DEED

STATE OF ALABAMA)

SHELBY COUNTY

WHEREAS, heretofore on to-wit: September 1, 1943, the undersigned grantors, other than the undersigned Trustees, being the owners jointly or as tenants in common, of certain personal property and real estate situated in Shelby County, Alabama, transferred and conveyed said personal property and real estate to D. A. Thomas and W. C. Scott, as Trustees, by two separate instruments containing however, identical provisions concerning the title and authority of said Trustees in respect to said property, the one instrument transferring and conveying the personal property and the other instrument conveying the real estate, said latter instrument being recorded in the office of the Probate Judge of Shelby County, Alabama, on September 23, 1943, in Deed Record 117, page 274, and

WHEREAS, said Trustees in pursuance of their duties under said instruments have sold certain of said property and now have in hand subject to distribution and available for distribution, the sum of Twenty Thousand (\$20,000.00) Dollars in cash, and

WHEREAS, the real estate hereinafter described, which formed a part of the real estate conveyed to said Trustees as aforesaid, has been widely advertised for sale but no bids therefor have been received for as much as the consideration hereinafter recited, and

WHEREAS, all of the grantors herein, including said Trustees, are of the opinion that the lands hereinafter described has a reasonable market value of Thirty Thousand (\$30,000.00) Dollars, but no more than that
sum, and

WHEREAS, the said D. A. Thomas has expressed a willingness to accept a conveyance of the land herein described, upon the basis of a valuation of Thirty Thousand (\$30,000.00) Dollars, in lieu of a cash distribution to him in that amount, and

WHEREAS, said two sums that is to say, \$20,000.00 in cash and \$30,000.00 in land hereby conveyed, would make the total sum of \$50,000.00 available for distribution, of which sum the said D. A. Thomas would be entitled to 81.713% which is \$40,856.50, leaving a balance of \$10,856.50 payable to said D. A. Thomas of his distributive share, after conveyance of the property herein conveyed, at and for the consideration of \$30,000.00, and

WHEREAS, the other grantors have received their proper and due share of said total distribution of \$50,000.00, receipt whereof is hereby acknowledged, and

WHEREAS, the grantors herein, being all the beneficiaries of said trust, and said Trustees, are of the opinion that it is to their best interest, jointly and severally, that sale be made in the amount and in the manner and upon the terms herein stated, and

WHEREAS, the said D. A. Thomas has requested that the land herein conveyed be conveyed to his nominee, namely, Boothton Coal Mining Company, a Corporation,

NOW THEREFORE, PREMISES CONSIDERED, and in consideration of each joining in this conveyance with the others and in payment and discharge of \$30,000.00 of the aforesaid distributive share of the said D. A.

Thomas, receipt whereof is hereby acknowledged by him, we the said grantors, namely, D. A. Thomas and W. C.

Scott as Trustees under the deed of trust dated September 1, 1943, and recorded in the office of the Probate Judge of Shelby County, Alabama, on September 23, 1943, in Deed Book 117, page 274, and said D. A. Thomas in his own right and as the husband of Ella Mae Thomas; Claud M. Shill as Trustee for The First National Bank of Birmingham; the Birmingham Trust & Savings Company; W. H. Sadler in his own right and as the husband of Ruth S. Sadler; Ruth S. Sadler in her own right and as the wife of W. H. Sadler; J. L. Dollar and his wife Mary Dollar; Ethel Corine Moore, as executrix under the will of B. C. Moore, deceased; H. W. Stokes and his wife Elizabeth Thomas Stokes; Virginia Means Nesbit, a widow; Ella Mae Thomas in her own right and as the wife of D. A. Thomas; Dorothy Thomas Morrow in her own right and as the wife of Hugh Morrow, Jr; Hugh Morrow, Jr. in his own right and as the husband of Dorothy Thomas Morrow, hereby grant, bargein, sell and convey unto Boothton Coal Mining Co., a Corporation, the following described real estate situated in Shelby County, Alabama, to-wit:

