

(\$2.75 Federal Stamps Cancelled on this Deed)

STATE OF ALABAMA )  
(  
SHELBY COUNTY )

## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That, in consideration of Twenty-Five Hundred Dollars (\$2500) to the undersigned grantors, Naomi Horton McCauley and her husband, Charles H. McCauley, in hand paid by E. T. Spidle, the receipt whereof is hereby acknowledged, we, the said Naomi Horton McCauley and her husband, Charles H. McCauley, who has joined in the execution of this deed solely for the purpose of enabling the same to be validly executed by his wife, the said Naomi Horton McCauley, do grant, bargain, sell and convey unto the said E. T. Spidle the following described real estate, situated in Shelby County, Alabama, to-wit:

All that part of the NW $\frac{1}{4}$  of Section 33, Township 21, Range 3 West, lying West of the Montevallo and Elyton public road, subject however, to the right of way of the Southern Railway Company, 100 feet in width, being 50 feet in width on each side of the center line of the track of the said railway as the same is located through said parcel of land and also subject to a right-of-way, 50 feet in width, being 25 feet in width on each side of the center line of the track located on said land known as the Spruell spur track, There is excepted from the aforesaid grant, however, that portion of said property which lies East of the Southern Railway Company's right-of-way and South of a private road, as the same was located on November 30, 1931, which extended from the said Montevallo and Elyton public road to the spot where the John Cunningham house was then located on said land, and there is also excepted from the aforesaid grant 15 acres located in the Southwest corner of the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said section which was heretofore conveyed by T. A. Bradley and his wife, Geneva Bradley, to W.J. Hites and his wife by deed dated November 12, 1928, and recorded in Volume 84, at page 66, of the Deed Records in the office of the Probate Judge of Shelby County, Alabama.

There is excepted from the aforesaid grant, all right and privileges of mining coal from which is commonly known as the "Montevallo Seam" as contained in that certain lease and agreement executed to the Little Gem Coal Company on April 8, 1941, and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Book 119, at page 242, as the same has been amended by instrument executed the 30th day of December, 1944, Such rights and privileges being hereby retained by the grantors, for a period of thirty years from date hereof.

TO HAVE AND TO HOLD, to the said E. T. Spidle, his heirs and assigns forever.

And the undersigned Naomi Horton McCauley does, for myself and for my heirs, executors and administrators, covenant with the said E. T. Spidle, his heirs and assigns that I am lawfully seized in fee simple of the premises hereby conveyed; that they are free from all encumbrances; that I have a good right to sell and convey the same as aforesaid; that I will, and my heirs, executors and administrators shall, warrant and defend the same to the said E. T. Spidle, his heirs and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 20 day of January, 1945.

Naomi Horton McCauley (SEAL)

Charles H. McCauley (SEAL)

STATE OF ALABAMA  
JEFFERSON COUNTY.

I, Anna Mae Richards, a Notary Public in and for said County in said state, hereby certify that Naomi Horton McCauley and Charles H. McCauley, 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 20 day of January, 1945.

Anna Mae Richards

Notary Public  
My commission expires Jan. 10, 1948

NOTARIAL SEAL

Filed in the office of the Probate Judge the 30th day of January, 1945 at 11o'clock P.M. and recorded in the Deed Record 119 on page 459 on this the 30th day of January, 1945.

STATE OF ALABAMA  
SHELBY COUNTY

L.C.Walker,  
Judge of Probate

I hereby certify that  
3250 ...  
has been given ...  
instrument as required by  
law.

L. C. WALKER,  
JUDGE OF PROBATE