

STATE OF ALABAMA)
SHELBY COUNTY)

Before me, the undersigned authority, in and for said County and State, personally appeared BILLY RAY SMITH, who, being known to me and being by me first duly sworn, deposes and says as follows:

My name is Billy Ray Smith, and my residence address is Route 2, Columbiana, Alabama.

My wife, Helen Smith, and I are the owners of the following described property situated in Shelby County, Alabama:

A parcel of land located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 22 South, Range 1 West, Shelby County, Alabama, described as follows: Commence at the SE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 22 South, Range 1 West; thence run North 33 deg. West a distance of 576.00 feet to the point of beginning; thence turn an angle of 21 deg. 00' to the right and run a distance of 420.00 feet; thence turn an angle of 92 deg. 30' to the left and run a distance of 315.00 feet; thence turn an angle of 87 deg. 30' to the left and run a distance of 420.00 feet; thence turn an angle of 92 deg. 30' to the left and run a distance of 315.00 feet to the point of beginning. Situated in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 22 South, Range 1 West, Shelby County, Alabama, according to survey of Frank W. Wheeler, Registered Land Surveyor, dated November 17, 1981;

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we having bought said property from H. L. Hartman and wife, Hester Ann Hartman, as shown by deed recorded in Deed Book 282, at page 46, Office of Judge of Probate of Shelby County, Alabama.

Mr. and Mrs. Hartman acquired their title to said property from J. W. Lodge and wife, Ernestine Lodge (Deed Book 276, page 325), who, in turn, received their title to said property from the descendants of Edgar Sykes and wife, Ethel Sykes, who in turn received their title from Whittie O'Kelley.

I have recently had my said property surveyed and discovered that the description of said property as contained in the aforementioned deeds is incorrect, said property being actually situated in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 4, Township 22 South, Range 1 West, instead of in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9, Township 22 South, Range 1 West, as described in the aforementioned deeds. I am attaching hereto as Exhibit "A" and by reference hereto am making a part of this affidavit, a copy of the survey plat of Frank W. Wheeler, Registered Land Surveyor, dated November 17, 1981, which shows that said property is actually in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 22 South, Range 1 West.

It has been called to my attention that the affidavit of Whittie O'Kelley, a former owner of said property, which is recorded in Deed Book 189 at page 85 in said Probate Office also incorrectly describes said property.

W. E. N. J.

My wife and I have recently exchanged quit claim deeds with Dr. Herbert H. Thomas and wife, Louise Thomas, in order to correct the record title, and I make this affidavit for the purpose of explaining our purpose in exchanging said quit claim deeds.

