

3873
STATE OF ALABAMA
SHELBY COUNTY

Before me, a notary public in and for said County and State, personally appeared THOMAS D Abernathy, who is known to me, and who first being duly sworn by me, deposes and says on oath as follows;

My name is THOMAS D Abernathy. I am 61 years of age and reside at ROUTE 1 HELENA ALA. I am the owner and operator of Paramount Coal Company in Shelby County, Alabama, and have been for the past 25 years.

I know that M. E. Rawls formerly in 1942, and prior thereto, owned 120 acres of land in Shelby County, Alabama, described as follows: The SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and East half of NW $\frac{1}{4}$ of Section 2, Township 20 South, Range 3 West.

Said property is "L" shaped. I leased a portion of said property from M. E. Rawls in 1942 to conduct a mining operation. I do not know which particular quarter-quarter section my mine was located in. I leased said property and conducted my mining operation for five years and until 1947, mining coal from said property during said period.

P. E. Murphy, or Farris Murphy, had formerly rented said property from M. E. Rawls for mining purposes before my said lease with M. E. Rawls. When I began my said mining operation in 1942, I bought out said P. E. Murphy and continued the operation which he had started.

Dock Greer, Grady Lowe, and George Kirksey had all worked for P. E. Murphy and they all continued working for me when I leased said property; they all lived on said property at one time or another, and Dock Greer continued living on said property after I ceased my mining operation.

A few years ago, M. E. Rawls asked me to get Dock Greer off said property, and he moved off at my request. Probably Dock Greer had been paying nominal rent to Mr. Rawls after I ceased mining said property. Dock Greer worked for me for a number of years.

I am sometimes known as "Buster" Abernathy.

During the time which I have been familiar with the possession and ownership of the said property, no persons other than said Dock Greer, Grady Lowe, George Kirksey, and possibly other miners working for me or Mr. Rawls, have owned or possessed said property or or any portion thereof.

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I have never known Lois Johnson, Laura Johnson, Lars Johnson, Murtlo C. Peterson, or Samual M. Pickler, and I know that none of said persons have never possessed said property, or any part thereof since 1942 and until the present date. I have never known or heard of anyone questioning said M. E. Rawls's title to said property.

Thomas D. Abernathy
Thomas D. Abernathy

Sworn to and subscribed before me on this the 24 day of
October, 1963.

My Commission expires
May 8th 1966

Oscar Harris
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 8/27 1963
RECORDED & \$ MTG. TAX
& \$ DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.
Conrad M. Fowler
JUDGE OF PROBATE