

2751

BOOK 193 PAGE 146

STATE OF ALABAMA)
)
 SHELBY COUNTY)

AFFIDAVIT

Before me, the undersigned authority for and in said County in said State, personally appeared MASON Cumberland And Wife, Ida Mae Cross Cumberland And J. W. Cross who, being first duly sworn, say under oath the following:

We, MASON Cumberland, Ida Mae Cross Cumberland and J. W. Cross, own an interest in some real property located in Shelby County, Alabama and in executing certain deeds and mortgages have, by error, included some of the real property owned by Robert H. Smith, as shown by the record in the Probate Office of Shelby County, Alabama and described as follows, to-wit:

Beginning at the Southwest corner of the Northeast $\frac{1}{4}$ of Southeast $\frac{1}{4}$ of Section 1, Township 20, Range 3 West, in Shelby County, Alabama, and running thence North along the West line of said quarter section a distance of 523.48 feet for a point of beginning, thence an angle to the right of 122 degrees 56 minutes a distance of 1165.33 feet to the West line of Montgomery highway, thence an angle to the left of 91 degrees 12 minutes a distance of 293.66 feet, thence an angle to the left of 115 degrees 04 minutes a distance of 113.2 feet, thence an angle of 26 degrees 16 minutes to the right, a distance of 1215.4 feet, to the west line of said quarter section, thence an angle to the left of 122 degrees 56 minutes a distance of 290.12 feet, to the point of beginning, containing 7 acres, and lying in the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 1, Township 20, Range 3 West.

Also the following described property: Lots Three, Four, and Five in the J. H. Barker's survey of a part of the Northeast $\frac{1}{2}$ of Southeast $\frac{1}{4}$ of Section 1, Township 20, Range 3 West, and of the Northwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 6, Township 20, Range 2 West, according to map of said survey filed for record October 20, 1928, and recorded in Map Book 2 in the Office of Judge of Probate of Shelby County, Alabama.

We are advised that Nannie Cross petitioned L. C. Walker, Judge of Probate of Shelby County and in said petition showed on ~~file~~ Record No. 13, page 122, in said Probate Court certain real property was erroneously described and by error included part of the Smith property above described.

By this article, we hereby declare that no one of the Cross family claims any interest in the Robert H. Smith property above described, and regret that any part of his property was included by error in some of the deeds and mortgages involving the real

estate in which the Cross family is interested.

