

244

FILED 18 MARCH 1959

BOOK 200 PAGE 68

STATE OF ALABAMA)
JEFFERSON COUNTY)



KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of One Hundred and Sixty-five Thousand (\$165,000.00) Dollars, of which amount Twenty-five Thousand Five Hundred (\$25,500.00) Dollars in Cash to the undersigned grantor, J. E. Milam, in hand paid by M. E. Sisco and W. K. Sisco, the receipt of which said cash payment is hereby acknowledged, and the balance of said consideration in the amount of One Hundred and Thirty-Nine Thousand Five Hundred (\$139,500.00) Dollars evidenced by one principal promissory installment note, payment of which is secured by purchase money first mortgage on the real property hereinafter described and conveyed, the said J. E. Milam and wife, Azzie P. Milam do grant, bargain, sell and convey unto the said M. E. Sisco and W. K. Sisco the following described real property, to-wit:

Beginning at the Southeast corner of Section 22; thence North 14° West 40 chains to a stake; thence North 29° West 7 chains and 37 links to a stake; thence North 27° and 45° West 47 chains and 40 links to the South Bank of Little Cahaba River; thence direct to the middle of that stream; thence following the Little Cahaba River with the meanderings thereof up stream to the line of the George Smith Mill Tract near the Northeast corner of the Southeast Quarter (SE¼) of Section 15, Township 24, North of Range 11 East aforesaid; thence East with said line to the middle of the river again; thence along the middle of the river up stream to the intersection of John T. Wilsons land; which is the line dividing the West Half from the East Half of Section 14, Township 24, Range 11 East aforesaid; thence with said line South to the Half Mile Post on the North side of Section 23, Township 24, North of Range 11 East; thence South on the half mile line of said Section, being the Wilson West line to the southeast corner of the Southwest Quarter (SW¼) of Section 23, Township 24, North Range 11 East; thence run West one-half mile on the South line of Section 23 to the Southeast corner of said Section 22, the point of beginning, being Lots numbered Two and One (2 and 1) of the J. N. Smith Estate Home Place, and containing 561 acres, and also

STATE OF ALABAMA
SHELBY COUNTY

ACT NO. 707

I hereby certify that no Deed Tax has been collected on this instrument.

Conrad A. Anderson
Judge of Probate

BOOK 64 PAGE 11

"TAX EXEMPT"

All of that part of the East Half of Northeast Quarter ($E\frac{1}{2}$ of $NE\frac{1}{4}$) of Section 15, Township 24, North Range 11 East, which was purchased by Mary S. Fitch from W. M. Lemley and wife, Eliza Lemley, on to-wit, October 18th, 1895, as shown in Deed Book C-I, at pages 10 and 11 in the Office of the Judge of Probate of Bibb County, Alabama; containing in all 641.42 acres, more or less.

Also the Southwest Quarter ($SW\frac{1}{4}$) of Section 15, Township 24, North Range 11 East, except a small parcel or tract of land in the Southeast corner of the Southeast Quarter of Southwest Quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) of said Section 15 owned by the said Charleton G. Smith on his death and which the said grantors herein, have herein quit-claimed to the said grantees herein.

Also the following tract or parcel of land to-wit: Begin at the Southwest corner of the Southwest Quarter ($SW\frac{1}{4}$) of Section 15, Township 24, North Range 11 East, and run West on the North line of Section 21, Township 24, North Range 11 East until the said Section line intersects the Little Cahaba River; thence due South to the middle of said river; thence up the stream of said river with the meanderings thereof until the said Little Cahaba River is intersected by the East line of the said Southwest Quarter ($SW\frac{1}{4}$) of Section 15, Township 24, North Range 11 East; thence West to the point of beginning, containing 207 acres in said Sections 15, 21 and 22 of Township 24, North Range 11 East, all lands being subject to any minerals or mining rights not owned by the grantors herein and also subject to any existing rights of way and easements; all of said property situated in Bibb County, Alabama.

Beginning at the end of the old Railroad Grade of the Ashby Branch Railroad on the South bank of the Little Cahaba River; thence South 14° East 23 chains and 71 links to a stake near the Western edge of the grove in front of the Ezekiel Smith house; thence South 44° West 5 chains to a stake; thence South 14° East 42 chains and 12 links to the half mile stake or post on the South line of Section 22; thence East on the South line of said Section 22, $\frac{1}{2}$ mile to a stake at the Southeast corner of said Section 22; thence North 14° West 40 chains to a stake; thence North 29° West 7 chains and 37 links to a stake; thence North 27° and 45° West 47 chains and 40 links to the South Bank of the Little Cahaba River; thence to the middle of river; thence down the middle of said river to the same point opposite the grade of the Ashby Branch Railroad; thence to the center of the grade on the South edge of low water mark to the place of beginning, containing 277.75 acres, more or less, and comprising what is known as the Furnace Branch Bottom, as shown by Plat No. 3 of said L. P. Wallace Survey. Said lands are subject to any minerals or mining rights not owned by the grantors herein and also subject to any existing rights of way and easements.