	171	00	fztir	000
SW 表 and SW 表 of SE 表		22	3W	200
W 등 of SW 主; NE 를 of SW 를 except 6 acres in the NW corner; SE 를 of SW를			•	•
except 12.46 acres being that part of the plot of "reserved land" here-		•		
inafter specifically described, which lies and is within said SE $\frac{1}{4}$ of SW $\frac{1}{4}$,			- -	
said reserved land being described as follows. Begin at the NW corner of				
Lot 6, in Block 2 of Thomas' Addition to the Town of Aldrich, according to	•	•		
map and survey thereof recorded in the office of the Probate Judge of				
Shelby County, Alabama, thence North 650 18' East, a distance of 303.48 ft.,			•	•
thence at an angle of 60 19° to the right a distance of 580.46 ft.; thence				-
to the left at an angle of 85° 55° a distance of 696,48 ft.; thence at an				
angle of 540 16° to the right a distance of 109.50 ft.; thence at an angle			-	
of 5°22' to the right a distance of 636.67 ft.; thence at an angle of 33°		•		
50° to the right a distance of 173.78 ft. to the center line of Davis Creek;		•		
thence East along the center line of said Davis Creek to the East line of the				•
SE ½ of the SW ½ of Section 18, Township 22, Range 3 West, thence South along				
said quarter section line, continuing on along the East line of the NE $\frac{1}{4}$ of				-
the NW $\frac{1}{4}$ of Section 19, in said township and range, to the Northwest boundary				
line of the land conveyed by the Montevallo Coal Mining Company to J. E.	-			
Nichols, and continue in a southwesterly direction along the northwest boundary	•			•
line of said Nichols land to a point where such northwest boundary line would be				
intersected by the North line of said Lot 6 if extended; thence along the North	_		•	•
boundary line of said Lot 6 as extended, a distance of 288 ft. to the point of	1			•
beginning; 10 acres in the south part of the SE \frac{1}{4} of the Northwest \frac{1}{4}; the West			,	·
of the NW 4.	18	22	3W	231,54
W à of the SW ¼; NW և of the NW ¼;				
NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ except 7.36 acres heretofore conveyed by the Montevalllo Coal				•
Mining Company to J. E. Nichols and except 13.42 acres which form a part of			-	•
the above described "reserved land" situated within said NE 뉴 of NW 뉴; SE 뉴 of				
NW $\frac{1}{4}$ except 36.65 acres which are situated also within Thomas' Addition to the				•
Town of Aldrich, map of which is recorded in the office of the Probate Judge				
of Shelby County, Alabama; NE $\frac{1}{4}$ of SW $\frac{1}{4}$ except 20.97 acres which are situated i	n			
said Thomas Addition to the Town of Aldrich; SE 1/4 of SW 1/4, except 24.94 acres	•••	-		
which are situated also in said Thomas' Addition to the Town of Aldrich; SW $\frac{1}{4}$				
				•
of NW \(\frac{1}{4} \) except 5.17 acres which are situated in said Thomas' Addition to the				
Town of Aldrich,	19	22,	3w	211.49
All the W 1/2, West of the Southern Railroad right-of-way; all the East 1/2 West	-	-		
of the Southern Railroad right-of-way	30	22	3W	32.02
				•
SW 볼 of NE 볼; S 를 of NW 볼; SW 볼 and W 를 of SE 볼	12	. 22	4W	360 -
All of Section except NW $\frac{1}{4}$ of NE $\frac{1}{4}$	13	22	4W	600
SE 숲 of NE 숲; 도方 of SW 숲 and SE 숲	14	. 22	4W	280
E pof E p	23	22	4W	160
All of Section	24	22	4W	540
All Fractional Section	25	22	4W	77
E ½ of Fractional Section	26	22	4₩	32
That part of the N $\frac{1}{8}$ of Fractional Section West of Simons Creek, less				• -
Įį.			•	

24 12E

10 acres in NE corner

	Sec.	Tp.	Range	Acres
Eg of NW 4: NE 4 of SW 4; NW 4 of SE 4 and NE 4 Fractional Section	6	24	12E	295
W 늘 of NE ¼ and E 늘 of SW ¼	5	21	3W	160
NW 🛓	16	22	lW	160
S 늘 of NE 主; W 늘 of SE 글 excepting the righty-of-way of Alabama Mineral				
Railraod which is a strip 100 feet in width in and over the W $\frac{1}{2}$ of SE $\frac{1}{4}$	17	22	ly	160
NW 글 of NE 글	20	22	lW	4Q

TOTAL

3,799.05

Acres, More or Less,

Together with all improvements thereon.

TO HAVE AND TO HOLD to said Boothton Coal Mining Co., its successors and assigns forever. The property here conveyed does not form any part of the homestead of any of the grantors. WITNESS our hands, this the 30 day of June, 1944.

