

1344
RELEASE OF LAND FROM MORTGAGE

STATE OF ALABAMA)

COUNTY OF)

KNOW ALL MEN BY THESE PRESENTS: That, whereas the undersigned, Eugene M. McLain and wife, Geraldine P. McLain, is the owner and holder of record of that certain mortgage executed by Allen Montgomery and wife, Jacqueline Jones Montgomery, and James Thornton and wife, Charlotte Thornton, to Eugene M. McLain and wife, Geraldine P. McLain, dated the 23rd day of April, 1973, and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Mortgage Book 341, Page 168, in which mortgage the following described land and other land is described and conveyed; and amended by instrument recorded in Misc. Book 22, Page 876.

WHEREAS, for the consideration herein set out, the said Eugene M. McLain and wife, Geraldine P. McLain have agreed to release from the lien has agreed to release from the lien of said mortgage the hereinafter described land.

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BOOK NOW, THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00) paid to the said Eugene M. McLain and wife, Geraldine P. McLain, on the execution and delivery of this instrument, the receipt of which is hereby acknowledged, the said Eugene M. McLain and wife, Geraldine P. McLain, do hereby release, remise, convey and quitclaim unto the said Allen Montgomery and wife, Jacqueline Jones Montgomery and James F. Thornton and wife, Charlotte Thornton, their heirs and assigns from the lien, operation and effect of said mortgage the land described in said mortgage which is described in Exhibit A attached hereto and made a part hereof.

As to all other land described and conveyed in said mortgage, the lien thereof shall remain in full force and effect unaffected by this release.

TO HAVE AND TO HOLD said tract or parcel of land unto the said Allen Montgomery and wife, Jacqueline Jones Montgomery and James F. Thornton and wife, Charlotte Thornton, their heirs and assigns forever.

This release is given for the purpose of enabling Allen Montgomery and wife, Jacqueline Jones Montgomery and James F. Thornton and wife, Charlotte Thornton, to make a valid conveyance of said lands free and clear of lien

19781003000133100 1/3 \$.00
Shelby Cnty Judge of Probate, AL
10/03/1978 12:00:00 AM FILED/CERT

Claude M. Cain Moncus
2117 Magnolia Ave. Suite 102
Bham, Ala. 35205

of said mortgage and as an inducement to Parkway Development Co., Inc. to acquire said land.

IN WITNESS WHEREOF, Eugene M. McLain and wife, Geraldine P. McLain, have hereunto signed their names to this instrument this 2ND day of October, 1978.

