

115-531

STATE OF ALABAMA)
SHELBY COUNTY)

Before me, the undersigned authority, in and for said County and State,
personally appeared B. V. TUCKER, who, being known to me and being by me first
duly sworn, deposes and says as follows:

That my name is B. V. Tucker, and I am 76 years of age; that I knew well
Claudia Lambeth who sold the following described tract of property to Richard
E. Smylie on February 1, 1936:

Commence at the NW corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 14, Township 21
South, Range 3 West, Shelby County, Alabama; run thence South along
Section line for 660 feet to point of beginning; continue thence
South along West line of said Section 14 for a distance of 1080 feet;
thence an angle to the left of 90 deg. run East for 119.7 feet;
thence an angle to the right of 63 deg. run Southeasterly for 255
feet; thence an angle to the left of 60 deg. 43 min. run East for
440.2 feet to a point in the Westerly line of the Montevallo Road;
thence an angle to the left of 81 deg. 17 min. run Northerly along the
Westerly line of said road for 300 feet; thence an angle to the right
of 7 deg. and continuing in a Northeasterly direction along the
Westerly line of said road for 549.2 feet; thence an angle to the
right of 4 deg. and continuing along the Westerly line of said road
for 539.16 feet; thence an angle to the left of 112 deg. run West
for 1100.4 feet to point of beginning. Containing 25.2 acres, being
a part of the W $\frac{1}{2}$ of NW $\frac{1}{4}$ of said Section 14, Township 21 South, Range 3
West in Shelby County, Alabama.

That I have been informed that the deed given to Richard Smylie failed to
set forth a certain distance call, to-wit: "thence turn an angle to the left
of 90 deg. run East 119.7 feet". That this omission must have been inadvertent
for Richard E. Smylie claimed the above described tract of land. On or
about October 26, 1938, Richard E. Smylie sold the above described tract of
land to James J. Freeman, who gave a mortgage back to Smylie on October 26, 1938
by mortgage recorded in Vol. 179, page 46. It is my understanding that the deed
to Freeman does not appear of record, however, I know that the said Freeman claimed
to own the above described land, took possession of the same and paid taxes on the
same, and that said property was sold at foreclosure sale to J. J. Smylie
on April 25, 1942.

Sworn to and subscribed before
me this 3rd day of September, 1968.

Lannie Brasher
Notary Public

B-V Tucker

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1968 SEP 13 AM 10:49
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Daniel J. Brasher
JUDGE OF PROBATE

BOOK 254 PAGE 866