The SE $\frac{1}{4}$ of Section 14, the NE $\frac{1}{4}$ of Section 23, and all that part of the SE $\frac{1}{4}$ of Section 23, lying North of the railroad running between Brierfield and Bibb Furnace; also a part of the SW $\frac{1}{4}$ of said Section 14, described as follows: Beginning at the center of said Section 14; thence run west 73 poles to the middle of Little Cahaba River; thence up said river with the meanderings thereof to the half-mile stake on the south boundary line of said Section 14; thence north 172 poles to the place of beginning; all of the foregoing described lands being situated in Township 24, Range 11 East in Bibb County, Alabama, excepting three and 12/100 acres for a church and burial ground as now occupied and used; it being intended to convey by this deed all that tract of land known formerly as the Gillespy place, excepting the NE $\frac{1}{4}$ of Section 26, and excepting part of the SE $\frac{1}{4}$ of Section 23, lying South of the Railroad running between Brierfield and Bibb Furnace; all of the foregoing land being situated in Bibb County, Alabama.

Also the following described land, to-wit: The SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 12, except 8 acres in a square in the NE corner thereof; the W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 13, Township 24, Range 11 East, except that portion thereof hereinafter described or referred to; the NE $\frac{1}{4}$ of Section 14, except 15 acres in a parallelogram in the south end of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, and excepting that part of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ lying south of a line beginning at the NE corner of said 15 acres tract above described and excepted, and running thence along a fence row northeasterly to Mayberry Creek; thence down said Mayberry Creek to Shoal Creek; and thence up the stream of said Shoal Creek to the intersection of the south line of said NE $\frac{1}{4}$; also 3 acres, more or less, in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 14, beginning at the intersection of the line between the E $\frac{1}{2}$ and the W $\frac{1}{2}$ of said Section 14, with the south line of a public road leading westward from the Farrington residence on the premises hereby conveyed, and following a fence westward and southward to its intersection with the said half-mile line, the same enclosing the West side of what is known as the Farrington Spring Lot, which it is the intention hereby to convey; also the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ and all that part lying west and south of Mayberry Creek of the W $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 11; also 5 acres more or less in a semi-circular shape in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 11, which is enclosed on the west by a fence, and adjoins the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11, all of which said land being known as, and called "The J. D. Farrington Farm". But is expressly understood that the mineral right in and to all the said land lying in the W $\frac{1}{2}$ of SE $\frac{1}{4}$ of said Section 11, is excepted from this conveyance and not conveyed. All of the above described land being in Township 24, North of Range 11, East, lying and being situated in Bibb and Shelby Counties, Alabama. There is specifically excepted from the properties above described that portion of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13, Township 24, Range 11 East, in Shelby County, Alabama, lying South of the present run of Shoal Creek and comprising in extent two acres more or less, being the property heretofore conveyed by G. T. Wofford and wife, Carrie M. Wofford, to A. W. Harper by deed dated January 6, 1939, and recorded in Deed Book 96, at page 490 of the records in the Office of the Judge of Probate of Shelby County, Alabama.

It is the intention of the grantor herein to convey the above described property and all that property conveyed to Joseph R. Smith, Jr., by John T. Wilson and Joannah Wilson by the deed of September 5, 1906, and recorded in Deed Book 10, Pages 527-8; and to convey the lands conveyed to Joseph R. Smith, Jr., by J. D. Farrington and M. A. Farrington by their deed dated January 30, 1904, and recorded in Volume 9 of Deeds, page 239 of the records of the Probate Office of Bibb County, Alabama, excepting, however, the property hereinabove specifically excepted.

Also about 10 acres, more or less, off of the south side of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, Township 24, Range 11 East, bounded on the south by the lands formerly owned by John T. Wilson and now owned by grantor and bounded on the east, north and west by Shoal Creek, and being all of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ South of Shoal Creek. The above described lands is a part of the Old Farrington Farm. Also right of way through said Josiah D. Farrington Farm to said above described lands.