Eugene M. McLain
Eugene M. McLain

Geraldine P. McLain
Geraldine P. McLain

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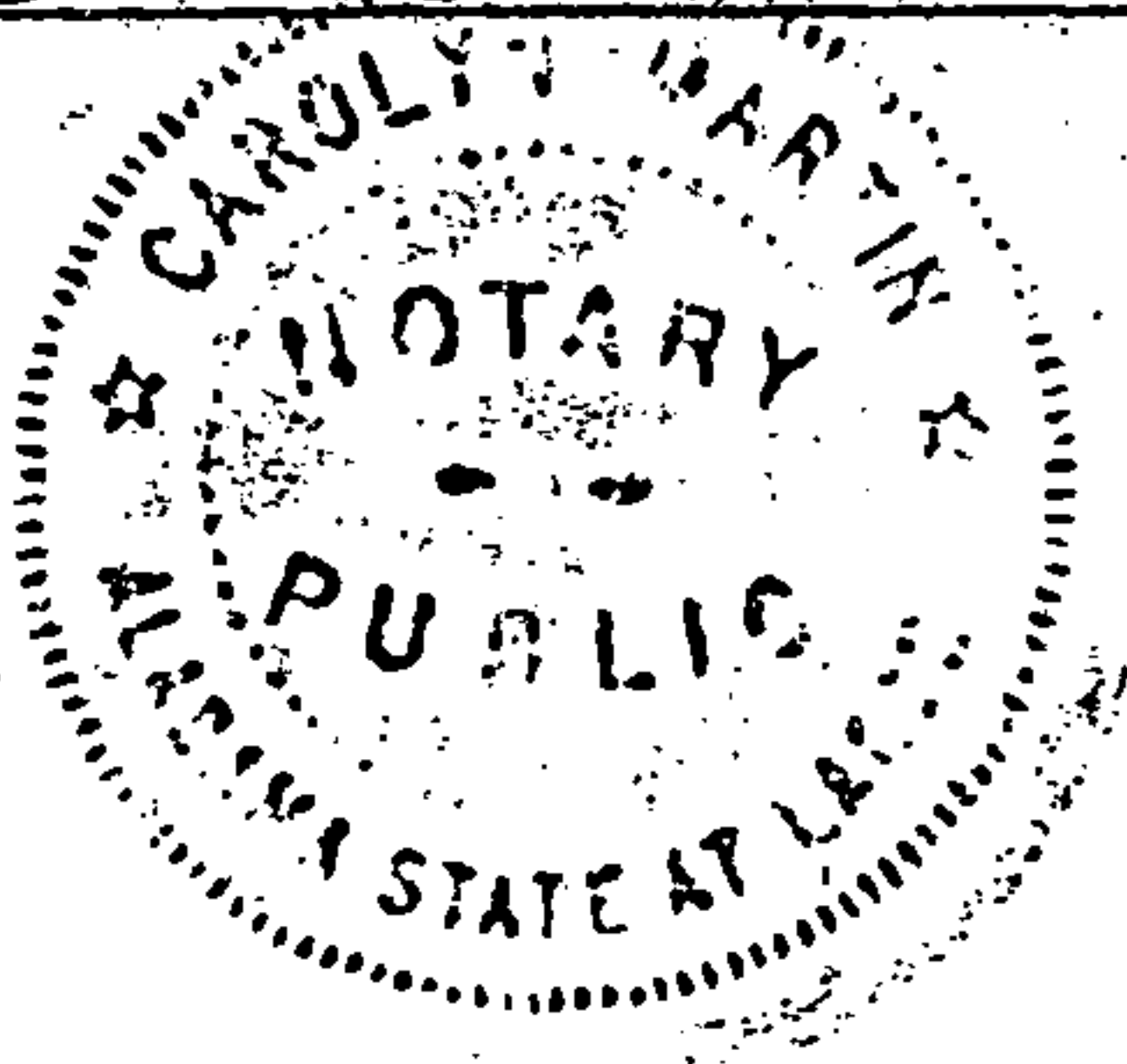
STATE OF ALABAMA)

COUNTY OF)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Eugene M. McLain and wife, Geraldine P. McLain whose names are signed to the foregoing Mortgage Release and who is known to me, acknowledged before me on this day that being informed of the contents of this Mortgage Release, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2ND day of

October, 1978.



Carolyn Martin
Notary Public
My Commission Expires 10/3/79



19781003000133100 2/3 \$.00
Shelby Cnty Judge of Probate, AL
10/03/1978 12:00:00 AM FILED/CERT

EXHIBIT "A"

PARCEL "C"

A tract of land situated in the SW1/4 of Section 12, Township 20 South, Range 5 West, Shelby County, Alabama and more particularly described as follows:

Commence at the SE corner of the SW1/4 of the SW1/4 of Section 12 for a point of beginning; Thence West along the South line of said 1/4-1/4 322.13 feet; Thence 121°15'55" right 321.74 feet; Thence 85°16'00" right 415.92 feet to the west right of way of U.S. Highway 31; Thence 90°00'00" right and along said right of way 100.00 feet; Thence 63°33'00" right and leaving said right of way 172.29 feet to the point of beginning and containing 2.038 acres more or less.

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BOOK

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

1978 OCT -3 PM 1:38

Thomas G. Snowdon, Jr.
JUDGE OF PROBATE

Rec. 450
Ind. 100
550



19781003000133100 3/3 \$.00
Shelby Cnty Judge of Probate, AL
10/03/1978 12:00:00 AM FILED/CERT