

4846

RIGHT-OF-WAY RELEASE FOR MORTGAGEE

STATE OF ALABAMA,

Shelby

County

KNOW ALL MEN BY THESE PRESENTS, That the undersigned mortgagee

for and in the consideration of the sum of one dollar (\$1.00) in hand paid by Shelby County and other good and valuable considerations do hereby release the following described property for right-of-way for a state road from the operation of that certain mortgage made by J. S. Massey to R. C. Collins as recorded in the office of the Judge of Probate of County on the day of 19 in Deed Record Page;

Which right-of-way shall be feet in width on side of the center line of said road, as it is now located and staked out by the State Highway Department or as much of the said property as is required to make a foot right-of-way which is more particularly described as follows, to wit:

Beginning at a point on the centerline of Project SACP 4391-A at Station 224+26, the west property line; thence northeasterly along the centerline along a 6° curve to the left a distance of 619.1'; thence along the centerline N 7° 41' E a distance of 230' to the point of ending at Station 232+76, the north property line.

Said strip of land being 40' wide on the right (southeast) side of centerline of said project also to include a flare on the right beginning at a point 40' right of Station 232+10, thence along the 40' right of way line N 7° 41' E a distance of 68'; thence west along the south L & N Railroad right of way line a distance of 75'; thence southwesterly a distance of 100' to the point of beginning. Said land is lying in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 12, T21 S, R 3 W and contains 0.91 acre, more or less, including that part now occupied by the present road.

The above described property shall be used solely as a right of way for a State Highway. This release shall not in anywise affect the validity of the mortgage herein above mentioned which shall remain in full force and affect, insofar as the other property therein described is concerned.

To Have and To Hold by Shelby County, or its Assigns,

and for and in consideration of the benefit to our property by reason of the construction or improvement of said road, we hereby release the County aforesaid, and all of its employees and officers, and the State of Alabama and all of its employees and officers from all consequential damages, present or prospective, to our property, arising out of the construction, improvement, maintenance or repair of said road, and that said road is a benefit to our property is hereby admitted and acknowledged.

In witness whereof, we have hereunto set our hands and seal this the 28 day of June 1961

Witness

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 7-27-61

RECORDED & MTG. TAX
& DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT

ACKNOWLEDGMENT FOR INDIVIDUAL

STATE OF ALABAMA

JUDGE OF PROBATE

County

I, _____, _____ in and for said

County, in said State, hereby certify that _____

whose name _____ signed to the foregoing conveyance, and who _____ known to me, acknowl

edged before me on this day that, being informed of the contents of this conveyance, _____ executed the same voluntarily on the day the same bears date.

Given under my hand this _____ day of _____, A.D. 19 _____

(Official Title)

BOOK 216 PAGE 506