

#1052

STIPULATION AMENDING MORTGAGE

THIS AGREEMENT, made and entered into this 26 day of January, 1944, by and between C. D. Whitten and Zelma Whitten, his wife, of the County of Shelby, State of Alabama, hereinafter called the Mortgagors, and the United States of America, hereinafter called the Mortgagee;

WITNESSETH THAT:

WHEREAS, the Mortgagors executed to the Mortgagee that certain real estate mortgage covering lands situated in the County of Shelby, State of Alabama, and which mortgage was recorded in Book 192, Page 308, in the Office of the Judge of Probate, of Shelby County, Alabama, and;

WHEREAS, an error was made in the description of the said land in the said mortgage, and,

WHEREAS, the parties hereto desire to amend said mortgage in order that the lands intended to be conveyed will be accurately and correctly described.

NOW, THEREFORE, it is agreed between the Mortgagors and the Mortgagee that the correct and accurate description of the said land is as follows:

The West Half ($W\frac{1}{2}$) of Southwest Quarter ($SW\frac{1}{4}$) of Northwest Quarter ($NW\frac{1}{4}$) of Section 3 Township 21, Range 1 East; also East Half ($E\frac{1}{2}$) of Southeast Quarter ($SE\frac{1}{4}$) of Northeast Quarter ($NE\frac{1}{4}$) of Section 4, Township 21, Range 1 East, less 6 acres evenly off the West side. The Southeast quarter ($SE\frac{1}{4}$) of Northeast Quarter ($NE\frac{1}{4}$) of Northeast Quarter ($NE\frac{1}{4}$) of Section 4, Township 21, Range 1 East, less and except on e half ($\frac{1}{2}$) acre, more particularly described as follows: Beginning at the Northeast corner of Southeast Quarter ($SE\frac{1}{4}$) of Northeast quarter ($NE\frac{1}{4}$) of Northeast Quarter ($NE\frac{1}{4}$) of Section 4, Township 21, Range 1 East running West 66 feet; thence South 330 feet; thence East 66 feet to section line; thence North along section line to point of beginning. Also, beginning at the Northeast corner of Section 4, Township 21, Range 1 East running West along section line 440 feet, thence South 495 feet; thence West 220 feet; thence South 165 feet, thence East 660 feet to section line; thence North along section line 660 feet to point of beginning, containing $7\frac{1}{2}$ acres, more or less.

Also, 6 $\frac{2}{3}$ acres evenly off the East side of the South one-half ($S\frac{1}{2}$) of Southeast quarter ($SE\frac{1}{4}$) of Southeast Quarter ($SE\frac{1}{4}$) of Section 33, Township 20, Range 1 East.

Also the West half ($W\frac{1}{2}$) of Northeast Quarter ($NE\frac{1}{4}$) of Northwest Quarter ($NW\frac{1}{4}$) of Section 4, Township 21, Range 1 East, containing in all $77\frac{2}{3}$ acres, more or less, lying and being in Shelby County, Alabama.

It is further agreed that all other terms and conditions of the said mortgage shall continue in full force and effect.

C. D. Whitten
Husband

Zelma Whitten
Wife

THE UNITED STATES OF AMERICA

BY D. H. Frazer
Acting Regional Director, Region V,
Farm Security Administration
United States Department of Agriculture

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

I, Elizabeth R. Blackmon, a notary public in and for said County, in said State, hereby certify that D. H. Frazer, whose name as Acting Regional Director of the Farm Security Administration, Region V, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as Acting Regional Director of the Farm Security Administration, Region V, and with full authority executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 26 day of January, 1944.

Notarial Seal

My Commission Expires Dec. 2, 1947

Elizabeth R. Blackmon, Notary Public

THE STATE OF ALABAMA
SHELBY COUNTY

I, Handy Ellis, a Notary Public in and for said County, in said State, do hereby certify that C. D. Whitten and wife, Zelma Whitten, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this 2nd day of March, 1944.

Handy Ellis
Notary Public

Notarial Seal

My commission expires:
January 1946

THE STATE OF ALABAMA
SHELBY COUNTY

I, Handy Ellis, a Notary Public in and for said County, in said State, do hereby certify that on the 2nd day of March, 1944, came before me the within named Zelma Whitten known to me to be the wife of the within named C. D. Whitte, who, being examined separate and apart from the husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord without fear, constraints or threats on the part of the husband.

Given under my hand and seal, this 2nd day of March, 1944.

Handy Ellis
Notary Public

Notarial Seal

My commission expires:
January 1946

Filed for record in this office on the 2nd day of March, 1944, at two o'clock P. M. and duly recorded in Deed Record Vol. 118 on page 157.

L. C. Walker, Judge of Probate

No tax due on this instrument