

1687

AFFIDAVIT

State of Alabama)
)
County of Jefferson)

Before me, the undersigned authority, personally appeared Barbara O'Cain, who is known to me and who, being by me first duly sworn, deposes and says as follows:

Affiant states that she is Vice President and Assistant General Counsel of Alabama Federal Savings and Loan Association, for whom she is authorized to make this affidavit.

Affiant further states that Alabama Federal Savings and Loan Association caused to be prepared a Warranty Deed from Cahaba Investors, Inc., an Alabama corporation to David F. Byers, an individual person and recorded in Book 135 Page 973 - 975, Office of Judge of Probate, Shelby County, Alabama.

Affiant further states that the legal description of said warranty deed as recorded contains an error and should be corrected to read as follows:

Commence at the Southeast corner of the NW 1/4 of the NE 1/4. of Section 5, Township 19 South, Range 1 West, and run West along the South boundary of said 1/4 1/4 Section for a distance of 1030.79 feet to the Northeast right of way line of U.S. Highway 280; thence turn an angle to the right of 85 deg. 33 min. 05 sec. to tangent and run in a Northwesterly direction along said right of way line along a curve to the left having a central angle of 5 deg. 18 min. 56 sec. and a radius of 3820.11 feet for a distance of 130.61 feet to the point of beginning of the property herein described; thence continue along said right of way along said curve for a distance of 200.0 feet; thence turn an angle of 98 deg. 05 min. 09 sec. to tangent and run in an Easterly direction for a distance of 200.0 feet; thence turn an angle of 90 deg. 00 min. 00 sec. to the right and run in a Southerly direction for a distance of 40.0 feet; thence turn an angle to the left of 80 deg. 13 min 02 sec. and run in a Southeasterly direction for a distance of 322.74 feet more or less, to the center line of a stream; thence run Southeasterly along the center line of said stream for a distance of 225 feet, more or less; thence run Westerly for a distance of 97 feet, more or less, to a point 114.05 feet North of the South boundary of said 1/4 1/4 Section and 494.92 feet West of the Southeast corner of said 1/4 1/4 Section; thence run Westerly and parallel to the Southern boundary of the NW 1/4 of the NE 1/4 of Section 5, Township 19 South, Range 1 West for a distance of 357.22 feet; thence turn an angle to the right of 90 deg. 00 min. 00 sec. and run in a Northerly direction for a distance 15.95 feet;

Cahaba Title

thence turn an angle of 90 deg. 00 min. 00 sec. and run in a Westerly direction and parallel to said Section line for a distance of 200.00 feet to the point of beginning of the property herein described; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

Affiant declares under penalty of perjury that the foregoing is true and correct.

Barbara O'Cain
BARBARA O'CAIN

Subscribed and sworn before me this 8th day of August, 1988.

Jennifer A. Visser
Notary Public

My commission expires the 14th day of April, 1992

STATE OF ALA. SHELBY
I CERTIFY THIS
INSTRUMENT WAS FILED

88 AUG 23 AM 8:21

Thomas A. Fountain, Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 5.00

Index Fee 1.00

TOTAL 6.00