

BOOK 165 PAGE 41

STATE OF ALABAMA
TALLADEGA COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Thirty One Hundred Fifty (\$3150.00) Dollars payable in 48 equal installments of \$65.00 and one installment being the 49th and final installment of \$30.00. The first installment becomes due and payable on the 1st day of February, 1954, and the remaining installments become due and payable on the 1st day of each successive month thereafter until the said sum of Thirty One Hundred Fifty (\$3150.00) Dollars is paid in full. The grantees hereby agree to deposit to the account of the grantor each of the aforesaid installments in the First National Bank of Childersburg, Childersburg, Alabama, and mail to the said grantor a duplicate deposit slip and retain for themselves a duplicate deposit slip which shall be evidence of payment and their official receipt. It is further agreed by the grantees and the grantor herein that in the event any one of the aforesaid installments is not paid when due the remaining installments and indebtedness shall become due and payable upon option of the grantor herein. A written notice from the grantor to the grantees herein is constituted as the election by the grantor to exercise his option, time being the essence of this contract. The conveyance herein is expressly conveyed upon fulfillment of the satisfactory payment of each and every installment herein recited, to the undersigned grantor John H. Thompson in hand paid by James H. Foster and his wife, Geraldine A. Foster, the receipt whereof is acknowledged, therefore the said John H. Thompson do grant, bargain, sell and convey unto the said James H. Foster and his wife, Geraldine A. Foster as joint tenants, with right of survivorship, the following described real estate, situated in Shelby County, Alabama, to-wit:

Begin at the SE corner of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34 Township 19 Range 2 East and run West along said Section line 226 feet more or less to the East line of the Florida Short Route, sometimes known as Highway Number 91; and run Northwesterly along said highway line 1475 feet more or less to the beginning point; thence run in a Northeasterly direction and perpendicular to said highway line 150 feet; thence run in a Northwesterly direction and parallel with said highway line 75 feet; thence run in a Southwesterly direction and perpendicular to said highway line 150 feet to said highway line; thence run in a Southeasterly direction along said highway line 75 feet to point of beginning, all being in SE $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 34, Township 19, Range 2 East, Shelby County, Alabama. This conveyance is subject to the covenants and restrictions in that one certain deed from J. W. McCall Estate to J. W. Dewberry and recorded in Deed Record Book 117 at page 87 in the Office of Probate Judge, Shelby County, Alabama.

TO HAVE AND TO HOLD Unto the said James H. Foster and his wife, Geraldine A. Foster, as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (Unless

the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein), in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one grantee does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And I do, for myself and for my heirs, executors and administrators, covenant with the said grantees, their heirs and assigns, that I am lawfully seized in fee simple of said premises; 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 grantees, their heirs, and assigns forever against the lawful claims of all persons.

In Witness Whereof, I have hereunto set my hand and seal, this 16th day of January, 1954,

Witness:

James H. Sharbutt
Mary L. Kintz

John H. Thompson (Seal)
Alva Thompson (Seal)

THE STATE OF ALABAMA
SHELBY COUNTY

I, James H. Sharbutt

a Notary Public

in and for said County, in said State,

hereby certify that John H. Thompson 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, He executed the same voluntarily on the day the same bears date.

Given under my hand this 16 day of January A.D. 1954



James H. Sharbutt
Notary Public

THE STATE OF ALABAMA
Talladega COUNTY

I, James H. Sharbutt

a Notary Public

in and for said County, in said State,

do hereby certify that on the 16th day of Jan, 1954, came

before me the within named Alva Thompson known to me (or made

known to me) to be the wife of the within named John H. Thompson

who being examined separate and apart from the hus-

band, touching her signature to the within conveyance, acknowledged that

she signed the same of her own free will and accord, and without fear,

consolidation on threats on the part of the husband.

In Witness Whereof, I hereunto set my hand this 16th day of

January, A.D. 1954



James H. Sharbutt
Notary Public

Filed 2/24/54 1 PM

no deed to be due

see entry 231 page 261