

OK
STATE OF ALABAMA)

JEFFERSON COUNTY)

11473

Before me, the undersigned Authority, in and for said County, in said State, personally appeared Samuel H. Kelley, who is known to me, and who being by me first duly sworn, deposes and says on oath that he is familiar with the ownership, possession and title to certain lands in Shelby County, Alabama, described as the East half of the Southeast Quarter of the Northeast Quarter (E½ of SE¼ of NE¼) of Section 26, Township 19, South, Range 3, West, consisting of a twenty acre tract of land; that Affiant has resided in the community where said property is located for more than twenty years prior to this date; that Affiant has been engaged in the coal mining business in the Acton area of Shelby County, Alabama, which is the same community where said tract is located, for the past twenty years; Affiant is acquainted with most of the adult residents who reside in the community where said property is located. Affiant is acquainted with Samuel F. Bains, B.A. Chace and F.A. Chace, who successively have owned said tract of land for more than twenty years prior to this date. Affiant knows that said Samuel F. Bains resided near said property and owned same up until he sold said parcel to B.A. Chace and F.A. Chace in 1959; that said property being near the home property of said Bains, was used as a part of his home premises by said owner; that C.E. Dickey, a tenant, has operated a coal yard, weighing station and mine on adjoining property for many years prior hereto; that for more than ten years prior to August 14, 1959 said Samuel F. Bains had the open, notorious, exclusive, uninterrupted and peaceful possession of said property, claiming to own the same; and that during said period of time, Affiant has never heard of any one who questioned the ownership or right to possession of said property by said Bains; that since 1959 when B.A. Chace and F.A. Chace purchased said property, said purchasers have had the open, notorious, continuous and uninterrupted possession of said property, holding the same at all times in a peaceful manner, without question or contest from any persons; that said ownership by Samuel F. Bains, and by B.A. Chace and F.A. Chace was well known and accepted and recognized by all persons in the community where the property is located; that altogether Affiant has resided in said community for the past twenty-six years, and a great part of said time, within a half mile of said property above described.

Samuel H. Kelley
(Samuel H. Kelley).

Sworn to and subscribed before me this the 7th of August, 1968.

Notary Public
NOTARY PUBLIC.