There is expressly excepted from this deed or conveyance all minerals, mining rights and privileges not owned by the grantors herein; also all rights and easements in favor of the State of Alabama, as described or referred to in written instrument, Volume 51, Page 495 and 496 in the Probate Office of Bibb County, Alabama, are also excepted from this conveyance; also all rights and easements in favor of Bibb County, Alabama, as described or referred to in Right of Way Deeds, Volume 47, Page 511, Volume 37, Page 417 and Volume 28, Page 255, in the Probate Office of Bibb County, Alabama, are also excepted from this conveyance; also all rights and easements, if any, in favor of Brierfield Coal and Iron Company, as described or referred to in written instrument, Volume X, Page 399 and Volume W, Page 665, in the Probate Office of Bibb County, Alabama, are also excepted from this conveyance; also rights and easements, if any, in favor of Bibb Furnace Company, as described or referred to in Volume T, Page 515, in the Probate Office of Bibb County, Alabama, are also excepted from this conveyance; also all rights and easements in favor of Alabama Power Company as described or referred to in written instruments,

Volume 45, Page 318; Volume 50, Page 18; Volume 50, Page 214; Volume 50, Page 250; Volume 50, Page 533; Volume 62, Page 129, all in the Probate Office of Bibb County, Alabama, and as otherwise may exist, are also excepted from this conveyance; also all roads, rights of way, and easements, of whatever kind or character, to which said lands, or any parts thereof, are subject to, or burdened or encumbered with, whether or not the same have been herein specifically identified, are hereby expressly excepted from this conveyance. Taxes for the current tax year 1957 are also expressly herein excepted, and are to be paid by the grantees herein.

And we, the said grantors herein named, do hereby sell and convey unto the grantees herein all farm implements, farm machinery and equipment, and all feeds for cattle or stock, owned by the grantors herein, and located on the lands, or any part thereof, herein conveyed.

TO HAVE AND TO HOLD, Unto the said M. E. Sisco and W. K. Sisco, their heirs and assigns forever.

And we do for ourselves, our heirs, executors and administrators covenant with the said M. E. Sisco and W. K. Sisco, their heirs and assigns, that we are lawfully seized in fee simple of said lands; that they are free from all encumbrances except taxes for the current Tax year 1957, which are to be paid by the grantees herein, and except as hereinabove stated or shown; and that we have a good right to sell and convey the same aforesaid; that we will, and our heirs, executors and administrators shall warrant and defend the same to the said M. E. Sisco and W. K. Sisco, their heirs and assigns forever against the lawful claims of all persons.

And we, the grantors herein named, do remise, release, quitclaim and convey to the said M. E. Sisco and W. K. Sisco any and all right, title, claim and interest we have, or may have, in and to the following described real property situated in Bibb County, Alabama, to-wit:

All of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 13, Township 24, Range 11, East.

All of E $\frac{1}{2}$ of Section 22, Township 24, North, Range 11 East, lying South of the Little Cahaba River.

All that part of SW $\frac{1}{4}$ of Section 14, Township 24, North, Range 11 East lying on the Southerly side of Little Cahaba River.

W $\frac{1}{2}$ of Section 23, Township 24, North, Range 11, East

All that part of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, Township 24 North, Range 11 East lying South of the Little Cahaba River, and all that part of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 15, lying on the Southerly side of the Little Cahaba River.

All of the SW $\frac{1}{4}$ of Section 15, Township 24 North, Range 11, East.

East half of NE $\frac{1}{4}$ of Section 15, Township 24, Range 11 East, except a lot or parcel of land lying in the Southeast corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 15, said strip of land known as the George Smith Mill and Gin lot, which said strip of land is described in deed from W. M. Lemley and wife to Mary S. Fitch, Volume C-1, Pages 10 and 11 in the Probate Office of Bibb County, Alabama.

All that part of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22, Township 24 North, Range 11 East lying on the northerly side of the Little Cahaba River.

All that part of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21, Township 24 North, Range 11 East, lying on the northerly side of the Little Cahaba River.

All that part of the East $\frac{1}{2}$ of West $\frac{1}{2}$ of Section 22, Township 24, North, Range 11 East lying East of the following line: Beginning at the end of the Old Railroad Grade of the Ashby Branch Railroad on the South Bank of the Little Cahaba River; thence South 14° East 23 chains and 71 links to a stake near the western edge of the grove in front of the Ezekiel Smith house; thence South 44° West five chains to a stake; thence South 14° East 42 chains and 12 links to the half mile stake or post on the South line of said Section 22.

In witness whereof, we have hereunto set our hands and seals as of this 1st day of November, 1956.

