

1998

Georgia
STATE OF ~~KALAMAZOO~~)
~~SHELBY~~ COUNTY)
Dekalb

AFFIDAVIT AND DISCLAIMER

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

It has been called to his attention that on the 15th day of October, 1969, James H. Eates executed a mortgage to Credit Alliance Corporation recorded in Mortgage Book 312, pages 617, 618, 619, 620, 621 in the Probate Office of Shelby County, Alabama. Further deposing, affiant says that said mortgage described the following property:

All that part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, Township 20, South of Range 3 West lying South and East of the center line of Cahaba Valley Creek (sometimes called Bishop Creek) in Shelby County, Alabama. More particularly described as follows: Begin at a point on the North line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, 319.57 feet West of the NE corner of said 40, which point is the center line of said creek, run thence East 319.57 feet along North line of said 40 to the NE corner of said 40; thence run South along the East line of said 40, 1,329.125 feet to the NE corner of said 40; run thence West along the South line of said 40, 850.36 feet to the center line of said creek; thence run Northerly following the meanderings of center line of said creek to the point of beginning on the North line of said 40, containing 21.09 acres, more or less.

Further deposing, affiant says that said description was in error and that the property sought to be mortgaged was as follows:

All that part of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 12, Township 20 South, Range 3 West lying South and East of the center line of Cahaba Valley Creek (sometimes called Bishop Creek) in Shelby County, Alabama, more particularly described as follows: Begin at a point on the North line of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 12, 319.57 feet west of the Northeast corner of said forty, which point is in the center line of said creek, run thence East 319.57 feet along the north line of said forty to the NE corner of said forty; thence run South along the East line of said forty 1329.125 feet to the southeast corner of said forty; run thence West along the south line of said forty 850.36 feet to the center line of said creek; thence run Northerly following the meanderings of the center line of said creek (as shown by survey of Alton Young, surveyor, made in July 1967) to the point of beginning on the North line of said forty, containing 21.09 acres, more or less, according to said survey, a copy of which is held by grantor.

Further deposing, affiant says that Credit Alliance Corporation at no time intended to take a mortgage on the property as described above in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 12, Township 20, South, Range 3 West, the same being the property of Tom Lee. And Credit Alliance Corporation disclaims all right, title, claim or interest in said SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 12, Township 20 South, Range 3 West, Shelby County, Alabama.

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Affiant says that he is Vice President of Credit Alliance Corporation and that he has full cognizance of the facts stated herein, and he is authorized to make this affidavit and disclaimer.

This the 10th day of ~~MARCH~~, 1970.
April

Jack Clement
(Jack Clement)

Sworn to and subscribed before me this 10th day of ~~MARCH~~, 1970.

Harold J. Swann
Notary Public

NOTARY PUBLIC, GEORGIA, STATE AT LARGE
MY COMMISSION EXPIRES MARCH 17, 1974

CREDIT ALLIANCE CORPORATION

By J. E. Clement VP
Its Vice President

Georgia
STATE OF ~~MISSISSIPPI~~)
~~SEELY~~ COUNTY)
DeKalb

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that JACK CLEMENT, whose name as Vice President of CREDIT ALLIANCE CORPORATION, a Corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal, this the 10th day of ~~MARCH~~, April 1970.

Harold J. Swann
Notary Public

NOTARY PUBLIC, GEORGIA, STATE AT LARGE
MY COMMISSION EXPIRES MARCH 17, 1974

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STATE OF ALA. SELLER
BUTLEY THIS
INSTRUMENT WAS FILED
1970 APR 16 PM 1:37
U.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE