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Shelby Cnty Judge of Probate, AL  
08/17/1973 12:00:00 AM FILED/CERT

## WARRANTY DEED

STATE OF ALABAMA )

SHELBY COUNTY )

*See mtg 333 -*  
KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Hundred Sixty Thousand and no/100 Dollars (\$160,000.00) to the undersigned grantors, in hand paid by the grantees herein, the receipt whereof is acknowledged, we, Bessie Goldner and husband Harry Goldner, Anita May and husband Robert M. May and Jeanette Hyatt and husband Robert Hyatt, (herein referred to as grantors) grant, bargain, sell and convey unto Carlos Castaneda Tamborrel and wife Eunice Carden Castaneda, (herein referred to as grantees) the following described real estate situated in Shelby County, Alabama, to-wit:

The NW 1/4 of the NW 1/4 of Section 1, Township 24, Range 15 East; and also the NE 1/4 of Section 2, Township 24, Range 15 East, except Flood rights to Alabama Power Company as described in Deed Book 52 on Page 247.

The W 1/2 of SE 1/4 of Section 2, Township 24, Range 15 East; also SE 1/4 of SE 1/4 of Section 2, Township 24, Range 15 East, except 15 acres in SW corner of said forty which was deeded to Richmond Merrell by deed recorded in Deed Book 49, Page 329, in the Probate Office of Shelby County, Alabama. Also except that part of said forty acre tract now enclosed in the Bethlehem Cemetery, and 1 acre lying immediately in SE corner of above described land donated to the Bethlehem Cemetery by A. B. Merrell.

Also all that part of the NE 1/4 of SE 1/4 lying South and West of Spring Creek in Section 2, Township 24, Range 15 East containing 18 acres, more or less, except from the above lands all that part of E 1/2 of SE 1/4 Section 2, Township 24, Range 15 East that would be covered by or entirely surrounded by waters of Coosa River and its tributaries if backed up 425 feet above a certain datum plane, the same being deeded to Alabama Power Company by A. B. Merrell and wife, under date of January 1, 1913, and recorded in Deed Book 48, Page 539 in the Probate Office of Shelby County, Alabama.

Also except from the above described land a certain tract deeded by R. H. Green and wife, to T. C. Burgess, O. L. Hurtt and J. A. George on March 18th, 1930, described as follows: Beginning at a point on the Ft. Williams and Schraders Mill Public Road in Beat 2, Shelby County, Alabama, about 175 yards South of Spring Creek Bridge on said road at the foot of a certain hill which lies East of said road, the same being where said road crosses the North Boundary line of the NE 1/4 of SE 1/4 of Section 2, and running along said road in a southerly direction to a point where said road crosses the East boundary line of Section 2, containing 8 acres, more or less; all above in Township 24, Range 15 East.

Also except flood rights over portions of the above described land as described in Deed Book 240, page 144, in the Probate Office of Shelby County, Alabama.

The above described property is conveyed subject to those certain easements granted to Alabama Power Company by instruments recorded in Volume 133, page 234, and Volume 139,

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page 433, in said Probate Office of Shelby County, Alabama, and that certain easement granted to Shelby County, Alabama, by instrument recorded in Volume 241, page 476, in said Probate Office of Shelby County, Alabama.

EXCEPTING from the above lands all that part which would be covered with waters of the Coosa River or its tributaries should such river or its tributaries be raised and backed up to that certain datum plane of 397 feet above mean sea level as established by the United States Coast and Geodetic Survey as adjusted in January, 1955, and as expressed in that certain deed given by Anita May and husband Robert M. May; Bessie Goldner and husband Harry Goldner; Jeanette Hyatt and husband Robert Hyatt; and Merritt Pizitz, a single man, to the Alabama Power Company, a corporation, dated January 10, 1966, and recorded in the Office of the Judge of Probate of Shelby County, Alabama, on January 21, 1966 in Book 240 at Page 144.

Excepting Highway right of way.

TO HAVE AND TO HOLD to the said grantees, their heirs and assigns forever.

And we do for ourselves and for our heirs, executors, and administrators covenant with the said grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this the 15<sup>th</sup> day of August, 1973.

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BOOK

Harry Goldner  
Harry Goldner

Robert M. May  
Robert M. May

Robert Hyatt  
Robert Hyatt

Bessie Goldner  
Bessie Goldner

Anita May  
Anita May

Jeanette Hyatt  
Jeanette Hyatt

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1973 AUG 17 PM 1:12  
U.C. FILE NUMBER OF  
REC. BK. & PAGE AS SHOWN ABOVE  
Carroll J. Pizitz  
JUDGE OF PROBATE

STATE OF ALABAMA:  
JEFFERSON COUNTY:

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Bessie Goldner and husband Harry Goldner, Anita May and husband Robert M. May, and Jeanette Hyatt and husband Robert Hyatt, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 15<sup>th</sup> day of August, 1973.

Harvey J. Wachman  
Notary Public