W. M. Cumberland

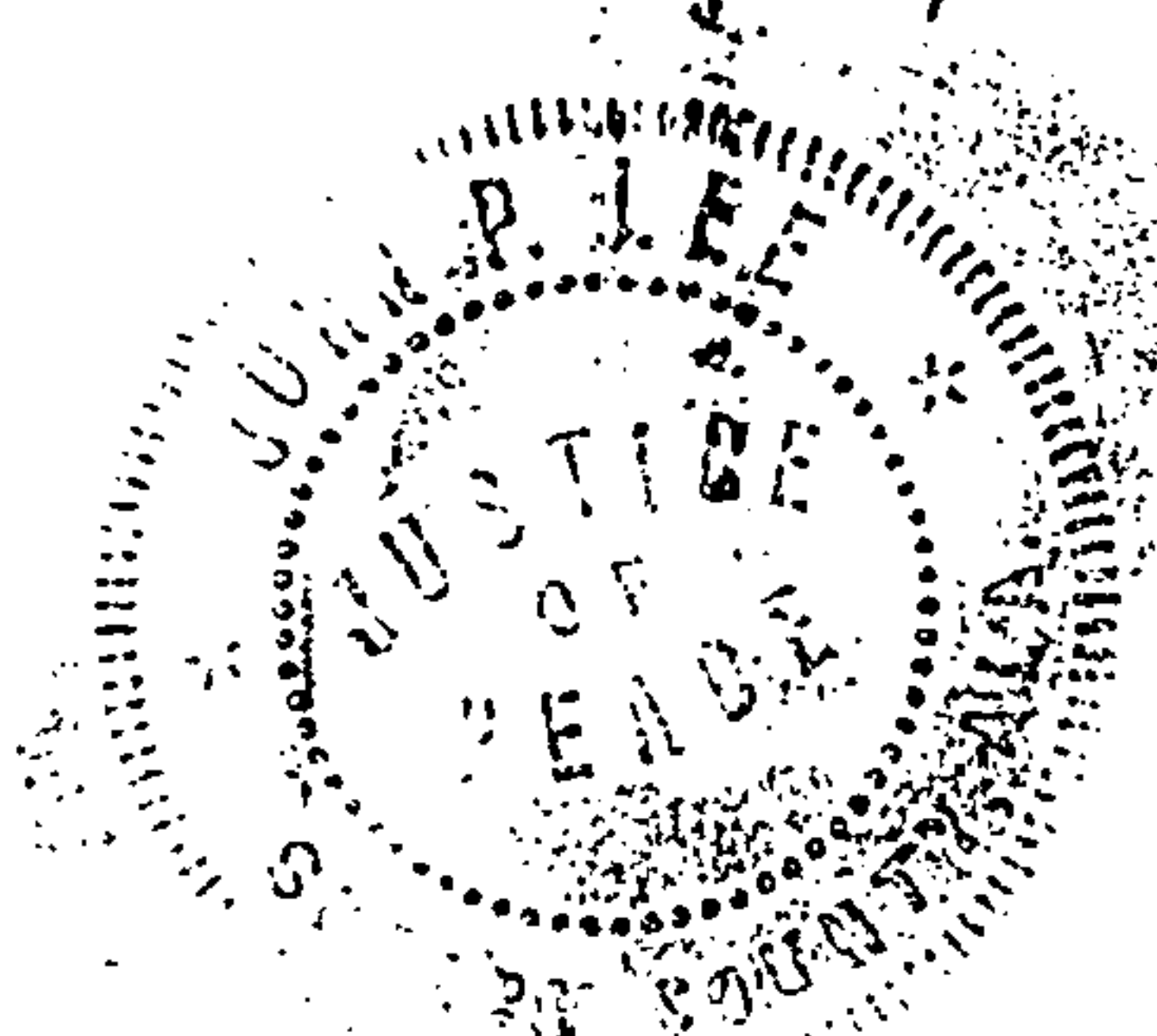
Ila Mae Cross Cumberland

J. W. ^{his} X Cross
MARK

Sworn to and subscribed before me this the 30 day of

April, 1958.

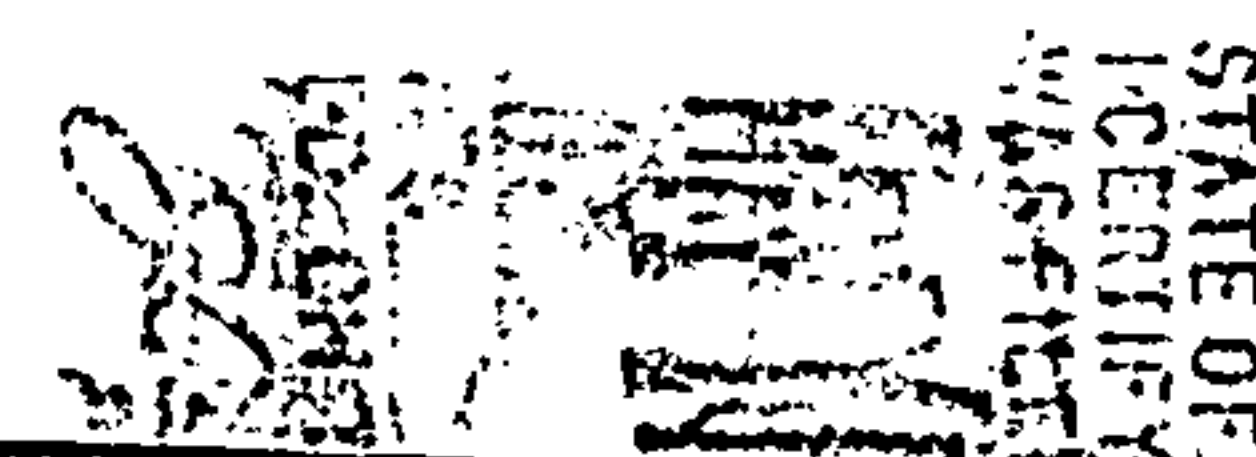
Joseph L. Lee
Notary Public



State of Alabama, Shelby County

I, L. C. Walker, Judge of Probate hereby certify that the within Instrument was filed in this office for record the 9th day of May, 1958, at 8 o'clock A. M. and recorded in D Record 193 Page 246 & examined Deed Tax of \$ _____ has been paid.

L. C. Walker Judge of Probate



STATE OF ALABAMA, SHELBY COUNTY

I, L. C. Walker, Judge of Probate, hereby certify that the within _____ was filed for record the _____ day of _____, 19_____, at _____ o'clock _____ M. and recorded in _____ Record _____ Page _____ and the Mortgage Tax of _____ Deed Tax of _____ has been paid.

L. C. Walker Judge of Probate