

2258

STATE OF ALABAMA)

SHELBY COUNTY)

Before me, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared MAMIE LAWLEY, who, after being by me first duly sworn to speak the truth deposes and says as follows:

My name is Mamie Lawley and I am 72 years of age. I have been familiar with the occupation, use, and possession of the hereinafter described property for a period dating back for more than thirty years. Said property is situated in Shelby County, Alabama, and is more particularly described as follows, to-wit:

A part of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5, Township 22 South, Range 3 West, described as follows: Commence at a point 985.7 feet North and 815.4 feet West of the center of Section 5, Township 22 South, Range 3 West, which said point is point of beginning and run North 14 deg. 10' East for 65.0 feet; thence North 85 deg. 50' West for 300.0 feet; thence run South 4 deg. 10' West 110 feet; thence run North 84 deg. 10' East 282.1 feet to point of beginning. MINERALS AND MINING RIGHTS EXCEPTED.

The above described property is located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, Township 22 South, Range 3 West, and is exactly the same piece of property which was conveyed to William Eugene Lawley on April 29, 1949, by deed from the Little Gem Coal Company, a copy of which said deed is attached hereto as Exhibit "A" and made a part and parcel hereof as fully as if set out herein. I understand that the deed from Little Gem Coal Company to the said William Eugene Lawley which is shown on said Exhibit "A" contains a mistake in that the strict reading or construction of the legal description in the deed would result in the point of beginning being located 985.7 feet North and 815.4 feet West of the center stake of the "NW $\frac{1}{4}$ " of Section 5, Township 22 South, Range 3 West. This is a typographical error. The beginning point was surveyed out and staked at the time the property was purchased and said beginning point actually was and should have read in said deed to be a point 985.7 feet North and 815.4 feet West of the center stake of Section 5, Township 22 South, Range 3 West. When said property was purchased by William Eugene Lawley on April 29, 1949, all four corners of said property as first above described were staked out on the ground. At the time of the purchase of the property from Little Gem Coal Company on April 29, 1949, affiant and said William Eugene Lawley were and had been living in the house located on the first above described property since 1943 for each and every year up until and including April 29, 1949. During the period from 1943 until April 29, 1949, affiant and the said William Eugene Lawley were renting the first house and the/above described property from the Little Gem Coal Company. As stated above, on April 29, 1949, said William Eugene Lawley purchased the house and real property as first above described from the said Little Gem Coal Company and affiant and the said William Eugene Lawley continued to occupy and use the house as a residence, along with the property upon which the same is situated, for each and every year up to and including



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Shelby Cnty Judge of Probate, AL
03/25/1971 12:00:00 AM FILED/CERT

October 6, 1956. On October 6, 1956, the said William Eugene Lawley, a single man, conveyed the first above described property to affiant by deed of said date which is recorded in Deed Book 182, page 471, in the Probate Records of Shelby County, Alabama, and a copy of which said deed is attached hereto as Exhibit "B" and made a part and parcel hereof as fully as if set out herein. Said deed as shown on Exhibit "B" conveyed the exact same property as is first above described by meets and bounds. It has been called to my attention that there are two mistakes in said deed in that it contains an erroneous beginning point located from the "center stake of the NW¹/₄" of said Section 5 just as was found in the original deed from the Little Gem Coal Company. The actual point of beginning should have been, of course, the center stake of Section 5. I also understand that the first call from the beginning point thus located in said deed as shown on Exhibit "B" omitted to give the direction of the first property line and simply recited "run 14 deg. 10' East for 65 feet". Actually this particular sentence or call should have read "run North 14 deg. 10' East for 65.0 feet" .

From the time affiant Mamie Lawley purchased or received a deed to the first above described property on October 6, 1956, and for each and every year continuously and exclusively up to and including the date of this affidavit affiant has been in the continuous, exclusive, notorious, hostile, adverse possession of said first above described property and the house or residence situated thereon. Affiant actually resided in the same up until October 28, 1970, which residence and occupation had been continuous by affiant for each and every year from 1943. On October 28, 1970, affiant moved from said house situated thereon and it has remained vacant up until this time.

