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STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned Notary Public in and for Shelby County, Alabama, personally appeared Mary J. Varden, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Mary J. Varden. I am seventy-nine years of age and have been a resident of Shelby County, Alabama, since 1908. I have resided in the immediate vicinity of the property described more particularly below since 1908, and I have been familiar with the ownership and possession of said property since 1912.

I am the widow of W. J. Varden, who died intestate in Shelby County, Alabama, on November 11, 1952. The only children which W. J. Varden ever had are Mary Dorothy Varden Hughes, a daughter, and Henry Ford Varden, a son, both of whom are still living. The following described property was conveyed by W. J. Varden and I to S. A. Evans on August 21, 1950, as shown by deed recorded in Deed Book 221 at page 803, Office of Judge of Probate of Shelby County, Alabama, to-wit:

A lot or parcel of land in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of fractional Section 3, Township 24 North, Range 12 East, described as follows: Begin at a point where the center line of the main tract of the Southern Railway Company intersects the East margin of the "Old Montevallo and Montgomery Public Road" (which road leads from Montevallo by way of the upper ford of Shoal Creek); and go thence in a Southerly direction along the East margin of said road 864 feet to a point marked by an iron stob which point is the point of beginning of the property herein described; run thence in a Northeasterly direction at such an angle that at a distance of 441 feet intersection will be made with the Southeasterly line of that certain lot known as and called "the Charlie Oakley Lot" and formerly known as the "William Nelson Lot" which point is marked by an iron stob; go thence in a Westerly direction along the Southeast margin of the said Charlie Oakley Lot a distance of 26 feet to a point also marked by an iron stob; go thence in a Southwesterly direction 310 feet to a point which shall be 115 feet East of the East margin of the aforementioned Street at a point on said margin which shall be 65 feet North of the point of beginning heretofore mentioned; thence in a Westerly direction 115 feet to the East margin of the aforementioned lot; thence in a Southerly direction along the East margin of said lot 65 feet to the point of beginning, situated in Shelby County, Alabama.

Said above described property was part of a larger tract which my husband owned by a conveyance from Fannie Kroell and husband, P. J. Kroell, in 1936, as shown at page 129 of Deed Book 100. Said Fannie Kroell had received her title from Isaac D. Moody and wife in 1933, as shown in Deed Book 96 at page 119. Said Isaac D. Moody had received his title to said property, along with other property, in 1925, by a conveyance from R. J. Holloway and wife, as shown in Deed Book 75 at page 303, and said R. J. Holloway had owned said property since 1912 when he purchased the same from John T. Ellis and wife, as shown in Deed Book 49 at page 524. I remember when said R. J. Holloway purchased said proper-

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ty, and I remember when it was sold to each of the succeeding owners, as specified herein.

A part of the above described property which W. J. Varden and I conveyed to S. A. Evans was later conveyed to David Lee Wallace in 1951, as shown in Deed Book 155 at page 153. The remainder of said above described property which W. J. Varden and I conveyed to S. A. Evans was included in a conveyance to Albert Caton, said Albert Caton property lying adjacent to and immediately Northeast of said David Lee Wallace property.

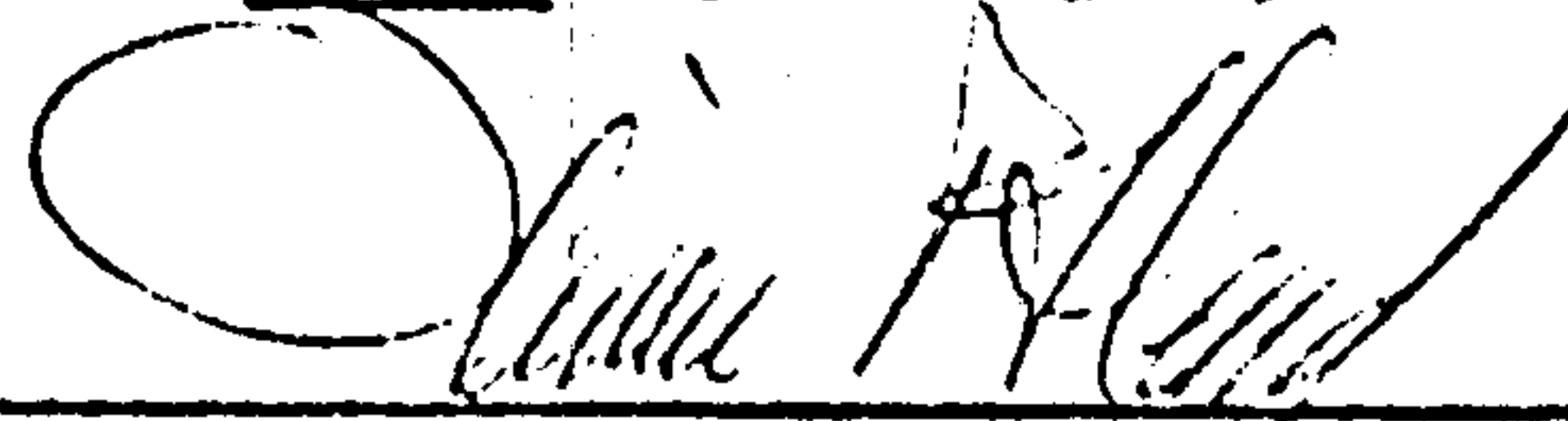
Said property owned by David Lee Wallace, as shown in Deed Book 155 at page 153, has recently been surveyed by Mr. A. C. Coulter, Jr., a Registered Land Surveyor, and is accurately described as follows, according to Mr. Coulter's survey:

Commence at the Southeast corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 3, Township 24 North, Range 12 East; thence North 30 deg. 40 min. West 257 feet; thence 30 deg. 00 min. left in a Northwesterly direction 52 feet; thence 14 deg. 00 min. left in a Westerly direction 205 feet; thence 93 deg. 26 min. right in a Northerly direction 115 feet to the point of beginning of lot herein described; thence continue along last described course 112.53 feet; thence 28 deg. 58 min. 30 seconds left in a Northwesterly direction 213 feet; thence 111 deg. 22 min. 30 seconds left in a southwesterly direction 47 feet; thence 62 deg. 19 min. left in a southeasterly direction 199.55 feet; thence 13 deg. 02 min. left in a southeasterly direction 97.16 feet to the point of beginning.

Mr. Coulter consulted with me while making his survey, and I know that the property which he surveyed, as described above, is the same property which David Lee Wallace has possessed since November 19, 1951, under his deed from S. A. Evans and wife, as noted above. Sam Evans built a house on said property prior to the time when he conveyed said property to David Lee Wallace. David Lee Wallace lived in said house as his home since 1951 continuously until three or four months ago, when David Lee Wallace moved out of said house and Curtis Brasher moved in.

To my personal knowledge, said David Lee Wallace and his successors in title, as named above, have been in the open, continuous, notorious, undisputed, peaceable, exclusive, hostile, actual adverse possession of all of said property as described above according to said survey of A. C. Coulter, Jr., since 1912 and until the present date. I have never heard anyone question the title of said David Lee Wallace and his successors in title to said property.

Sworn to and subscribed before me
this 20 day of August, 1962.



Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 8/21 1962

RECORDED & \$ MTG. TAX
& \$ DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Conrad C. Fowler
JUDGE OF PROBATE

Mary J. Varden

J. Varden