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Shelby Cnty Judge of Probate, AL
06/28/1978 12:00:00AM FILED/CERT



1741
STATE OF ALABAMA

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

64 NORTH UNION STREET

MONTGOMERY, ALABAMA 36130

GEORGE C. WALLACE
GOVERNOR

JOHN (TOPPY) HODNETT
COMMISSIONER

SIDNEY B. BLEDSOE
ASST. COMMISSIONER

April 20, 1978

LEGAL SECTION

WILLIAM G. O'REAR
CHIEF COUNSEL

ROBERT A. MACRORY
ASST. CHIEF COUNSEL

APR 21 1978

Mr. Frank C. Ellis, Jr.
Attorney at Law
P. O. Box 587
Columbiana, Alabama 35051

Re: Section 16 Patent
B. B. Nix

Dear Mr. Ellis:

I have completed a preliminary review of the abstract of title which you have submitted in support of your request for a patent to--

- (1) the Northeast 1/4 of the Southwest 1/4 and,
(2) 40 acres in the South 1/2 of the Northeast 1/4

of Section 16, Township 22 South, Range 3 West, Shelby County, Alabama.

In conferring with the Secretary of State's Office, I learned that there are two patents of record in the Secretary of State's Office which convey the entire Northeast 1/4 of Section 16, Township 22 South, Range 3 West in Shelby County. You may obtain certified copies of these patents directly from the Secretary of State's Office. It would appear that the existence of these two patents negates the necessity of obtaining a patent to item 2 above.

Before I can process your request for a patent to item 1 above, please send me the following: (1) a check for \$2.00 made payable to the Secretary of State and, (2) a certified copy of the Registers Deed from N. A. Graham to Frank R. King recorded in D. Book 4, page 415.

As soon as I have received the two items requested in the previous paragraph, I will complete my review of your request.

Sincerely yours,

Robert A. Macrory

Robert A. Macrory
Assistant Chief Counsel

RAM:jlf

BOOK 313 PAGE 220

W. E. H. 2.

THE STATE OF ALABAMA

TO ALL TO WHOM THESE PRESENTS SHALL COME - - - - -GREETING:

KNOW YE, That W. M. Nix, deceased, of the County of Shelby, having made proof that he has been in adverse possession, either personally or with his predecessors in possession, for more than twenty years prior to May 1st, 1908, of:-

NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 16, Township 22 South,
Range 3 West, Shelby County, Alabama.

The Commissioner of the Department of Conservation and Natural Resources and the Director of Finance certify that neither the State nor any department thereof holds any note, bond, obligation, or any contract of anyone for the purchase price of such land.

Proof of adverse possession under color of title has been made to the satisfaction of the Attorney General as is required by Title 16, Section 20-6, Code of Alabama 1975. Title 35, Section 4-386, Code of Alabama 1975 provides for the issuance of a patent to a person who has died before the date of such patent.

NOW, THEREFORE, THE STATE OF ALABAMA grants the tract of land above described with all the appurtenances thereto belonging, unto the said W. M. Nix, deceased, his heirs, successors, or assigns forever.

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent and the Great Seal of the State of Alabama to be affixed at the Capitol, in the City of Montgomery, this the THIRD day of MAY, A. D., ONE THOUSAND NINE HUNDRED AND SEVENTY-EIGHT and of the Independence of the United States this the Two Hundred and Second Year.



George C. Wallace
GOVERNOR OF ALABAMA

ATTEST:

Mrs. Agnes Baggett
Secretary of State

RECORDED, LAND PATENTS, VOLUME 10, PAGE 746.

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1978 JUN 28 12:22 PM
Recd. 1.50
Rec. 3.00
JUL 1.00
JUDGE OF PROBATE
4.50