

1436

STATE OF ALABAMA )  
JEFFERSON COUNTY )

BOOK 198 PAGE 226

RELEASE OF MORTGAGE AND NOTE  
AND APPOINTMENT OF ATTORNEYS-IN-FACT

Whereas the undersigned, Clare B. Smith, of Birmingham, Alabama, is the payee named in, and the owner of, that certain note and mortgage, of which Whit Windham is the maker, dated February 5th, 1958, for the sum of \$2500.00 and interest from date at 5% per annum, the said mortgage being a purchase money mortgage and covering the following described real estate:

- (1) The south half of the northwest quarter (S. 1/2 of the N.W. 1/4) of Section 19, Township 17, Range 2 East, containing eighty (80) acres, more or less, situated in St. Clair County, Alabama.
- (2) The Southeast quarter of the Northeast quarter (S.E. 1/4 of the N. E. 1/4) of Section 24, Township 17, Range 1 East, containing forty (40) acres, more or less, situated in Shelby County, Alabama; and

Whereas, the said Whit Windham has on this date fully paid the indebtedness evidenced by the above described note and secured by the above described mortgage, and it is appropriate and in order that the owner of the said indebtedness and the owner of the said mortgage execute an appropriate release and discharge and cancellation of the above described indebtedness and the above described mortgage.

NOW, THEREFORE, in consideration of the premises and in consideration of the sum of \$2614.62 in hand paid to the undersigned Clare B. Smith by Whit Windham on this date, I the said Clare B. Smith do hereby execute this release of the said indebtedness; and discharge and cancel the said mortgage. The said mortgage is recorded in St. Clair County, Alabama in the Office of Judge of Probate on the 7th day of February 1958 in Book 90 at Page 101 of the Record of Mortgages; and is also recorded on the 8th day of March, 1958 in Shelby County, Alabama, in the Office of the Judge of Probate at Columbiana, in Book 253 at Page 204 of the Record of Mortgages.

I the said Clare B. Smith do hereby designate and appoint Hoyt Hamilton of Pell City, Alabama as my Attorney-in-Fact to enter satisfaction of said mortgage and indebtedness thereby secured on the original record where the same is recorded in the Office of the Judge of Probate in Pell City; and I do further designate and appoint L. C. Walker of Columbiana as my Attorney-in-Fact to enter satisfaction of said mortgage and the indebtedness thereby secured on the original record where the same is recorded in the Office of the Probate Judge of Shelby County, Alabama; and I do hereby confirm and approve the action of my said designated Attorneys-in-Fact in so marking satisfied the said mortgage and indebtedness thereby secured.

In witness whereof I have hereunto set my hand and seal in Jefferson County, Alabama, on this 5th day of January, 1959, at Birmingham, Alabama.

Clare B. Smith (SEAL)

The State of Alabama )  
Jefferson County )

I, J. W. Andrews, a Notary Public in and for the State of Alabama at Large, hereby certify that Clare B. Smith, whose name is signed to the foregoing release and designation of Attorneys-in-Fact and who is known to me, acknowledged before me on this date that being informed of the contents of this instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 5<sup>th</sup> day of January, 1959.

J. W. Andrews  
Notary Public.



STATE OF ALABAMA, SHELBY COUNTY

I, L. C. Walker, Judge of Probate, hereby certify that the within release was filed for record the 7 day of Jan, 1959 at 1 o'clock P. and recorded in Book 226 Page 226 and the Mortgage Tax of      and the Deed Tax of      has been paid.

L. C. Walker  
Judge of Probate