During the more than thirty years I have known the occupation, use and possession of the first above described property the same has been in the continuous, exclusive, notorious, adverse, hostile possession of affiant and affiant's predecessors in title William Eugene Lawley and the Little Gem Coal Company. There have never been any disputes whatsoever concerning the location, use and possession of said property and no other person, firm, or corporation has been in possession of the same or any part thereof during said period.



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Sworn to and subscribed before me
this 4 day of March, 1971.

Curtis J. Daniels
Notary Public

Mamie Lawley

BOOK 266 PAGE 813

THE STATE OF ALABAMA,

SHELBY

County

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of \$500.00

Five Hundred and 00/100 - - - - - DOLLARS

to the undersigned grantor Little Gem Coal Company, a corporation,in hand paid by William Eugene Lawleythe receipt whereof is hereby acknowledged, the said Little Gem Coal Companydoes grant, bargain, sell and convey unto the said William Eugene Lawleythe following described real estate, to-wit: Surface rights only to lot and house thereon:Begin at a point 985.7 feet North and 815.4 feet West of the center stake of NW $\frac{1}{4}$ Section 5 - Township 22 South - Range 3 West, Shelby County, Alabama.Run North 14°-10' East for 65.0 feet; thence North 85°-50' West - 300.0 feet; thence South 4°-10' West 110 feet; thence North 84°-10' East - 232.1 feet to point of beginning.Nine tenths of one acre more or less.situated in Shelby County, Alabama.TO HAVE AND TO HOLD unto the said William Eugene LawleyAnd his heirs and assigns forever.

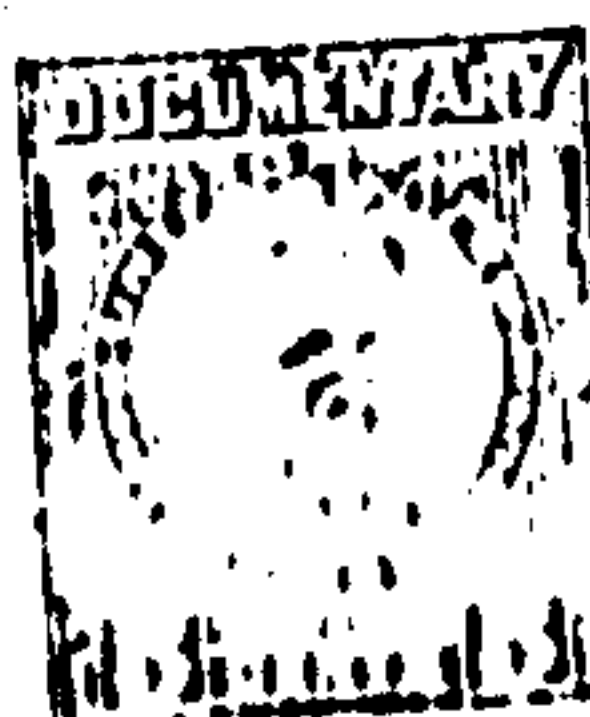
And the said grantor does itself, and for its successors and assigns, covenant with the said

William Eugene Lawley and his heirs and assigns,that it is lawfully seized and possessed of said premises, that they are free from all encumbrances, that it has a good right to sell and convey the same as aforesaid; that it will, and its successors and assigns shall, warrant and defend the same unto the said William Eugene Lawley and his

heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Little Gem Coal Companyhas caused these presents to be executed by J. Molton Smith, Jrits President, duly authorized thereto, and attested by
O.G. Robinson its Secretary,who affixed its corporate seal hereto, being duly authorized thereto, on this
the 29 day of April, 1949.Little Gem Coal CompanyBy J. Molton Smith Jr Its President.

Secretary.



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PAGE

286

Test:

WARRANTY DEED

Shelby County Printing & Publishing Co., Columbiana, Ala.

