

FILED 19 MAY 1959

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STATE OF ALABAMA

COUNTY OF

3X44

Personally appeared before me, the undersigned authority in and for said state and county, F.L. Euler, who, first being sworn to speak the truth in accordance with the law, deposes and says that his name is F.L. Euler; that he is 60 years of age and resides in Birmingham, County of Jefferson, State of Alabama. Deponent further says that he is one and the same person as the Grantee in that certain warranty deed from A.W. Mock and Josephine Mock to F.L. Euler, dated September 29th., 1944, and filed in the Probate Office of Shelby County, Alabama, on September 6, 1946, in Deed Book 125 at Page 233, and that said deed contained an error in at least the description of two quarter quarter sections of land. The descrip-<sup>tion</sup>-in said deed contains the following: SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 29, Township 20, Range 4 West  
NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 29, Township 20, Range 4 West

Affiant further says that both of the said descriptions are incorrect; that Section 29 of Township 20, Range 4 West, is not situated in Shelby County, Alabama, but is situated in Jefferson County, Alabama; that the land intended to be conveyed and the land in which he was put in possession is correctly described as follows: Southwest Quarter of the Southwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 26, Township 20, Range 4 West, situated in Shelby County, Alabama. That the foregoing is the properly correct description of the land to which he was put in possession and that he did in fact take possession of said lands on September 29th., 1944, and continued in the possession of the same, exercising acts of ownership and possession, and claiming the same as his own against all of the world until he sold the said lands to John R. Martin and wife, Margaret C. Martin. Affiant further says that such possession was actual, open, notorious, hostile, visible, and continuous from September 29, 1944, until September 11, 1946, when he sold said lands to John R. Martin and wife, Margaret C. Martin, by warranty deed, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 128, Page 527, on November 18,



1947. Affiant further says that during said period of time, he assessed and paid taxes on said property, as properly described.

Affiant further says that the said A.W. Mock is deceased and that he does not know the names or whereabouts of his heirs.

Affiant further says that upon conveying the said lands in Section 26 to the said John R. Martin and wife, Margaret C. Martin, he put them in possession of the said lands and they took possession of the said lands at that time.

F. L. Euler  
F.L. Euler

Sworn and subscribed to before me this the 17 day of April, 1959.

M. B. Chappell  
Notary Public, DeKalb  
County, Alabama

STATE OF ALABAMA )  
COUNTY OF SHELBY )

Personally appeared before me the undersigned authority in and for said State and County, Jack T. Atchison, who first being duly sworn in accordance with the law to speak the truth, deposes and says that he is the Manager of the Shelby County Abstract Co. and has been engaged in the preparation of abstracts for lands in Shelby County for over 20 years; that he has read the affidavit of F.L. Euler above and that the statements made by the said F.L. Euler as to the location of Section 29, Township 20, Range 4 West, are true and correct. Affiant further states that his abstract records as prepared from the public records of Shelby County, Alabama, contain no transfer of property located in the said Section 29 to A.W. Mock, nor do said records show any transfer of property in said Section 29 to A.W. Mock. Affiant further states that his records are compiled from the date of entries and patents to the present time.

Jack T. Atchison  
(Jack T. Atchison)

Sworn and subscribed to before me this 18th day of April, 1959.

Lewis T. Gordon  
Notary Public, Shelby County,  
Alabama.

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STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within affidavit was filed for record the 14 day of May 1959 at 8 o'clock P.M. and recorded in Deed Record 201 at page 103 and the Mortgage Tax Deed Tax has been paid.

Conrad M. Fowler  
Judge of Probate