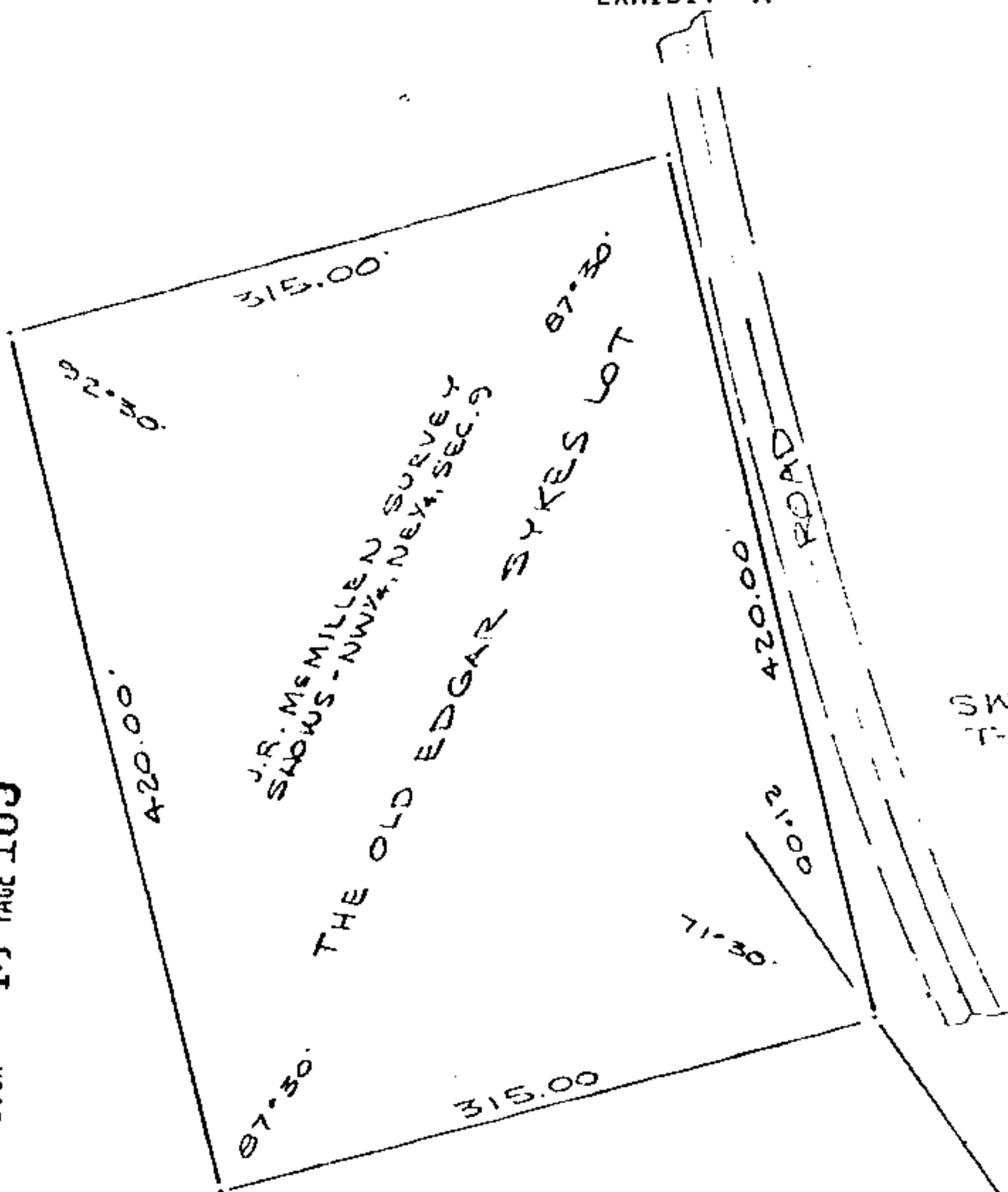
Billy Ray Smith
(Billy Ray Smith)

Sworn to and subscribed before me
this 1st day of December, 1981.

Lauri Brasher
Notary Public

EXHIBIT "A"

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SW 1/4, SE 1/4, SEC. 4,
T-22-S, R-1-W

STATE OF ALABAMA
COUNTY OF SHELBY

I, Frank W. Wheeler, a registered Land Surveyor, in the State of Ala., hereby certify that this is a true and correct plat of a survey, made by me in the SW 1/4 of the SE 1/4 of Sec. 4, T-22-S, R-1-W, Shelby Co., Ala., described as follows:

Commence at the SE corner of the SW 1/4 of the SE 1/4 of Sec. 4, T-22-S, R-1-W, thence run North 33 deg. West, a distance of 576.68 ft., to the point of beginning, thence turn an angle of 21 deg. 00 min. to the right and run a distance of 420.00 ft., thence turn an angle of 92 deg. 30 min. to the left and run a distance of 315.00 ft., thence turn an angle of 87 deg. 30 min. to the left and run a distance of 420.00 ft., thence turn an angle of 92 deg. 30 min. to the left and run a distance of 315.00 ft., to the point of beginning. Situated in the SW 1/4 of the SE 1/4 of Sec. 4, T-22-S, R-1-W, Shelby County, Alabama.

This the 17th day of November 1981

Frank W. Wheeler
Frank W. Wheeler
Ala. Reg. L.S. 3385

OLD COR.
SE COR

RECEIVED
SHELBY COUNTY
NOV 17 1981

1981 DEC -2 AM 9:07

Oliver F. Head
Oliver F. Head
COLUMBIANA, ALA.

Rec. 4.50
Ind. 1.00
5.50

FRANK W. WHEELER
Land Surveying
Columbiana, Ala.

DATE
SCALE

Nov. 17, 1981
1" is 100'

Oliver F. Head
Columbiana, Ala.