

STATE OF ALABAMA

COUNTY OF SHELBY



19800514000053080 1/2 \$.00
Shelby Cnty Judge of Probate, AL
05/14/1980 12:00:00 AM FILED/CERT

A F F I D A V I T

✓ AUSMAN, KEYES & KEYES

Professional Corporation
Attorneys at Law
720 North 18th Street
Bessemer, AL 35020
428-5877

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BEFORE ME, the undersigned, Notary Public in and for said County and State, personally appeared Jack Keyes, whose name is signed to this Affidavit and who is known to me and who being by me first duly sworn, doth depose and say as follows:

1. I make this affidavit as closing attorney to correct a typographical error in the legal description on four deeds, all signed by Marie Rodgers, the unmarried widow of Elvie Lamar Rodgers, wherein Jackie R. Franks; Mary Jacqueline Franks; Albert S. Franks III; and Albert S. Franks Jr., are the grantees, all of which are dated October 24, 1979, and which are recorded in Deed Book 323, pages 25, 26, 27 and 28 respectively in the office of the Judge of Probate, Shelby County, Alabama, at Columbiana, Alabama.
2. My name is Jack Keyes, and I am a practising attorney in the City of Bessemer, County of Jefferson, Alabama. On October 24, 1979, while a member of the law firm of Ausman, Keyes, and Keyes, Attorneys at Law, Bessemer, Alabama, I prepared the deeds listed above, conveying certain real property located partly in Shelby County, Alabama and partly in Jefferson County, Alabama, from Marie Rodgers, the unmarried widow of Elvie Lamar Rodgers and the sole beneficiary of his last will and testament, case #53096 1-4-64, Birmingham, Alabama, to the four persons listed in paragraph one above. The deeds appear of record as listed in paragraph one above.
3. In the aforesaid deeds there was a typographical error in the property description. The property was erroneously described as follows:

The following described real estate, situated in Shelby County, Alabama, to-wit:
an undivided 1/38th interest in and to the following described real estate:

SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32, Township 17 South-Range 1 east, (subject to recorded right of way), situated in Shelby County, Ala. Purchased 12-22-39 from Mr. John T. Rowan, a widower.

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32 Township 17, South Range 1 East, situated in Shelby County, Ala. Purchased on the same date.

This description was incorrect in that the correct quarter section, and the correct quarter-quarter section were incorrect for the first parcel above only.

4. The correct description of the property described in the aforesaid four deeds is as follows:

an undivided 1/38th interest in and to the following described real estate,

Parcel 1 (containing 36 acres more or less)
NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 32, Township 17 South Range 1 east, situated in Shelby County, Ala. Purchased 12-22-39 from Mr. John T. Rowan, a widower, who conveyed the real property to Elvie Lamar Rodgers by Warranty deed dated 12-22-39, and recorded in volume 108, page 13, on 2-19-40 in the office of the Judge of Probate, Shelby County, Columbiana, AL

and

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Parcel 2 (containing 40 acres more or less)
SW 1/4 of NW 1/4 of Section 32 Township 17, South Range 1 East,
situated in Jefferson County, Ala. Purchased 12-22-39
from Mr. John T. Rowan, a widower, who conveyed the real
property to Elvie Lamar Rodgers by Warranty deed dated
12-22-29, and recorded in Deed Book 3047, page 475, on
January 22, 1940, in the office of the Judge of Probate,
Jefferson County, Alabama at Birmingham, Alabama.

5. The purpose of the four deeds was to convey interests as follows:

1/38th to Mary Jacqueline Franks (2 acres-individed)
1/38th to Albert S. Franks III (2 acres-undivided)
1/38th to Jackie R. Franks (2 acres-undivided)
1/38th to Albert S. Franks Jr. (2 acres-undivided)
4/38ths 8 acres-undivided

34/38ths retained by Marie Rodgers, grantee (68 acres-undivided)
38/38th 76 acres

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the

12th day of May, 1980.

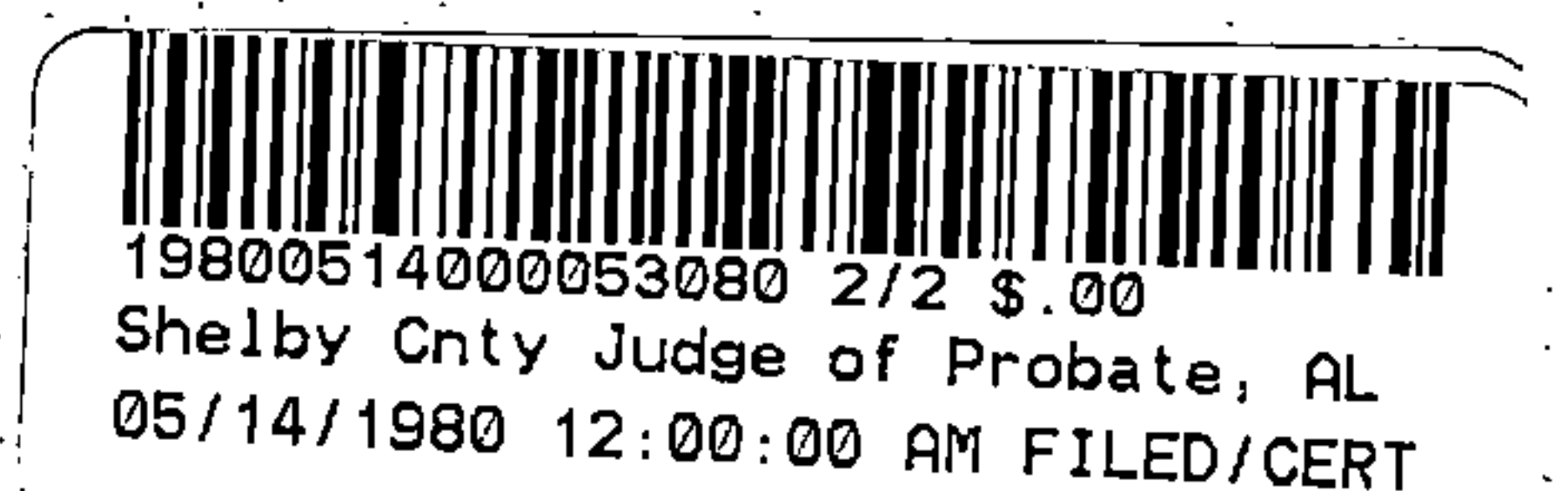
Jack Keyes (SEAL)

