

STATE OF ALABAMA  
SHELBY COUNTY

Before me, the undersigned authority, personally appeared Alex Etress who, being first duly sworn on oath by me, 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 possession, claim of ownership and use of the following described land for more than 35 years.

The Northeast Quarter of Southwest Quarter (NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section 12, Township 24 North, Range 15 East.

Also the Northwest Quarter of Southwest Quarter (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) and the Southeast Quarter of Northwest Quarter (SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section 12, Township 24 North, Range 15 East, excepting rights and interest of Alabama Power Company to that part of said lands that lie below the 425 foot contour line established in Survey of Coosa River made 2nd August 1903 by the Corps of Engineers.

I know that more than 35 years ago all of the above described lands, except that part not in possession of W. A. Henke and Karl Hofammann, were in the possession of K. N. Matthews and wife Eunice P. Matthews and Mable Dougherty. Mable Dougherty, a daughter of K. N. Matthews and Mamie Ware Matthews, claimed an undivided one-half interest in this land through her deceased mother, Mamie Ware Matthews. After the death of K. N. Matthews, his daughter, Mable Dougherty gave up her interest in this land to Eunice P. Matthews, one and the same person as Mrs. K. N. Matthews. This is a part of a larger tract of land that was in the possession of K. N. Matthews and Eunice P. Matthews. They rented portions of the larger tract of land to tenants who resided on this land and cultivated portions of this land in cotton, corn and hay, fenced portions of the larger tract of land and kept livestock used in general farming.

The following described portion of the above described land came through Eunice P. Matthews, one and the same person as Eunice O. Matthews and Mrs. K. N. Matthews, into the possession of Claude Carden and wife Dessel Carden.

The Northeast Quarter of Southwest Quarter (NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ); that part of the Southeast Quarter of Northwest Quarter (SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ) that lies South of back waters of Lay Lake; the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) less and except a tract or parcel of land in the Southwest corner described as follows: Begin at a certain hickory sapling near the South side of the Old Woods Ferry Road and thence run in a North-westerly direction along said old road to the section line, thence South to the Southwest corner of said quarter-quarter section; thence Easterly to point of beginning, together with the right of ingress and egress thereto.

Claude and Dessel Carden have constructed a dwelling on this and resided thereon since they have been in possession. They have cultivated portions of this land, fenced and cross-fenced portions of this land and kept livestock thereon, constructed a barn and other out buildings on this land and used as they have seen fit. Claude Carden and wife Dessel Carden constructed a concession stand on this land known as Ideal Fish Camp and sold concession therefrom. All other usual and normal acts of possession consistent with the nature of this land have been exercised by Claude and Dessel Carden and their predecessors in title for a period of more than 35 years.

The following described portion of the first above described lands came through Eunice P. Matthews, one and the same person as Mrs. K. N. Matthews, into the possession of C. E. Thompson.

Begin on the West line of the Southeast Quarter of Northwest Quarter (SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section 12, Township 24, Range 15 East where the same intersects the North line of Cates Branch and run North along the West line of said forty acres to the point where the same intersects the Southwesterly line of Spring Creek; thence along the line of Spring Creek in a Southeasterly direction to the place where it meets the Northerly line of Cates Branch; thence along the Northerly line of Cates Branch in a Southwesterly direction to the point of beginning; being 2 acres, more or less and being situated in Shelby County, Alabama.

C. E. Thompson constructed a dwelling on this land and resided thereon until recently. C. E. Thompson recently had a house mover to relocate this house on some other lands in his possession.

The following described portions of the first above described lands came through Eleeke Ellison, one and the same person as E. E. Ellison into the possession of F. B. Patterson. After the death of F. B. Patterson, W. A. Henke and Karl Hofamann came into possession of this land through the heirs of F. B. Patterson and through a court proceeding.

A tract or parcel of land in the Southwest Corner of the Northwest Quarter of the Southwest Quarter (NW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub>) of Section 12, Township 24 North, Range 15 East more particularly described as follows: Begin at a certain hickory saplin near the South side of the Old Woods Ferry Road; and thence run in a Northwesterly direction along said old road to the section line; thence South to the Southwest corner of said quarter-quarter section; thence Easterly to the point of beginning.

W. A. Henke and Karl Hofamann have a large tract of land of which this is a part. There are no buildings or improvements of any kind on this land, ~~but they have constructed some buildings on the larger tract of land of which this is a part.~~ They have cut pulpwood from this land since they have been in possession. F. B. Patterson resided on the large tract of land of which this was a part while he was in possession.

I know that Claude and Dessel Carden, C. E. Thompson, W. A. Henke and Karl Hofamann and their predecessors in title have been in possession of the tracts of lands described above under their name for more than 35 years, and their possession has been open, actual, continuous, exclusive, notorious and hostile under claim of ownership. They have assessed the tracts of lands described above under their names and paid the taxes for more than 35 years.

I know of no person or persons claiming any right to or disputing the possession of this land under claim of ownership by Claude and Dessel Carden, C. E. Thompson, W. A. Henke and Karl Hofamann, respectively as described above, or their predecessors in title for a period of more than 35 years. I know more particularly that Sanders C. Verrell nor Frank W. Harris have not been in possession of this land or claim any rights in this land for more than 35 years.

Sworn to and subscribed before me  
this 13 day of September, 1966.

Donald C. Formby  
Notary Public - State at Large

Tract No. 440 - Claude Carden  
445 - W. A. Henke  
434 - C. E. Thompson

STATE OF ALA., SHELBY CO.,  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 8 AM

10-18 1966

RECORDED & \$ ✓ MTG. TAX

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

Conrad M. Fowler  
JUDGE OF PROBATE