J. E. Milan (L.S.)
J. E. Milan

Mrs. J. E. Milan (L.S.)
Azzie P. Milan
(Mrs. J. E. Milan)

FILED 18 MARCH 1959

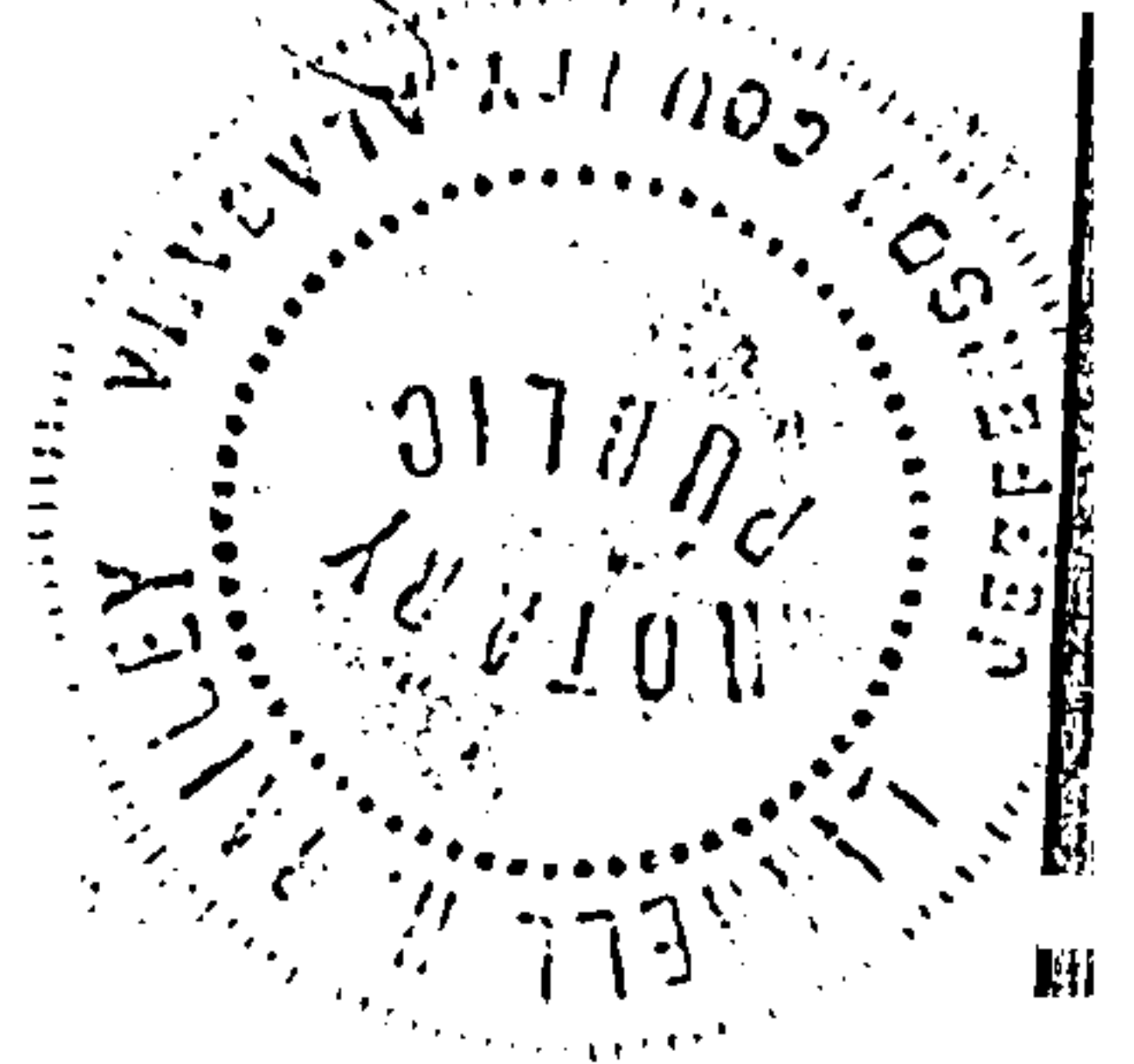
STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Linnell H. Bailey, a Notary Public in and for said County, in said State, hereby certify that J. E. Milam and wife, Azzie P. Milam, 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 6th day of November, 1956.

Linnell H. Bailey
Notary Public



STATE OF ALABAMA, BIBB COUNTY. Office of Judge of Probate
I hereby certify that the within instrument was filed in this office for record on the 4th day of Jan 1957 at 3 o'clock P M and recorded in vol. 64 of Deeds page 11 and examined. G. H. Stacy
Judge of Probate

STATE OF ALABAMA,
BIBB COUNTY

I hereby certify that the Privilege Tax has been paid on the within instrument as required by law.

Vts \$ 25.50

G. H. Stacy
Judge of Probate

STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within Deed was filed for record the 14 day of Mar 1959 at 8 o'clock P M. and recorded in Deed Record 200 at page 68 and the Mortgage Tax Deed Tax has been paid.

Conrad M. Fowler
Judge of Probate