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STATE OF ALABAMA SHELBY COUNTY

Before me, the undersigned authority, personally appeared william Henry Nabors, who is known to me, and who, being by me first duly sworn, deposes and says as follows:

My name is / William Henry . I have been personally familiar with the possession and ownership of the following described property for the past 40 years, having lived within 1 and 1/2 miles of said property since I was a child. I am now 50 years old):

All NE of NE , Section 5, Township 22, Range 2 West, lying northwest of Dargin Road, except a strip of land in the northwest corner of said forty 70 yards wide North and South and 140 yards long East and West.

R. C. Hall and wife, Annie Mae Hall are the present owners of said property and have been since 1947. C. L. O'Neal and wife Annie Lee O'Neal, both of whom I knew during their life-times, have both been deceased some ten or fifteen years. It is my understanding that C. L. O'Neal and wife, Annie Lee O'Neal, owned said property at one time. N. B. Atchison was the first owner of said property known to me, about forty years ago. N. B. Atchison conveyed said property to B. F. Atchison about the year 1941. Then B. F. Atchison and wife, Mattie Estell Atchison conveyed said property to Annie Mae Hall in 1947.

Said property has been under fence during part of the past forty year period and has been used by the above named owners during said forty year period for pasture land, cultivation, and timber-growing purposes.

It has been brought to my attention C. L. O'Neal and wife, Annie Lee O'Neal reserved "the trees and timber with the right and privilege of removing the same from and off said lands herein conveyed and also . . .(to themselves and to their heirs). . . a strip of land from off western boundary of said land fifteen feet in width, said strip commencing fifteen feet from the North West corner and extending South along the western boundary of said land". I know to my personal knowledge that C. L. O'Neal and wife, Annie Lee O'Neal, nor their heirs, assigns, devisees, nor anyone else has removed timber from said land nor used in any way any part of said land during the past forty years since I have been familiar with said property except R. C. Hall and wife, Annie Mae Hall, and their predecessors in title, B. F. Atchison, B. Atchison, as aforesaid. There is not now, nor has there been during said forty year period, a road along the western boundary of said property which has been used by the public, by C. L. O'Neal, or by anyone else, except possibly the lawful owners, as aforesaid.

Sworn and subscribed to before me this 7th day of June, 1958.

Notary Public, State at Large