

AFFIDAVIT

STATE OF ALABAMA)

SHELBY COUNTY)

Before me, L. H. Ellis, a Notary Public in and for said County, in said State personally appeared E. C. Miller, who is known to me, and who being by me first duly sworn, deposes and says, that he is acquainted with the southwest quarter of the southwest quarter of Section 3, Township 20, Range 1 east, Shelby County, Alabama, and has known the same all of his life, and that he is now sixty years of age, and has lived in the community where this land is situated all of his life.

Further deposing affiant says that he is one and the same person as E. C. Miller who executed a mortgage to J. P. Pearson & Son, conveying said land, on February 12, 1910, which mortgage is recorded in the Probate Office of Shelby County Alabama, in mortgage Book 88, at page 108.

Further deposing affiant says that he is one and the same person as E. C. Miller who on January 7, 1914, executed a mortgage to the Bank & Trust Company of Talladega Alabama, conveying said forty acre tract of land, and which mortgage is recorded in the Probate Office of Shelby County, Alabama, in Mortgage Book 106 at page 193.

Further deposing affiant says that the inclusion of the above described forty in each of said mortgages was an error; that neither he nor his wife ever claimed or owned said forty acres of land and were never in possession of it, and that it was erroneously included in said mortgages as aforesaid.

Further deposing affiant says that when said mortgages were executed he owned the following land, in Shelby County, Alabama, viz: the north half of Section 3, Township 20, Range 1 east, lying south and west of Yellow Leaf Creek, and did not own any land at all in the south half of said section.

Sworn and subscribed to before me E. C. Miller

this the 13th day of June, 1928.

L. H. Ellis--Notary Public

THE STATE OF ALABAMA)

SHELBY COUNTY)

I, L. B. Riddle Judge of Probate hereby certify that the within affidavit was filed in this office for record June 16th 1928 at 9 oclock A.M. and recorded in Deed record 86 page 235 and examined.

L. B. Riddle--Judge of Probate