

Deed Book 172
Page 172

T. O. Smith, Jr.

Complainant

-vs-

Mary Bush & Nat Mallory,

Respondents

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IN THE CIRCUIT COURT OF

SHELBY COUNTY, ALABAMA

IN EQUITY

This cause coming on for trial, is submitted for final decree on pleadings and proof as noted by the Register, and the Court, upon consideration thereof is of the opinion that Complainant is entitled to the relief prayed for and sought.

It is therefore Ordered, adjudged and decreed by the Court that T. O. Smith, Jr. is the owner of the land described in this complaint, viz:

SW $\frac{1}{4}$ of NW $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, except one acre in the SE corner thereof, all in Section 31, Township 20 South Range 2 East.

It is further ordered, adjudged and decreed by the Court that that neither Respondent Mary Bush nor Respondent Nat Mallory have any right, title, interest or claim to said property.

It is thereupon further ordered, adjudged and decreed that any right, title, or interest that said Mary Bush and Nat Mallory have in said property is divested out of them and each of them and invested in T. O. Smith, Jr., the Complainant in this cause.

It is further ordered, adjudged and decreed by the Court that in the deed of Mrs. T. O. Smith, Sr., to T. O. Smith, Jr. the Complainant in this cause which was executed on January 31, 1947 and filed for record on January 14, 1954 and recorded in the Probate Office of Shelby County, Alabama in Deed Book 164 at page 211 contains a typographical error apparent on the face of the deed, among other property conveying the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ was included in the deed and the error came in describing the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ when it should have been the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 31, Township 20, South, Range 2 East, and said deed is hereby corrected to insert "SE $\frac{1}{4}$ of NW $\frac{1}{4}$ " in lieu of SW $\frac{1}{4}$ of NW $\frac{1}{4}$.

It is further ordered, adjudged and decreed by the Court that the Complainant, T. O. Smith, Jr. be and he is hereby taxed with the cost in this cause.

This the 22nd day of March, 1955.

G. L. Hardegree
Judge

STATE OF ALABAMA, SHELBY COUNTY

I, L.C. Walker, Judge of Probate, hereby certify that the within was filed for record the 22 day of Mar, 1955, at 8 o'clock PM and recorded in Deed Record 172 Page 172 and the Mortgage Tax of Deed Tax of has been paid.

L.C. Walker Judge of Probate