

## AFFIDAVIT

STATE OF ALABAMA

X

SHELBY COUNTY

X

Before me, the undersigned authority, in and for said County and State, personally appeared JOHN F. DEBUYS, JR., who, being known to me and being by me first duly sworn, deposes and says as follows:

My name is John F. DeBuys, Jr. I am a practicing attorney in Jefferson County, Alabama, and prepared the deed from James Nolen and wife, Clara Nolen to H.M. McHan and wife, Christine G. McHan which is recorded in Deed Book 348, Page 120, in the Probate Office of Shelby County, Alabama. It was the intention of all parties that the property to be conveyed be:

A part of the S $\frac{1}{2}$  of NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 2, Township 21 South, Range 3 West more particularly described as follows: Commencing at the SE corner of the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 2 and run North 629.2 feet; thence run West 100 feet to point of beginning of tract herein described; thence continue West 100 feet; thence run South 190 feet; thence run East 100 feet; thence run North 190 feet to the point of beginning.

The deed as prepared by me fails to conform to the intention of the parties in that the property conveyed is described as:

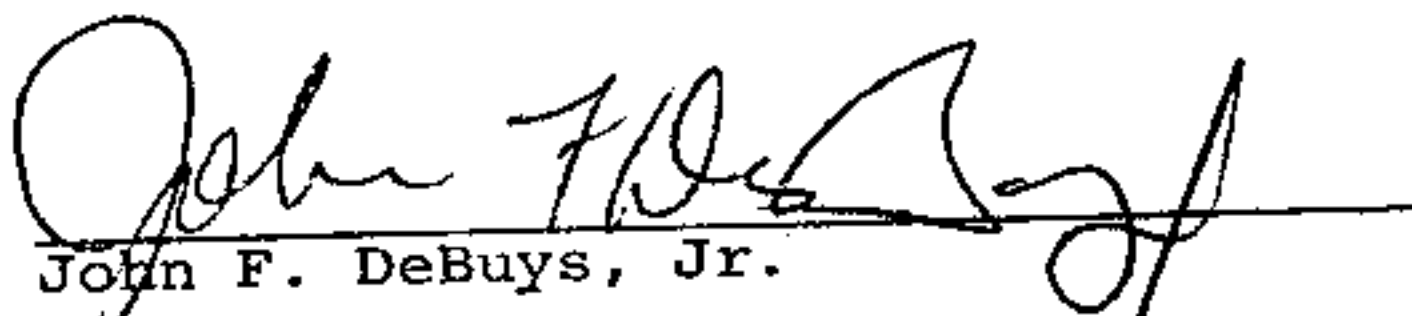
A part of the S $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 2, Township 21 South, Range 3 West more particularly described as follows: Commencing at the SE corner of the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 2 and run North 629.2 feet; thence run West 100 feet to point of beginning of tract herein described; thence continue West 100 feet; thence run South 190 feet; thence run East 100 feet; thence run North 190 feet to the point of beginning.

This mistake was a mutual mistake on the part of the parties and is in fact a incorrect description of the property which was agreed to be conveyed. The correct description is as described above:

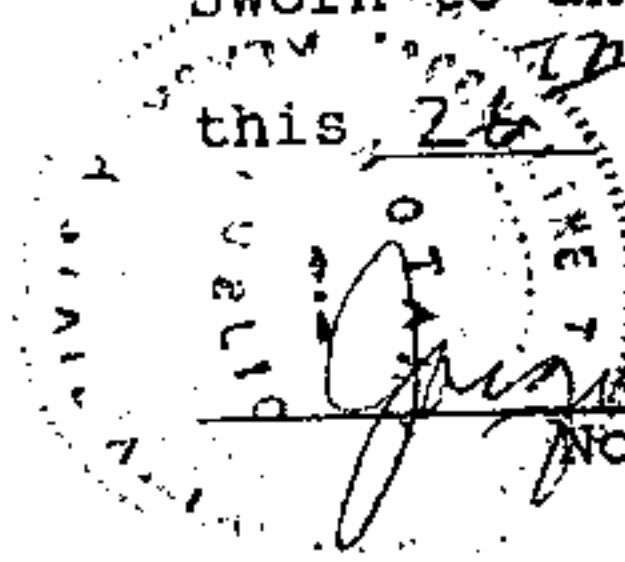
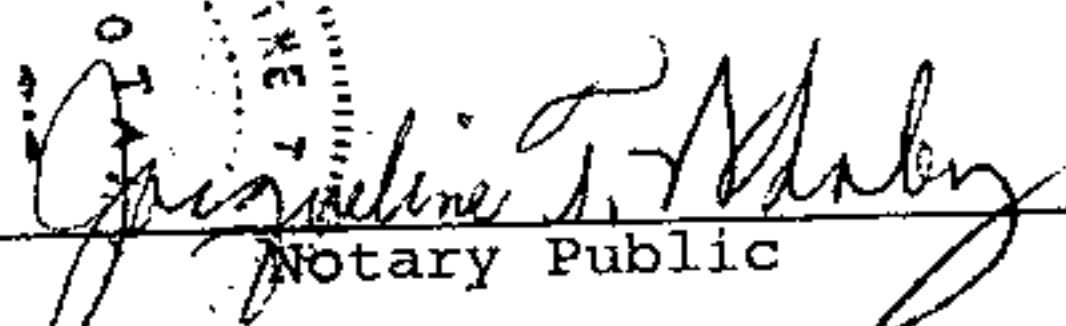
Conwill & Justice

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A part of the S½ of NW¼ of NW¼ of Section 2, Township 21 South, Range 3 West more particularly described as follows: Commencing at the SE corner of the NW¼ of NW¼ of said Section 2 and run North 629.2 feet; thence run West 100 feet to point of beginning of tract herein described; thence continue West 100 feet; thence run South 190 feet; thence run East 100 feet; thence run North 190 feet to the point of beginning.

  
John F. DeBuys, Jr.

Sworn to and subscribed before me  
this 26 day of July, 1985.

  
  
Notary Public

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

1985 AUG -5 PM 2:22

Rec. 500  
Ind. 100  
600