

STATE OF ALABAMA )

SHELBY COUNTY )

Before me, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared Natt C. Smith, who, being by me first duly sworn to speak the truth deposes and says as follows:

My name is Natt C. Smith and I am 71 years of age. I have been familiar with the ownership of the following described property for the last 13 years, to-wit

A part of the SW $\frac{1}{4}$  of Section 33 and a part of the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 33, all in Township 21 South, Range 2 West, described as follows: Commencing at the SW corner of said Section 33; thence run North 2° 30' West along the Section line 1989 feet; thence run East 718.5 feet to the East line of the right of way of the L & N Railroad, the point of beginning; thence run North 87° East 1466.5 feet to the West line of the Birmingham-Montgomery Highway right of way; thence south 27° 32' East along said right of way 210.5 feet; thence south 33° 45' East 376 feet; thence south 34° 55' East 754.7 feet to a point; thence south 52° 10' West 487 feet; thence south 86° 40' West 360 feet; thence south 9° 20' East 165 feet; thence south 87° 30' West 1160.7 feet to the East right of way line of L & N Railroad; thence North 11° 33' West 1614 feet to the point of beginning, EXCEPT property as described in Deed Book 70, page 416 and in Deed Book 71, page 346, also EXCEPT right of way and easements of record; Also EXCEPT lot sold to M. W. Hammond, Sr. and Elizabeth Wallace Hammond as shown by deed recorded in Deed Book 178, page 368, also EXCEPT lot sold to the Trustees of Concord Baptist Church as shown by deed recorded in Deed Book 203, page 490; also EXCEPT property sold to K. D. Cooke and Mary Cooke as shown by deed recorded in Deed Book 235, page 6.

The above described property was purchased by me on October 17, 1955 by deed recorded in Deed Book 176, page 38, in the Probate Records of Shelby County, Alabama. Since that time I have continuously lived on the property and operated a store on it. I have been in the open, notorious, hostile, exclusive and uncontested possession of the above described property for 13 years. During this period a portion of the property has been cultivated at various intervals by my tenants. I know of no dispute as to the ownership or boundary lines of the above described property.

It has been called to my attention that a deed was executed on December 19, 1934 recorded in Deed Book 96, page 262, in said Probate Records. by C. R. Templin and wife to J. F. Edwards and W. S. Stonecypher, as Trustees of Dargin Community. This deed purported to convey two acres for use as a cemetery. The description contained in the deed was vague, and it is difficult to ascertain exactly where the cemetery was to be located.

I know of my own knowledge that a cemetery is located on the southeast side of County Road No. 22 adjacent to the site of C. R. Templin's former home. There has never been a cemetery on the North side of County Road No. 22 which is where the above described property is located.

Sworn to and subscribed before me this 17 day of October, 1968.

Notary Public