

STATE OF ALABAMA

# 377

JEFFERSON COUNTY

WHEREAS, the undersigned, The First National Bank of Birmingham, is the holder of and the owner of all of the outstanding bonds issued under a deed of trust executed by the Montevallo Mining Company to the American Trust & Savings Bank dated March 2, 1914, and filed for record on June 3, 1914, and recorded in Mortgage Record 108, Page 507, in the office of the Probate Judge of Shelby County, Alabama, said mortgage having been from time to time extended, covering the lands hereinafter described, and

WHEREAS, said mortgage has been subordinated to a mortgage executed by the Montevallo Coal Mining Company, the present owner of said property, to the Reconstruction Finance Corporation dated October 17, 1938, and filed for record on December 20, 1938, in Mortgages Record 179, page 97, et seq, in the office of the Probate Judge of Shelby County, Alabama, and

Whereas, said owner desires that said property be released from the lien of said mortgages, and the undersigned being agreeable thereto,

NOW THEREFORE, PREMISES CONSIDERED, The said The First National Bank of Birmingham, Alabama, hereby releases from the operation of said deed of trust, the following described real estate:

All of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section 17, Except one acre in the Northeast corner of that Quarter Quarter section which is in the shape of a square, and also all of that part of the East Half of the Southeast Quarter (E $\frac{1}{2}$  of SE $\frac{1}{4}$ ) of Section 18, which lies on the Southeast side of the right of way of the Southern Railway Company (formerly the B.B. & B. Railroad Company), all situated in Shelby County, Alabama in Township 22, Range 3 West.

including all improvements and together with all rights, easements and appurtenances thereunto belonging.

It is understood that the said Montevallo Coal Mining Company proposes to sell said lands to Cassie Killingsworth at and for the price of \$1,000.00 less certain items of expense, and it is also understood that the proceeds of said sale will be paid to the Reconstruction Finance Corporation to be applied upon the obligation represented by said mortgage to said Corporation, to all of which the undersigned hereby consents; but the validity and effectiveness of this release is not conditioned upon the stated application of the proceeds of any such sale.

The said deed of trust remains in full force and effect except as necessarily modified by this instrument.

IN WITNESS WHEREOF, this instrument has been executed in the name of the First National Bank of Birmingham, Alabama, by C.F. Zukoski, Jr. its Vice President, on this the 1st day of July, 1941.

STATE OF ALABAMA

THE FIRST NATIONAL BANK OF BIRMINGHAM  
Whim

JEFFERSON COUNTY

BY  
JMBC.F. ZUKOSKI, JR.  
Vice President

I, Louise Thomas, a Notary Public in and for said County, in said State, hereby certify that C.F. Zukoski, Jr., whose name as Vice President of the First National Bank of Birmingham, Alabama, a Corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer and with full authority, executed the same vol-

untarily for and as the act of said Corporation.

Given under my hand and seal, this 1st day of July, 1941.

FILED IN OFFICE THIS THE 30 DAY OF OCTOBER, 1941

Louise Thomas  
Notary Public

AT 11 A.M. RECORDED IN VOL. 112 PAGE 414.

L.C. WALKER-JUDGE OF PROBATE