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January 14, 1972

TELEPHONE 669-8783

Central State Bank
Calera, Alabama

19720121000003560 1/2 \$.00
Shelby Cnty Judge of Probate, AL
01/21/1972 12:00:00 AM FILED/CERT

Re: Willie and A. B. Davis

Dear Sir:

I hereby certify that I have examined an abstract of title prepared by Shelby County Abstract Company, which said abstract of title contains pages 1 through 17, inclusive, and is dated January 11, 1972. Said abstract purports to portray the record title to the hereinafter described property for a period dating back for more than fifty (50) years. Said property is situated in Shelby County, Alabama, and is more particularly described as follows, to-wit:

Begin at the SW corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12, Township 22 South, Range 1 West, and run North along West line of said $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 210 feet; thence run East and parallel with South line of said $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 420 feet; thence run South and parallel with the West line of said $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 210 feet to South line of said $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section; thence run West along the South line of said $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 420 feet to point of beginning.

Based upon my examination of said abstract, I am of the opinion that as of the date thereof title to said property is vested in Willie Davis by deed dated September 8, 1970, and recorded in Deed Book 263, page 821, in the Probate Records of Shelby County, Alabama, subject only to the hereinafter stated conditions and exceptions:

1. There is a judgment at page 16 of the abstract in favor of GAC Finance Corporation No. 1 against A. B. and Willie Davis. This judgment is dated February 15, 1965, and recorded in Judgment Record I, page 248, in the Probate Records of Shelby County, Alabama. The judgment is in the amount of \$102.63 plus court costs and interest. Sirote, Permutt, Friend & Friedman are attorneys for the plaintiff. This judgment must be either released or Mr. and Mrs. Davis could obtain a stipulation from plaintiff's attorneys that they are not the parties against whom this judgment is rendered, if such be the case.

2. The title of the present owner is based upon a tax deed shown at page 5 of the abstract, which said tax deed is dated October 8, 1937, and recorded in Deed Book 103, page 302. The tax deed was based upon a void or voidable tax sale in the name of Owner Unknown. Thus the

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title of the present owners would have to assume title in Willie F. Bierley, the grantee in said tax deed. It is strongly suggested that an affidavit of actual adverse possession dating back for at least the last twenty years be obtained and recorded and, if this is done, this exception will be waived for the limited purpose of this opinion. Such affidavit is most important to this title.

3. Taxes for the current year which are a lien, but not yet due and payable.

4. Rights of parties in possession, deficiency in quantity of land, boundary line disputes, roadways, unrecorded easements, or any matters not of record which would be disclosed by an accurate survey and inspection of the premises.

5. Any possible unfilled mechanics' and materialmen's liens.

Yours very truly,

WALLACE & ELLIS,

Frank Ellis, Jr.

FE/nb

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1972 JAN 21 PM 12:13
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REC. BK. & PAGE AS SHOWN ABOVE
Conrad M. B. B. B.
JUDGE OF PROBATE

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