the Probate Office of Shelby County, Alabama, in Deed Book 116, page 361. As to this four acre tract of land George W. Whatley went into possession immediately upon the execution of the aforementioned deed and cultivated it each and every year continuously until he deeded it to me on 23rd day of October, 1951. This four acre tract of land was fenced up and is still fenced up, but the fence is new because I rebuilt it after I purchased it. Since I obtained the deed from Whatley as aforesaid I have been in possession of this four acre tract of land and am using it as a pasture and have used it continuously as a pasture from the date of said deed to the present time.

The entire tract of land as outlined in the above description was completely fenced up as far back as I can remember it, and ^{was} when Francis Oliver Samuel owned it and later when his widow owned it, and they were in the actual, open, notorious, exclusive, continuous, adverse, hostile possession of it, for more than 20 years prior to the time Mrs. Head deeded it to James F. Kinard and Annie Kinard.

Immediately upon the execution of the deed to James F. and Annie Kinard above referred to, they went into possession of the property and while he did not continue to cultivate it, there was a dwelling house on it and still is and he came down frequently and checked over the property to protect it and his wife had a sister who lived close to the land and she looked after it for him and kept off trespassers.

James F. Kinard and Annie Kinard deeded the property to Lena Holdsambeck on March 8th, 1948, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 132, page 147.

Said Lena Holdsambeck went into possession of said property immediately upon the execution of the last mentioned deed, and her husband and I rebuilt all the fences around the entire property and have used it for a pasture continuously since. Lena Holdsambeck and her husband, Grady Lee Holdsambeck deeded the property to me on March 29th, 1950, and that deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 145, page 32. As stated, Lena Holdsambeck's husband and I rebuilt the fences around this entire property and they had cattle on it until they deeded it to me, and since I received the aforementioned deed I have had cattle upon the property

continuously, and have been in the actual, open, notorious, exclusive, continuous, adverse, hostile possession of the same down to the present time, looking after it and using it as a pasture and keeping up the fences.

Coy E. Holdsambeck

Sworn to and subscribed to before me
on this the 15th day of April, 1958.

Hardy Ellis
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 199 Page 59 & examined
and the Mortgage Tax of \$ _____ Dead Tax of \$ _____ has been paid.
Fee \$ _____ L. C. Walker Judge of Probate