

4553

BOOK 102 PAGE 104

STATE OF ALABAMA  
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That WHEREAS, J.W. Burgess and wife Eddie B. Burgess, did execute and deliver to Mattie Milford, a warranty deed dated February 25, 1932, which is recorded in the office of the Judge of Probate of Shelby County, Alabama, in Deed Book 89, page 496, and

WHEREAS, the said J.W. Burgess and wife Eddie B. Burgess on the same day executed a quit claim deed to the said Mattie Milford, which is recorded in said Probate Office in Deed Book 93, page 296, and

WHEREAS, it was the intention of the said J.W. Burgess to convey to the said Mattie Milford by said two deeds, the hereinafter described real estate, but by mutual mistake, the land intended to be conveyed was not properly described, and

WHEREAS the said J.W. Burgess at the time of the delivery of said deeds in February of 1932, put the said Mattie Milford in possession of the hereinafter described land and she remained in possession thereof until she conveyed to Gertie Howard by deed of January 30, 1941, which said deed is recorded in Deed Book 117, page 78 in said Probate Office, and the said Gertie Howard has since been in possession of the hereinafter described land, and

WHEREAS, the said J.W. Burgess has since departed this life intestate, leaving surviving him, his widow, the said Eddie B. Burgess and two children, to-wit:- Johnny R. Burgess, a single man and Jimmie Burgess Nail, the wife of Louis Nail, who are his sole heirs at law, and

WHEREAS, said widow and heirs of the said J.W. Burgess are desirous of correcting the mistake in the aforementioned deeds and of quit claiming all their right, title and interest in and to

the hereinafter described land to the present owner.

NOW THEREFORE, for and in consideration of the premises and the further consideration of One and no/100 Dollar by Gertie Howard <sup>paid</sup> to the said widow and heirs of J.W. Burgess, receipt of which is hereby acknowledged, we the said Eddie B. Burgess, a widow, Johnny R. Burgess, a single man, and Jimmie Burgess Nail and husband Louis Nail do remise, release, relinquish, quit claim and convey unto the said Gertie Howard, the following described land situated in Shelby County, Alabama, to-wit:

Beginning at the intersection of the West boundary of the Northwest Quarter of Northeast Quarter of Section 22, Township 22, Range 2 West, with the South boundary of the Calera Highway, also known as State Highway #25; run thence along said West boundary line, South 3° 30' East 225 feet to the Southwest corner of said Northwest Quarter of Northeast Quarter of said Section 22, continue thence in the same direction 138 feet; run thence North 86° East 461.5 feet; run thence North 82° 45' East 533 feet; run thence North 3° 30' West 950 feet to the South boundary of said Highway #25; run thence South 52° 45' West along the South boundary of said Highway 1194.6 feet to point of beginning.

TO HAVE AND TO HOLD to the said Gertie Howard, her heirs and assigns forever.

Given under our hands and seals, this 11<sup>th</sup> day of July, 1953.

Eddie B. Burgess (SEAL)  
Jimmie L. Nail (SEAL)  
(Louis Nail) Louis Nail (SEAL)  
Johnny R. Burgess (SEAL)

STATE OF ALABAMA

SHELBY COUNTY

Doris S. Lyman a Notary Public  
 in and for said County, in said State hereby certify that Eddie B. Burgess, a widow and Jimmie Burgess Nail and husband Louis Nail 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 this 11 day of July, 1953.

*John I. S. Ceylan*

WITH THE ARMED FORCES OF  
THE UNITED STATES OF  
AMERICA, IN GERMANY

I, John R. Balmat, a commissioned officer,

1/Lt Det. 8, 2d Air Postal Sqd, APO 633 <sup>N.Y., N.Y.</sup> hereby certify that Johnny R.

(Rank and Organization)

Burgess, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand, this 24 day of August, 1953.

*John R. Balmat*  
JOHN R. BALMAT  
1/Lt. USAF

Filed in the office of the Probate Judge on the 24 day of Aug 1953 at 3 o'clock P M.  
and recorded in: Deed Book 162 Page 104 this 1 day of Sept 1953  
Deed Tax        Mortgage Tax        has been paid.  
L.C. Walker, Judge of Probate