

#361

AFFIDAVIT

STATE OF ALABAMA)
(
JEFFERSON COUNTY)

Before me, the undersigned authority in and for said county in said state, appeared Albert Ash, who being by me first duly sworn says: "I am the husband of Edna E. Ash, who is the joint owner with Maggie A. Ash or her assignees or heirs of the hereinafter described real property situated in Shelby County, Alabama. I am familiar with the transaction in which my wife and Maggie Ash purchased such property, on to-wit: January 3, 1919. My attention has been called to the fact that the consideration stated in the deed of said property recorded in Deed Book 62, page 229, in the Probate Judge of Shelby County, Alabama, recited the assumption of a mortgage for \$1,000 on said property. I know nothing about such mortgage. The record in Probate Office Mortgage Book 94, page 271, in the Probate Office of Shelby County, shows a mortgage for \$1100 dated 2nd day of January, 1913, payable 1st day of January, 1914. This mortgage was evidently satisfied before my wife and Maggie A. Ash purchased said property because we never heard anything from the mortgage, no payments were made on it by us since we purchased the property, either by Edna Ash or Maggie Ash. I do not understand the records showing this mortgage to S. D. Motley or the deed to my wife and Maggie Ash showing assumption of one thousand dollar mortgage/^{as}we were informed at the time of the purchase that it was free from any such incumbrances and from 1918 to the present time no one has ever claimed any right under such mortgage secured by this property. Throughout the ownership of this property by my wife I handled her interest in it exclusively, she leaving the entire matter to me.

The property above referred to is described as follows:

Beginning on the Eastern boundry line of Sec. 4, T. 22, Range 2 West, at a point 881 feet from the South East corner of the North East quarter of the North East quarter of said section; thence North along said section line and along the Eastern boundry line of Section 33, T. 21, same range 870 feet, thence West to the right of way of the South and North Alabama Railroad, thence South along said right a way to the South boundry line of said section 33. Thence East along said boundry line of Sec. 33, to the North West corner of the North East quarter of the North West quarter of said Section 4, thence south the North West corner of the land of Sallie Byrd, thence East along the line of the land of Sallie Byrd to the point of beginning, containing 80 acres more or less except one acre deeded to the Baptist Church and except one fourth of an acre reserved as a cemetery lot on which is now located, a cemetery, and lying along northern boundry line of said land. Also the following described tract or parcel of land containing 32 acres more or less, and described in the United States land survey as follows, a part of the North West quarter of the North West quarter of section 4, township 22, range 2 West with the following reservations, a right of way for the South and North Alabama Railroad 100 feet wide through this north west quarter of the North West quarter as now located, and a lot on the West side of this right of way to be 250 feet wide and from the middle of public road South West to South line of this land, the whole reservation being about 8 acres situated in Shelby County, Alabama within the Land District of Montgomery.

Albert Ash

Sworn to and subscribed before me

this the 13 day of Dec. 1943.

Irene Gillis
Notary Public

Filed in the office of the Probate Judge the 22nd day of December, 1943 at 8 o'clock A.M. and recorded in the Deed Record 117 on page 547 on this the 27th day of December, 1943.

L.C. Walker,

NO TAX DUE ON THIS INSTRUMENT

Judge of Probate