

A C K N O W L E D G M E N T



19800513000052980 1/2 \$.00
Shelby Cnty Judge of Probate, AL
05/13/1980 12:00:00 AM FILED/CERT

WHEREAS, on July 28, 1978, Helen A. Nixon died owning Lot 63, Siluria Mills in Shelby County, Alabama and

WHEREAS, on April 14, 1980, the undersigned, Roger Dale Massey, agreed to buy said property also known as 610 12th Avenue Southwest. The purchase price is \$8,000.00 cash and closing on or before May 10, 1980.

The undersigned, Roger Dale Massey, understands that this property was previously listed with Chambers Realty for sale but the undersigned, Roger Dale Massey, did not look at the property with Chambers and did not see a Chambers Realty For Sale Sign on the property when he entered into the contract to purchase as aforesaid.

Roger Dale Massey understands that a contract to purchase said property was recorded in the Office of the Judge of Probate of Shelby County, Alabama today, May 6, 1980, at approximately 2:30 p.m., which said contract reports to be executed by someone for the Estate or at least to be in proper form to allow same to be recorded.

The undersigned, Winston Adams Nixon, who executed the sales contract as Administrator of the Estate of Helen A. Nixon with the undersigned, Roger Dale Massey, herein states that he did not sign another contract for the sale of this property and that any contract recorded, reporting to be a contract to purchase this property by any other than Roger Dale Massey, is a forgery and is of no force and effect.

Winston Adams Nixon, as Administrator, further agrees to escrow all monies from the sale of the property to Roger Dale Massey until such time that a title insurance policy can be issued to Roger Dale Massey without excepting potential claims or liens occasioned by the recording of the sales contract not executed by Roger Dale Massey.

The property made the subject of this acknowledgment is more particularly described as setout in the Exhibit A attached hereto and incorporated herein as fully as if setout. It is further the agreement of the parties that in the event a title insurance Co. cannot issue title insurance to Roger Dale Massey without excepting any claims for the other contract within 6 months of date, or any extension as agreed by the parties, then and in said event Winston Adams Nixon agrees to refund to Roger Dale Massey his full purchase price for the property.

It is anticipated that the Estate of Helen A. Nixon will employ council to clear title or to do whatever is necessary to cause said clear title insurance policy to be issued.

It also is acknowledged that these facts before have been pointed out by Daniel M. Spitler, Closing Attorney, and that with full knowledge of said facts, the undersigned are directing Daniel M. Spitler to record the deeds from the Estate and Heirs to Roger Dale Massey.

Done this 6th day of May, 1980.

Roger Dale Massey
Roger Dale Massey

Winston Adams Nixon
Winston Adams Nixon - Administrator
of The Estate of
Helen A. Nixon

Daniel M. Spitler

1. Effective date: April 15, 1980 at 8:00 A. M.

Amount

2. Policy or Policies to be issued:

\$8,000.00

- _____ ALTA Owner's Policy Form A-1970 (Amended 10-17-70)
 (a) x ALTA Owner's Policy Form B-1970 (Amended 10-17-70)

Proposed Insured:

Roger Dale Massey

- _____ ALTA Loan Policy (Amended 10-17-70)
 (b) _____

Proposed Insured:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple.

4. Title to the fee simple estate or interest in said land is at the effective date hereof vested in:

Heirs at law and next of kin of Helen A. Nixon, deceased

5. The land referred to in this Commitment is situated in the _____ County of _____, State of _____, and is described as follows:

Alabama

Lot No. 63 as shown on a map entitled "Property Line Map, Siluria Mills" prepared by Joseph A. Miller, Reg. Civil Engineer on October 5, 1965, and being more particularly described as follows:

Commence at the intersection of the northerly right-of-way line of 3rd Avenue East and the Westerly right-of-way line of Fallon Avenue, said right-of-way lines as shown on the Map of the Dedication of the Streets and Easements, Town of Siluria, Alabama; thence northwesterly along said right-of-way line of 3rd Avenue East for 192.44 feet to the point of beginning; thence 89 deg. 58 min. 33 sec. right and run northeasterly for 207.05 feet; thence 132 deg. 46 min. 22 sec. left and run southwesterly for 108.98 feet; thence 47 deg. 13 min. 28 sec. left and run southwesterly for 133.00 feet to a point on the north right-of-way line of 3rd Avenue East; thence 89 deg. 58 min. 33 sec. left and run southeasterly along said right-of-way line of 3rd Avenue East for 80.00 feet to the point of beginning.



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STATE OF ALA. SHELBY CO.
 I CERTIFY THIS
 INSTRUMENT WAS FILED

1980 MAY 13 AM 9:36

Schedule A consists of 1 pages.

44-009

JUDGE OF PROBATE

Rec. 300
 Ind 100
 400

ST PAUL TITLE

Daniel Miller