

STATE OF ALABAMA

SHELBY COUNTY

2480  
Comes now before me, W. W. Rabren, a Notary Public for the State of Alabama at Large, Mr. J. M. Lowe, who being first duly sworn to speak the truth deposes and says as follows:

My name is J. M. Lowe and I am 78 years of age and presently live at Route 1, Vincent, Shelby County, Alabama, and have lived at this address since about the year 1905. I was born and raised at the old Lowe Home Place which is about two miles from my present home.

I am acquainted with the ownership and possession of the following described lands:

The NE $\frac{1}{4}$  of NE $\frac{1}{4}$  and N $\frac{1}{2}$  of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 35;  
All that part of the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 35, lying East of Coosa Valley Road;  
Also all that part of the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 35, lying East of Coosa Valley Road and North of a Branch or ditch;  
All above in Township 18 South of Range 2 East, Excepting Highway Right of Way, Situated in Shelby County, Alabama.

As Far back as I can remember the above described property was possessed by John Holmes, who was the brother to Mary L. Mitchell, and father of W.F.R. Holmes. Mary L. Holmes was the wife of M.T. Mitchell, who is the grantee in deed dated November 23, 1885, Recorded in Deed Book 95, page 571, in the Office of Judge of Probate. M.T. Mitchell's wife was the Postmaster in Vincent and lived in Vincent and John Holmes and his wife lived on the Mitchell place, which was commonly known as the John Holmes place.

M.T. Mitchell and his wife Mary L. Mitchell had no children born to their marriage. They adopted two girls from the orphans home. After M. T. Mitchell died, his widow, Mary L. Mitchell and the two adopted daughters, who were Mary Ida Mitchell and Lizzie Mitchell, must have sold the farm place to W. F. R. Holmes, as shown by deed dated November 3, 1905, signed by them, which is recorded in Deed Book 34, at page 592, in the Office of Judge of Probate.

W.F.R. Holmes was known as Billy Holmes and was the son of John Holmes. Billy Holmes was raised up on the John Holmes Place. I do not remember when Billy Holmes married, but do know that he married Mary Ida Mitchell, the daughter, or rather adopted daughter, of M.T. Mitchell and Mary L. Mitchell.

Billy Holmes and his wife, Mary Ida ~~Mitchell~~ <sup>HOLMES</sup>, lived on the John Holmes place until their deaths some years ago and raised their family on the property described above.

The party signing the deed referred to above as Lizzie Gaddy was one and the same as Lizzie Mitchell. Lizzie Mitchell ran away from her adopted parents and married Ed Gaddy.

As far back as I can remember no one has been in possession of the above described property other than John Holmes, W.F. R. Holmes and his heirs. Insofar as I know John Holmes possessed the property as a tenant of M.T. Mitchell and his wife Mary L. Mitchell.

To my personal knowledge W. F. R. Holmes, prior to his death in the year 1950, for more than twenty years was in actual possession of the above described property, and his possession was open, notorious, peaceful, quite, exclusive and direct, and it was adverse and hostile to all the world, as W. F. R. Holmes claimed said property as his own under color of title and I have never known of anyone questioning the title of W.F.R. Holmes, and since his death, the claim of his heirs to the title to the above described property.

Dated this 19th. day of March, 1960.

J. M. Lowe  
J. M. Lowe

Sworn to and subscribed before me this 19th. day of March, 1960.

W. W. Rabren  
Notary Public

STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within Deed was filed for record the 21 day of Mar 1960 at 9 o'clock AM and recorded in Deed Record 28 at page 715, and the Mortgage Tax and Deed Tax has been paid.

Conrad M. Fowler  
Judge of Probate

FILED 21 MARCH 1960

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