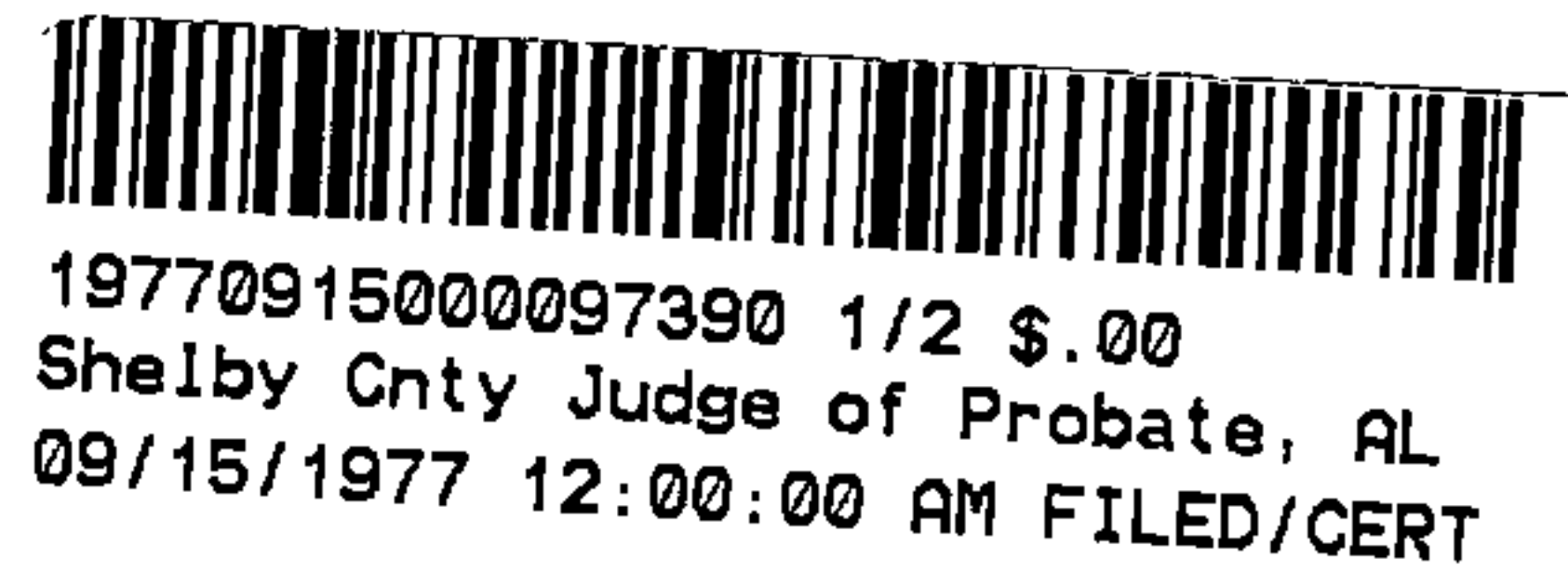


1667



Before me, the undersigned authority in and for the State of Alabama at Large, personally appeared J. R. Oden, Sr., who, after being by me first duly sworn to speak the truth, deposes and says:

My name is J. R. Oden, Sr. I am Chairman of the Board of Alabama Mineral Land Company and have been associated with the Company for the past 55 years and have all along been well acquainted and knew the details of all of its land ownership, acquisitions, sales and use and possession of the same.

There has been called to my attention that Oden-Elliott Lumber Company failed to record its deed from J. F. (Jack) Hardin covering the following described land:

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 6, Township 19, Range 1 West, Shelby County, Alabama.

I knew Mr. Jack Hardin quite well and recall that he owned and lived on said ten acre parcel for many years. He used the same as his homeplace. I do not recall the exact date the deed was made, but I worked out an agreement whereby Oden-Elliott Lumber Company would swap Mr. Hardin certain property it owned over the mountain across New Hope Mountain for the ten acre parcel. Deeds were exchanged and I finalized the swap. Mr. Hardin moved away from the ten acre parcel and moved upon the land he received from Oden-Elliott Lumber Company in the swap. Soon after he moved from the ten acres, I had the well filled up with a bulldozer and some years after that, I had Buster Key to tear down the house. Said Oden-Elliott Lumber Company owned the remainder of the property in said NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 6, Township 19, Range 1 West, and it went into immediate possession of the ten acres and looked after it along with its other properties; We began assessing said property in 1935 and have assessed and paid taxes on it each and every year--either Oden-Elliott Lumber Company or Alabama Mineral Land Company until it was sold to Oak Park Development Corporation, and no other person, firm or corporation has assessed, paid taxes or asserted any type ownership to said ten acre parcel. The ten acres we swapped to J. E. Hardin (whose name has erroneously been referred to as Harding) was the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, Township 18, Range 1 West, and the

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BOOK

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deed from Oden-Elliott Lumber Company, Inc. to J. E. Harding is recorded in Deed Book 95 page 243 in the Probate Office of Shelby County, Alabama. Through some oversight Oden-Elliott Lumber Company apparently failed to record its deed, but as mentioned above, during the years I have known the above described ten acres of land, J. E. Hardin, Oden-Elliott Lumber Company, Alabama Mineral Land Company and now Oak Park Development Corporation have been in the actual, notorious, open, adverse, peaceful and exclusive possession of this land claiming to own the same, paying taxes thereon, using it as the home of J. E. Hardin and as timber land use by said companies each and every year until this very day and I have never heard of anyone contesting their title or disputing the possession of said parties to said land. During the time Oden-Elliott Lumber Company and Alabama Mineral Land Company owned the land, we had someone/looking after our land and either Mulky Cruse, Tapscott, Buster Key or myself was going upon the land and keeping close check on it along with the other properties of said Company.

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Shelby Cnty Judge of Probate, AL
09/15/1977 12:00:00 AM FILED/CERT

J. R. Oden, Sr.
J. R. Oden, Sr.

Sworn to and subscribed to before me
on this the 14th day of September, 1977.

Martha B. Jester
Notary Public

THE SHELBY COUNTY CLERK
101 N. GADSDEN ST.
MEMPHIS, TENN. 38102
SEP 15 1977
JUDGE OF PROBATE
Fee. 3.00
Ink 1.00
\$ 4.00