

State of Alabama Shelby County

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of Five Hundred dollars, to the undersigned grantors, Ella Peeples Johnson, a widow, and J.T. Johnson, Jr., and his wife, Leta Hendrick Johnson, in hand paid by E.G. Smitherman and wife Saydee H. Smitherman, the receipt whereof is hereby acknowledged, we the said Ella Peeples Johnson, a widow and J.T. Johnson Jr., and wife Leta Hendrick Johnson, do grant, bargain, sell and convey unto the said E.G. Smitherman and wife, Saydee H. Smitherman the following described real estate, to-wit:

Begin at the northwest (NW) corner of lot five (5) of Storrs & Troys Addition to the Town of Montevello, Alabama, according to survey and map thereof in the office of the Probate Judge of Shelby County, Alabama, the same being the northeast (NE) corner of the F.F. Crowe lot on Main Street, and run in a northeasterly direction, along the southeastern margin of said Main Street 100 feet to the point of beginning; thence, run in a southeasterly direction, perpendicular to said Main Street, 158 feet and $1\frac{1}{2}$ inches; thence, in a northwesterly direction, perpendicular to said Main Street, 88 feet; thence in a northwesterly direction, perpendicular to said Main Street 158 feet and $1\frac{1}{2}$ inches to the southeastern margin of said Main Street; thence, in a southwesterly direction, along said margin, to the point of beginning.

The above lying, situate, and being in the town of Montevallo, Shelby County Alabama

The grantors herein make and reserve the following restrictions to exist, run, and be in effect for and during the life of that certain mortgage executed by J.R. Johnson and wife,

Mary Ella Johnson and J. T. Johnson Jr., and wife, Leta Hendrick Johnson, to Merchants and

Planters Bank, dated January 15, 1936, and recorded in mortgage hook 170, at page 204, in the

Probate Office of Shelby County, Alabama, and any title acquired thereby; it being fully understood that as soon as the above mortgage shall have become satisfied the following said restrictions shall become null and void; viz,

- 1. Said property shall be restricted to single family white residential use.
- 2. The main or residential building to be erected on said property to cost not less than \$3000.00.
- 3. The location of all buildings on said lot to conform to present established building lines and srt back practices in the neighborhood.

situated in Shelby County Alabama

TO HAVE AND TO HOLD to the said E. G. Smitherman, heirs and assigns forever. And we do for ourselves, our heirs, executors and administrators covenant with the said E.G. Smitherman, and wife Saydee H. Smitherman, their heirs, and assigns that we are lawfully seized in fee simple of said premises; and 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 E.G. Smitherman and wife Saydee H Smitherman, their heirs, executors and assigns, forever, against the lawful claims of all persons.

In Witness Whereof, we have hereunto set our hands and seals this 25th day of July, 1940

Ella Peeples Johnson (L.S.)
J.T.Johnson Jr. (L.S.)

Leta Hendrick Johnson (L.S.)

The State of Alabama

I, W H Luttrell a Notary Public in and for said County in said State do hereby certify that J T Johnson Jr and Leta Hendrick Johnson, his wife, 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, this 25 day of July, 1940

W. H. Luttrell Notary Public

The State of Alabama Montgomery County

I, W H Luttrell a Notary Public in and for said County in said State do hereby certify that on the 25 day of July, 1940 came before me the within named Leta Hendrick Johnson khown to me to be the wife of the within named J T Johnson Jr., who, being examined separate and apart from the husband touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or inhreats on the part of the husband.

In witness whereof, I hereunto set my hand, this 25 day of July

1940.

W H Luttrell (Notary Public

The State of Alabbama

I, Wm D McConaughy, a Notary Public in and for said County in said Strate do Shelby County hereby certify that Ella Peeples Johnson, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance she executed the same voluntarily on the day the same bears date Given under my hand this 26 day of July, A D 1940

Wm D.McConaughy, Notary Public

Filed for record in this office Setober 2nd 1940 at 2;30 PM and recorded in deed reord 109, page 268 and examined L C Walker, Judge of Probate

> STATE OF ALABAMA BHELDY COUNTY

Lierady demity that has been pridon the within Instructions as required by IDW.

L. C. WALKER, JUDGE OF PROBATE