STATE OF ALABAMA,

Before me, L. H. Filis, a Notary Public in and for said County, in said State perdonally appeared H. S.Nelson, who is known to me, and who being by me first duly sworn deposes and says that he is acquainted with the east half of the north east quarter of Section 28, Township 21 Range 1 West, Shelby County, Alabama, and has known the same for more than fifty years; that said eighty acre tract of land belonged to his father, Hardy S. Nelson, who deeded it to W. A. Mallant in 1883; further deposing affiant says that on the first day of November, 1913, he did not own said eighty acre tract of land, and had no interest in it, and has not since said time owned it or had any interest in it and has none now.

Further deposing affiant says that on said November 1, 1913, when he and his wife, Jennie C. Nelson, executed to J.A.Fuller a mortgage which is recorded in the robate Office of Shelby County, Alabama, in mortgage book 104 at page 463, he did own the east half of the south east quarter of said Section 28 and that was the land intended to be included in said mortgage, and if it was not so included and if the east half of the north east quarter of said section, or any portion thereof, was included in said mortgage it was an error, for, as stated, affiant did not own any land in the north east quarter of said Section.

Further deposing affianst says that the Southern Railway does not run across the north east quarter of said Section 28, but does run across the South east quarter of said Section 28.

H. S. Nelson

Sworn and subscribed to before me this the 31st day of May, 1934.

L. H. Fllis,

Notary Public.

Filed for record in this of fice May 31st 1934 at 4 o'clock PM and duly recorded in deedrecord 97, page 364 and examined.

Cage Head, Judge of Probate