The State Of Alabama
 Shelby County

Book 182, Page 471

Know all men by these presents, That in consideration of
 One dollar and other valuable considerations DOLLARS
 to the undersigned grantor William Eugene Lawley, a single man
 in hand paid by Mamie Lawley

the receipt whereof is acknowledged that the said
 William Eugene Lawley do grant, bargain, sell and convey unto the said
 Mamie Lawley

the following described real estate situated in Shelby County, Alabama, to-wit:
 Surface rights to lot and house thereon:
 Begin at a point 985.7 feet North and 815.4 feet West of the center
 stake of the NW $\frac{1}{4}$ Section 5-Township 22 South-Range 3 West, Shelby County,
 Alabama. Run ^{North} 14°-10' East for 65.0 feet, thence North 85°-50' West-
 300.0 feet, thence South 4°-10' West 110 feet, thence North 84°-10'
 East-282.1 feet to point of beginning, Containing nine tenths of one
 acre more or less.



Shelby Cnty Judge of Probate, AL
 03/25/1971 12:00:00 AM FILED/CERT

STATE OF ALA. SHELBY CO.
 CLERK
 I HEREBY CERTIFY THIS
 INSTRUMENT WAS FILED
 1971 MAR 25 PM 11:12
 REC. EX. 111 AS JUDGE

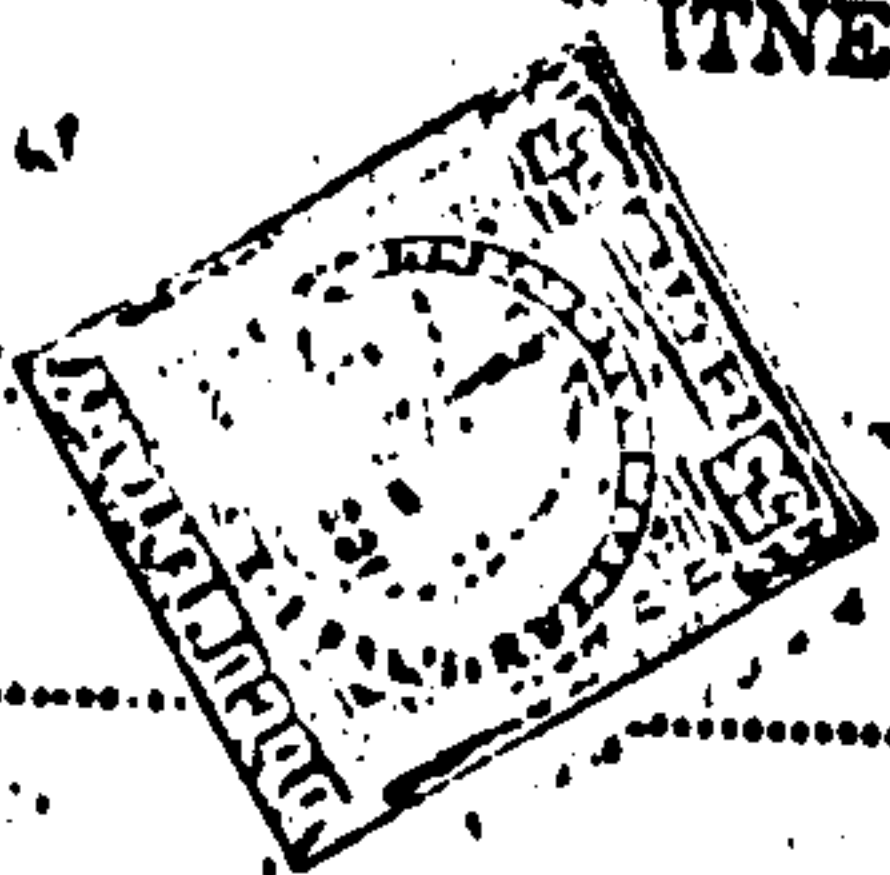
To have and to hold To the said
 Mamie Lawley and her
 heirs and assigns forever.

And I do, for myself and for my heirs, executors and administrators,
 covenant with the said Mamie Lawley and her
 heirs and assigns, that I am lawfully seized in fee simple of said premises;
 that they are free from all incumbrances; that I have a good right to
 sell and convey the same as aforesaid; that I will, and my heirs, executors
 and administrators shall, warrant and defend the same to the said
 Mamie Lawley and her

heirs and assigns forever, against the lawful claims of all persons.

In witness whereof I have hereunto set my hand and seal, this
 6th day of October 1956, 19.....

WITNESSES:



x William Eugene Lawley (Seal)

(Seal)

(Seal)

(Seal)

815
 806K 265 PAGE