

When a deed is merely voidable, equity will not intervene as the claimant has an adequate legal remedy. See, *U.S. v. Wilson*, 118 U.S. 86, 89, 6 S.Ct. 991, 30 L.Ed. 110 (1886) (holding equitable action to remove cloud cannot be brought by one with adequate legal remedy); *Humble Oil & Ref. Co. v. Sun Oil Co.*, 191 F.2d 705, 712 (5th Cir.1951) (same).

Deeds obtained by fraud are voidable rather than void, and remain effective until set aside. *Nobles v. Marcus*, 533 S.W.2d 923, 926 (Tex.1976). Texas law is well settled that once limitations has expired for setting aside a deed for fraud, that bar cannot be evaded by simply asserting the claim in equity. See *Slaughter v. Qualls*, 139 Tex. 340, 162 S.W.2d 671, 674 (1942); *Deaton v. Rush*, 113 Tex. 176, 252 S.W. 1025, 1031 (1923); *Carminati v. Fenoglio*, 267 S.W.2d 449, 453 (Tex.Civ.App.-Forth Worth 1954, writ ref'd n.r.e.); *La Fleaur v. Kinard*, 161 S.W.2d 144, 147 (Tex.Civ.App.-Beaumont 1942, writ ref'd w.o.m.). If the rule were otherwise, limitations would rarely apply in real estate cases, as virtually every case could be recast as an action to remove cloud on title. Because Ford's legal claim for fraud was untimely, he cannot challenge ExxonMobil's facially valid deed by simply pleading it in equity.