



1985 at Book 035, Page 388 in the Office of the Judge of Probate of Shelby County, Alabama.<sup>1</sup> Defendant and his wife subsequently conveyed the .007 Parcel, less and except the .87 acres, on February 23, 1998 to Defendant via Warranty Deed, which deed was recorded on February 24, 1998 at Inst. 1998-06174.

(c) Defendant and his wife Melinda Hollis Lawrence obtained a two-acre portion of the .006 Parcel on July 19, 1991 from R.L. Hollis and wife Adelaide Hollis via Warranty Deed, which deed was recorded at Book 355, Page 947, and subsequently conveyed it on May 11, 1998 to Defendant via Warranty Deed, which deed was recorded on May 11, 1998 at Instrument 1998-17204.

(d) On August 29, 2002 Melinda Hollis Lawrence<sup>2</sup> conveyed to Defendant the remainder of the .006 Parcel via Warranty Deed, which deed was recorded on January 30, 2004 at Instrument 20040130000051270.

(e) On January 13, 2006, Defendant and his wife quitclaimed what was meant to be the entirety of Parcel .006 back to themselves, which deed is recorded on March 3, 2006 at Inst. 20060303000101610 ("Vesting Deed"). However, the legal description contained in the deed has the wrong parcel identification number at the top of the document, as well as the wrong source of title, and also contains the legal description of only 2-acres of Parcel .006.

(f) This problem was complicated when the Defendant and his wife obtained a loan from Chase, secured by what the parties believed was Parcel .006 in its entirety, and signed a mortgage dated January 13, 2006, and recorded on February 15, 2006 at Inst.

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<sup>1</sup> All recording references are made to the Office of the Judge of Probate of Shelby County, Alabama.

<sup>2</sup> On January 30, 2004 an heirship affidavit was recorded in the Office of the Judge of Probate of Shelby County, Alabama at Instrument No. 20040130000051260 stating that Melinda Hollis Lawrence was the only child of decedents R.L. Hollis and Adelaide S. Hollis.

2006215000076330 ("the Mortgage").<sup>3</sup> However, while the legal description attached to the mortgage cites to Parcel .006 and contains the proper street address, the legal description describes Parcel .007.

(g) The proper legal description of Parcel .006 is as follows:

Tract I

From the Southwest corner of the Northwest 1/4 of the Southeast 1/4, Section 32, Township 20 South, Range 1 East, Shelby County, Alabama, run North along the 1/2 Section line 2518.3 feet to the South R/W line of County Road No. 61; deflect right 92 degrees 00 minutes 35 seconds along said R/W line 281.3 feet to the Point of Beginning of subject lot; from said point, continue along said line 100 feet; deflect right 88 degrees 00 minutes 54 seconds for 367 feet; deflect right 91 degrees 59 minutes 58 seconds for 12 feet; deflect left 91 degrees 59 minutes 58 seconds for 571.39 feet; deflect right 91 degrees 59 minutes 58 seconds for 88 feet; deflect right 88 degrees 00 minutes 54 seconds for 939.38 feet, back to the beginning point, containing 2.0 acres, more or less.

Tract II

The West 1/2 of Southwest 1/4 of Northeast 1/4 and the West 30 acres of the Northwest 1/4 of Southeast 1/4 of Section 32, Township 20 South, Range 1 East, Shelby County, Alabama.

LESS AND EXCEPT those portions conveyed by deeds recorded in Deed Book 323, Page 713; Deed Book 323, Page 859; Deed Book 330, Page 400; Deed Book 355, Page 947; Real Record 035, Page 388; and Instrument #2000-25283, in the Probate Office of Shelby County, Alabama.

Said tracts making up the entirety of Tax Parcel 16-9-32-0-000-007.006.

(h) The Vesting Deed and Mortgage are hereby reformed to contain this legal description.

DONE this the 11<sup>th</sup> day of September, 2014.

H. Brown  
CIRCUIT JUDGE

<sup>3</sup> On September 21, 2011 the mortgage was assigned to JPMorgan Chase Bank, N.A., which assignment was recorded on October 5, 2011 in the Office of the Judge of Probate of Shelby County, Alabama.

