

5834

STATE OF ALABAMA

SHELBY COUNTY

Personally appeared before me the undersigned authority in and for said State and County, IRA L. SHARBUITT, who, first after being duly sworn deposes and says: That he is 68 years old and is a resident of Vincent, Alabama; that he has known the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ for more than 50 years and that he knows and clearly remembers when C. A. Glaze took title to a portion of the aforesaid real estate on the 22nd day of July, 1908 by virtue of a Tax Deed from the Judge of Probate of Shelby County, Alabama, on said date; that the description in the said deed is recorded as follows: The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, less 10 acres in the SW corner, Section 3, Township 19, Range 2 East, Shelby County, Alabama and that the true and correct description should be the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, less 10 acres in the SE corner, lying in Section 3, Township 19, Range 2 East, Shelby County, Alabama; that the 10 acres excepted from the said forty is in fact excepted out of and from the SE corner of said forty and that the description recited in the said Tax Deed, that the 10 acres excepted from the said forty being in the SW corner is in error and never in fact did happen; that the heirs at law and the assigns of the said C. A. Glaze have never claimed any land in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ except 30 acres described as follows: SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, less 10 acres in the SE corner, Section 3, Township 19, Range 2 East, Shelby County, Alabama;

That Henry Walton by deed dated November 1, 1904 and filed in the Office of the Probate Judge, Shelby County, Alabama in Deed Record Book 36 at page 442, took title in fee simple in the following described real estate: 10 acres in the SE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 3, Township 19, Range 2 East, Shelby County, Alabama; that Henry Walton farmed and cultivated said 10 acres from 1904 until the year of his death in 1934 and being more than 31 years; that Henry Walton and his heirs at law have farmed and cultivated and held in peaceful, open, notorious and exclusive possession of the aforesaid described 10 acres of real estate for more than 57 years and said possession has been open, notorious, exclusive and hostile to all persons; that Affiant has never heard of any person claiming any right in the 10 acres situated in the SE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 3, Township 19, Range 2 East, Shelby County, Alabama since the year 1904, except Henry Walton and his heirs at law.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 4:30 PM
8-12-1963
RECORDED & \$5 MTG. TAX
& \$5 DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

IRA L. SHARBUITT
Affiant

Sworn and subscribed to before me this 10th day of August, 1963.

James H. Sharbitt

Notary Public, Alabama State at Large OF PROBATE
My commission expires March 30, 1968
Bonded By Employees Liability Assurance
Corporation

James H. Sharbitt
Notary Public