STATE OF ALABAMA

JEFFERSON COUNTY

Before me

Dorothy D. Keyes



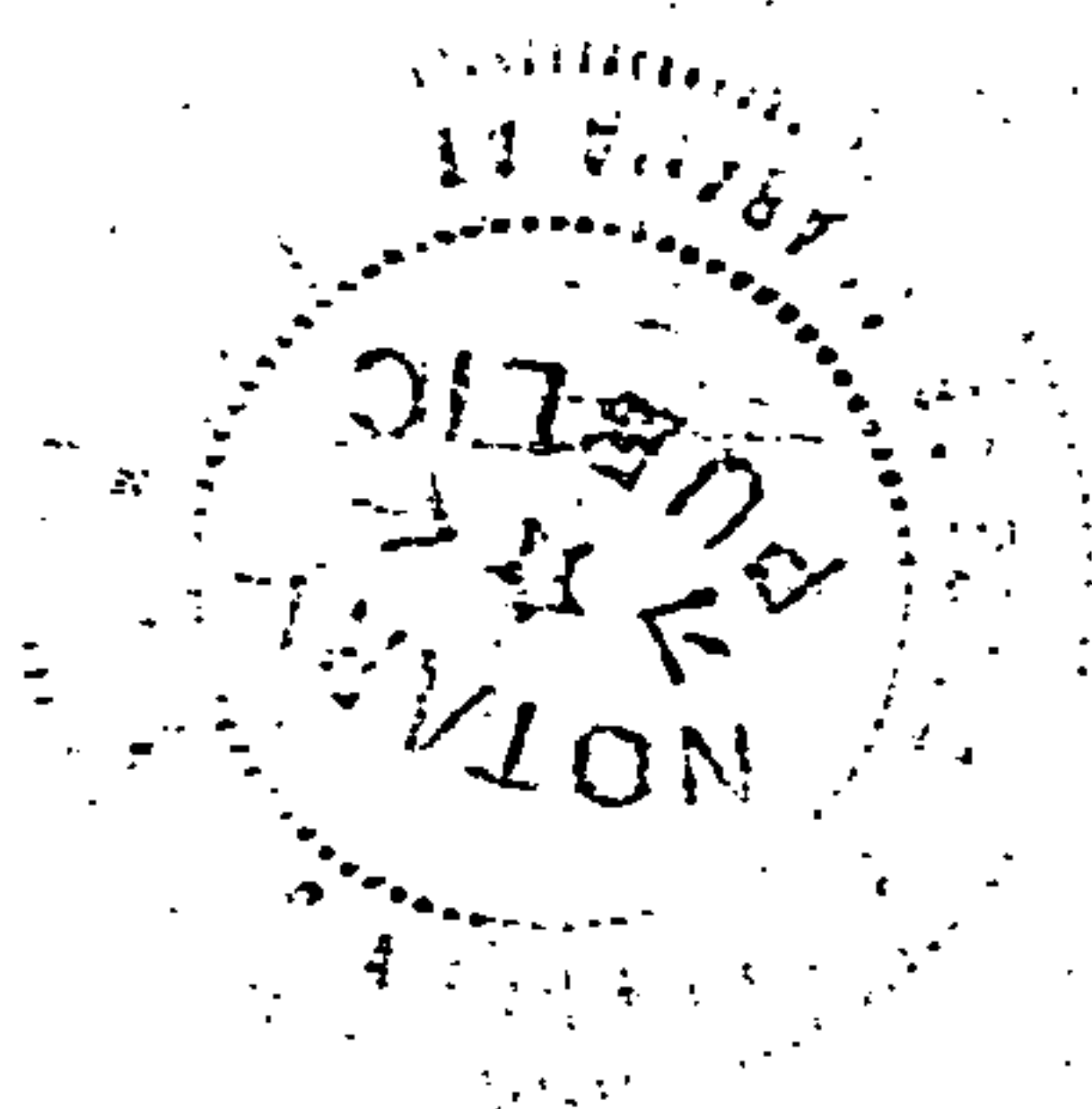
a notary public in and for said County and State, appeared Jack Keyes,
who is known to me, and who, upon being duly sworn by me acknowledged
that, being informed of the contents of the within instrument, he
signed the same voluntarily on the day the same bears date.

Witness my hand and seal this 12th day of May,
1980.

Dorothy D. Keyes
As Notary Public

My commission expires:

May 29, 1982



STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1980 MAY 14 AM 8:41

AUSMAN, KEYES & KEYES
Professional Corporation
Attorneys at Law
720 North 18th Street
Bessemer, AL 35020
428-5877

Thomas A. Shanderson, Jr.
JUDGE OF PROBATE

Rec. 3.00
Ind. 1.00
4.00