

STATE OF ALABAMA  
SHELBY COUNTY

Before me, L. E. Parker, a Notary Public in and for the State of Alabama at Large, personally appeared Alex Etress, who, being by me first duly sworn deposes and says as follows:

My name is Alex Etress. I am 72 years of age and reside in Shelby County, Alabama. I have been familiar with the land described hereinbelow and have known its possessors for more than 40 years. This land is best described as:

The Southeast Quarter of Southeast Quarter (SE<sup>1</sup> of SE<sup>1</sup>) and also all that part of the Northeast Quarter of Southeast Quarter (NE<sup>1</sup> of SE<sup>1</sup>) of Section 11, Township 24 North, Range 15 East that lies South of the Old Woods Ferry Road, excepting highway right of way.

Also excepting rights and interest of Alabama Power Company to all above described lands that lie below the 425 foot contour line established in survey of Coosa River in 1903 by Corps of Engineers.

I was acquainted with K. N. Matthews, who was known to me as the Reverend Keener Matthews, the pastor of a church in the community which I lived. Reverend Matthews was married to Mamie Ware Matthews who died sometime prior to 1910. They had one child, a girl named Mable, who was later married to Tom Dougherty.

I know that in about 1905 K. N. Matthews and his wife Mamie Ware Matthews were in possession of the hereinabove described land, each claiming title to a one half - undivided interest. Mamie Ware died and <sup>subsequently</sup> thereto Mable Dougherty has claimed an undivided one half interest in this land, as the sole heir at law and next of kin of the said Mamie Ware Matthews. K. N. Matthews continued as possessor of this land, claiming title thereto, subject to his daughter's interest. In about 1935, the said K. N. Matthews conveyed his one half undivided interest in this land to his second wife Eunice P. Matthews, who continued as possessor and in about 1947 purchased the interest Mable Daugherty had in this land. In about 1950, the said Eunice P. Matthews then a widow, conveyed all of the hereinabove described land to Ida Lee Higgins, the widow of Clarence Higgins, Sr. and her three children, namely, Clarence Higgins, Jr., Morris Higgins, and Johnnie E. Higgins, who immediately moved into possession of this land under the claim of co-ownership. The said Ida Lee Higgins, was married to Quiller Hand in about 1948 and in about 1958 she and her children divided this land into four parcels, by the exchange of deeds, each claiming title to their respective parcels of land and have continued as possessor and title claimant of their respective land up until the present time, with the exception of Clarence Higgins, who conveyed his parcel of this land to Morris Higgins in about 1961. Morris Higgins, subsequently conveyed this particular parcel of land to Edward D. Vanderslice who is now the possessor and title claimant.

I know that Ida Lee Higgins Hand, Johnnie E. Higgins, Morris Higgins, Edward D. Vanderslice are the present possessors of the hereinabove described land, each claiming title to his respective portion of land.

I know that the persons, named hereinabove, as present owners and their predecessors in title have been in the actual, continuous, and exclusive possession of this land for more than 40 years, and their possession has been visible, open, hostile and notorious. They have assessed their respective lands for taxes and have paid the taxes due thereon.

I know that during the past 40 years Ida Lee Higgins Hand, Johnnie E. Higgins, Morris Higgins, Edward D. Vanderslice and their predecessors in title have constructed dwelling houses, cottages, and other necessary outbuildings on this land. They have planted gardens, flowers, and trees on this land and have fenced and cross fenced portions of this land and have kept livestock therein. They have mortgaged and leased this land and have dug wells, granted right of ways, cut and sold timber and have exercised every other act necessary to the peaceful use and enjoyment of this land as was consistent with the nature of the land.

I know of no person or persons claiming any right to any portion of the hereinabove described land or disputing the possession of this land by the hereinabove named land owners under the claim of ownership during the past 40 years.

I know that Eunice P. Matthews is one and the same person as Eunice O. Matthews and Mrs. K. N. Matthews.

Continued

I know that Clarence Higgins, Jr. is one and the same person as the Clarence Higgins appearing in the chain of title to the hereinabove described land.

I know that the McKenzie, Ware and Matthews families are not blood kin to the Hand and Higgins families.

Clarence E. Higgins

Sworn to and subscribed before me  
this 12th day of August, 1966.

[Signature]  
Notary Public - State at Large

STATE OF ALA., SHELBY CO.,  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 8-31 1966

RECORDED & \$        MTG. TAX

\$        DEED TAX HAS BEEN  
PD. ON THIS INSTRUMENT.

Conrad M. Fowler  
JUDGE OF PROBATE