

STATE OF ALABAMA
SHELBY COUNTY

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Shelby Cnty Judge of Probate, AL
01/14/1972 12:00:00 AM FILED/CERT

Before me, the undersigned authority in and for said County, in said State personally appeared C. O. Foster, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is C. O. Foster. I am 82 years of age and have been familiar with the hereinafter described land for the past 40 years, or more. Said land being described as follows:

The South 220 yards of the west 308 yards of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
Also the east 132 yards of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
All being in Section 29, Township 21 South, Range 1 East,
Shelby County, Alabama.

There has been called to my attention that the southwest 14 acres described above was shown in many conveyances where the north and east lines were one and the same as the north and east lines of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 29.

I know of my own knowledge that this is not correct. I am very familiar with the lines of the above described 26 acres and have walked the lines and know where each and every corner is located. I cut the timber on said land several occasions during the time the Rileys owned the land. I knew that B. R. Riley purchased the land through a tax title, but I know he went into immediate possession of it when he purchased the same and I cut the timber soon thereafter. He and his heirs continued to own the land until they sold the same to Nathan Mooney in 1969. The said Nathan Mooney went into immediate possession of the land and has owned it continuously until this very day. I have never heard of A. C. Naish or his heirs or anyone else ever contesting the title or disputing the possession of the said Nathan Mooney and his predecessors in title.

I am familiar with the 14 acres now owned by Hobart Lee and James L. Smith which are situated in the northwest corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 29. It is one and the same tract of land owned by T. R. Walton, R. T. Kirkland, William R. Chappell and now Lee and Smith. I know the lines and pointed them out and each corner thereof to James L. Smith a couple of weeks ago and know they only claim a tract being 220 yards north and south and 308 yards east and west and being in the northwest corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 29.

Sworn to and subscribed to before

me on this the 14th day of January, 1972.

C. O. Foster

C O Foster

Martha C. Jainer
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1972 JAN 14 PM 2:38

REC. BK. & PAGE NO. ABOVE
JAN 14 1972
JUDGE OF PROBATE

Check Book 271 Page 371