D. A. Thomas

D. A. Thomas, as Trustee under the Trust Instrument hereinabove described

W. C. Scott,

W. C. Scott, as Trustee under the Trust Instrument hereinabove described

D. A. Thomas

Claud M. Shill

Birminghem

Claud M. Shill as Trustee for the First National Bank of

BIRMINGHAM TRUST & SAVINGS COMPANY N. M. P. By W. E. Henley, Ohr. of the Board

Corporate Seal

W. H. Sadler

Ruth S. Sadler

J. L. Dollar

Mary Dollar

Ethel Corine Moore As Executrix under the will of B. C. Moore, deceased.

H. W. Stokes

Elizabeth Thomas Stokes

Virginia Means Nesbit

Ella Mae Thomas

Dorothy Thomas Morrow

Hugh Morrow, Jr.

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Thelma W. Holmes, a Notary Public in and for said County in said State, hereby certify that D. A. Thomas as Trustee under the trust instrument hereinabove described, and W. C. Scott as Trustee under the trust instrument hereinabove described, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they, in their capacities as such Trustges, executed the same voluntarily on the day the same bears date.

Given under my hand, this 30 day of June, 1944.

Notarial Seal

Thelma W. Holmes, Notary Public

STATE OF VIRGINIA

MONTGOMERY COUNTY

I, Charlotte Sowers, a Notary Public in and for said County, in said State, hereby certify that Mrs.

Virginia Means Nesbit whose name 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 this instrument, she executed the same volung tarily on the day the same bears date.

Given under my Rand and seal, this the 8th day of July, 1944.

NOTARIAL SEAL

Charlotte Sowers

Notary Public

My Commission Expires May 26, 1946

STATE OF ALABAMA

SHELBY COUNTY

I, R. C. Henderson, a Notary Public in and for said County, in said State, hereby certify that D. A.

Thomas, J. L. Dollar, and Mary Dollar whose names are signed to the foregoing instrument, and who are known to me, adknowledged before me on this day that, being informed of the contents of this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this the 1st day of July, 1944.

Notarial Seal

R. C. Henderson, Notary Public

My commission expires 3-4-1947

STATE OF ALABAMA

SHELBY COUNTY

I, R. C. Henderson, a Notary Public in and for said County in said State, hereby certify that Ethel Corine Moore, whose name as executrix under the will of B. C. Moore, deceased, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contentsof the instrument, she, in her capacity as such executrix, executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this the 1st day of July, 1944.

Notarial Seal

Notarial Seal

R. C. Henderson, Notary Public

My commission expires 3-4-1947

STATE OF ALABAMA'L

JEEFERSON COUNTY)

I, R. A Montgomery, a Notary Public in and for said County in said State, hereby certify that Claud M. Shill, whose name as Trustee for The First National Bank of Birmingham, 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, in his capacity as such Trustee, executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this the 30 day of June, 1944.

R. A. Montgomery, Notary Public

My Commission expires September 30th, 1947

STATE OF ALABAMA

JEFFERSON COUNTY

I, Annette H. Raum, a Notary Public in and for said County in said State, hereby certify that W. E. Henley whose name as Chairman of the Board of the Birmingham Trust & Savings Company, 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 voluntarily for and as the act of said corporation.

Given under my hand and seal, this 30 day of June, 1944.

Bonded by New York Casualty Co. N.Y.

Notarial Seal Annette H. Raum, Notary Public, Jefferson County, Ala. My commission expires October 25, 1947 STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Lida Crawford, a Notary Public in and for said County in said State, hereby certify that W. H. Sadler, Ruth S. Sadler, H. W. Stokes, Elizabeth Thomas Stokes, Ella Mae Thomas, Dorothy Thomas Morrow and Hugh Morrow, Jr. whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this 30th day of June, 19441

Lida Crawford

NOTARIAL SEAL

Notary Public

My Commission Expires March 12, 1946

Filed for record in this office on the 11th day of July, 1944, at eight o'clock A. M. and duly recorded in Deed Record Vol. 118 on page 562 to 566, both inclusive.

STATE OF ALABARA
SHELBY COUNTY
I heroby cortify them
B 20.00 Privilogo Tan
has been paid on the within

WOOD OF PRODAYS

low.

L. C. Walker, Judge of Probate