

STATE OF ALABAMA
SHELBY COUNTY

Before me, L. E. Parker, a Notary Public in and for the State of Alabama at Large, personally appeared C. H. Nash, who is known to me and after first being duly sworn, deposes and says as follows:

My name is C. H. Nash. I am 80 years of age and reside in Shelby County, Alabama in the vicinity of the land described hereinbelow. I have been familiar with this land and have known its possessors for more than 40 years. This land is best described as:

Parcel No. 1: Commencing at the Southwest corner of the North Half of Northeast Quarter of Northeast Quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section 23, Township 21 South, Range 1 East and run in an Easterly direction parallel with the North boundary of said Section 23 and Section 24 to the West bank of Coosa River; run thence up stream in a Northeasterly direction with said river to the confluence of the Wilsonville branch, also known as Brasher branch; run thence up said branch with its meanders to its intersection with the East and West median line of Section 13; run thence in a Westerly direction along said median line to the Southeast corner of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}$ of $NE\frac{1}{4}$) of said Section 13; run thence in a Northernly direction and parallel with the North and South median line of said Section 660 feet; run thence West and parallel with the East and West median line of said Section 1320 feet to the North and South median line of said Section 13; run thence in a Southerly direction along said median line 660 feet to the center of said Section 13; run thence in a Westerly direction along the East and West median line of said Section 13 and East and West median line of Section 14 to Bulley's Creek; run thence in a Southerly direction down said creek with its meanders to a point which is located as follows: Commencing at a point on the West boundary of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ of $SE\frac{1}{4}$) of Section 14, Township 21 South, Range 1 East, which is 50 feet South of Northwest corner of said Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ of $SE\frac{1}{4}$); run thence South 6 degrees East 335.9 feet; run thence South 24 degrees 15 minutes East 352.8 feet; run thence South 31 degrees East 374.8 feet; run thence South 26 degrees 30 minutes East 359 feet to said point on said creek; run thence in a southwesterly direction 444 feet to a point on the West boundary of Southeast Quarter of Southeast Quarter ($SE\frac{1}{4}$ of $SE\frac{1}{4}$) of said Section 14, which is 200 feet South of Northwest corner of said Southeast Quarter of Southeast Quarter ($SE\frac{1}{4}$ of $SE\frac{1}{4}$) of said Section 14; run thence in a Southerly direction along the West boundary of said Southeast Quarter of Southeast Quarter ($SE\frac{1}{4}$ of $SE\frac{1}{4}$) of said Section 14 and the West boundary of Northeast Quarter of Northeast Quarter ($NE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section 23 to point of beginning, situated in Sections 13, 14, 23 and 24 of Township 21 South, Range 1 East, Shelby County, Alabama, subject to the flood rights of Alabama Power Company, shown on page 16 of deed book 52 and page 330 of deed book 60 in the Probate Office of Shelby County, Alabama. Tract No. 492 - Albert M. Lokey & Frances K. Lokey - owners.

Parcel No. 2: The South Half of the Northeast Quarter of the Northeast Quarter ($S\frac{1}{2}$ of $NE\frac{1}{4}$ of $NE\frac{1}{4}$) and the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section 23, Township 21 South, Range 1 East in Shelby County, Alabama which lies North and East of Weaver Spring Branch also known as Bullies Creek.

That part of the South Half of the North Half of the Northwest Quarter ($S\frac{1}{2}$ of $N\frac{1}{2}$ of $NW\frac{1}{4}$) and the South Half of the Northwest Quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$) of Section 24, Township 21 South, Range 1 East in Shelby County, Alabama, lying West of Coosa River and North of Bullies Creek.

All that part of Fractional Section 13, Fractional Township 21 South, Range 1 East lying South of and including the Ferry landing and road leading from Mardis Ferry on Coosa River to Fayetteville in Talladega County, Alabama. Tract No. 234-1 & 2 - Heirs of C. W. Lokey - owners.

I know that the above described land was acquired by Dr. C. W. Lokey in two separate transactions. One portion was acquired from B. J. Owen in about 1915, the remaining portion of land was acquired from Wiley (W. C.) Garrett in about 1924 and from the later date forward Dr. C. W. Lokey was in possession of all the hereinabove described land claiming title thereto until in about 1952 when he conveyed that land described above as Parcel No. 1 to Albert M. Lokey and Frances K. Lokey who moved into immediate possession of this parcel of land and have continued as possessor and title claimant up until the present time. The above land described as Parcel No. 2 remained in possession of C. W. Lokey under the claim of title until his death in about 1965, afterwhich time the heirs of C. W. Lokey have continued as possessors and title claimant.

I know that Albert M. Lokey, Frances K. Lokey, the heirs of C. W. Lokey and their predecessors in title have been in the actual, continuous and exclusive possession of their respective portions of the hereinabove described land for more than 40 years. Their possession has been visible, open, hostile and notorious. They have assessed their land for taxes and have paid the taxes due thereon.

I know that Albert M. Lokey, Frances K. Lokey, the heirs of C. W. Lokey and their predecessors in title and possession during the past 40 years have constructed dwelling houses, barns, sheds and other necessary outbuildings on this land. They have fenced and cross-fenced portions of this land and have kept livestock therein. They have dug wells, installed water systems and sewage disposal systems on this land during the past year. They have constructed roads on both sides of the river and have operated a ferry boat between Shelby and Talladega Counties on the Coosa River for hire. They have also operated a dairy farm on the hereinabove described land and have constructed the necessary landings, buildings and other fixtures and attachments for these operations. They have used portions of this land for security for mortgages and have granted right of ways and easements for power lines and public roads across this land.

I know of no person or persons claiming any right to this land or any part thereof adversely to the said Lokeys during the past 40 years or more and I know of no person disputing their possession of the hereinabove described land by the said Lokeys and their predecessors in title under the claim of ownership.

I more specifically know that R. A. Owen, Elias Weaver, B. J. Owen, J. T. Vansant, Lula Vansant, Wiley (W. A.) Garrett, M. H. Fowler, their spouses of their heirs have not been in possession of any portion of the hereinabove described land during the past 40 years nor have they exercised any act or claim of title or interest in this land during this time.

I know where the old Hobbs house is located on the hereinabove described land and the road leading to it and I know that neither the house or the road leading to it will not be affected by the waters in the raising of Lay Dam.

I know that the old Mardis Ferry which was operated by C. W. Lokey and his predecessors in title and possession of this land has not been in operation for many years. I also know that C. W. Lokey sold the ferry rights to O. F. Lokey to shift liability for any claims arising out of the operation of the old Mardis Ferry which has long been discontinued. The old ferry boat was sold and the landing area in Shelby County has been leased to a boat club for several years. The said O. F. Lokey has not exercised any right or claim to this land or fixtures used in the operation of this ferry since it was discontinued.

I know that about one acre of the hereinabove described land is situated in Talladega County. It came through the same chain of title to C. W. Lokey and is recognized and understood to be a part of the C. W. Lokey Estate lands. It was once used for the east landing of the ferry and as a road from the river.

Sworn to and subscribed before me
this 12 day of MARCH, 1967.

[Signature]
Notary Public - State at Large

Tract No. 234 - C. W. Lokey Estate
Tract No. 492 - Albert M. Lokey

C. H. Nash
JUDGE OF PROBATE

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1967 APR - 8 AM 9:22
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE

BOOK 247 PAGE 611