

STATE OF ALABAMA)
SHELBY COUNTY)

5231

5000.00
See mtg 273 page 595

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Five Thousand and No/100 Dollars to the undersigned grantors Leslie I. Newton and wife, Mary W. Newton in hand paid by R. M. Byrd and wife, Lucille N. Byrd the receipt whereof is acknowledged, we, the said Leslie I. Newton and Mary W. Newton do grant, bargain, sell and convey unto the said R. M. Byrd and Lucille N. Byrd, as joint tenants, with right of survivorship, an undivided one-half interest in and to the following described real estate, situated in Shelby County, Alabama, to-wit:

The Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-four (34); the East half (E $\frac{1}{2}$) of Northeast Quarter (NE $\frac{1}{4}$), Southwest Quarter (SW $\frac{1}{4}$) of Northeast Quarter (NE $\frac{1}{4}$) and Southhalf (S $\frac{1}{2}$) of Northwest Quarter (NW $\frac{1}{4}$) of Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-three (33); and all that part of the Southeast Quarter (SE $\frac{1}{4}$) of Northwest Quarter (NW $\frac{1}{4}$) of Section thirty-three (33) lying south of Cunningham branch; and all that part of the Southwest Quarter (SW $\frac{1}{4}$) of Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-three (33), lying East of B.B.&B. Branch of the Southern Railway, West of the Elyton and Montevallo Public Road and South of a settlement road, containing 7 acres, more or less. Said land containing 337 acres, more or less, and being situated in Township 21, Range 3 West, Shelby County, Alabama.

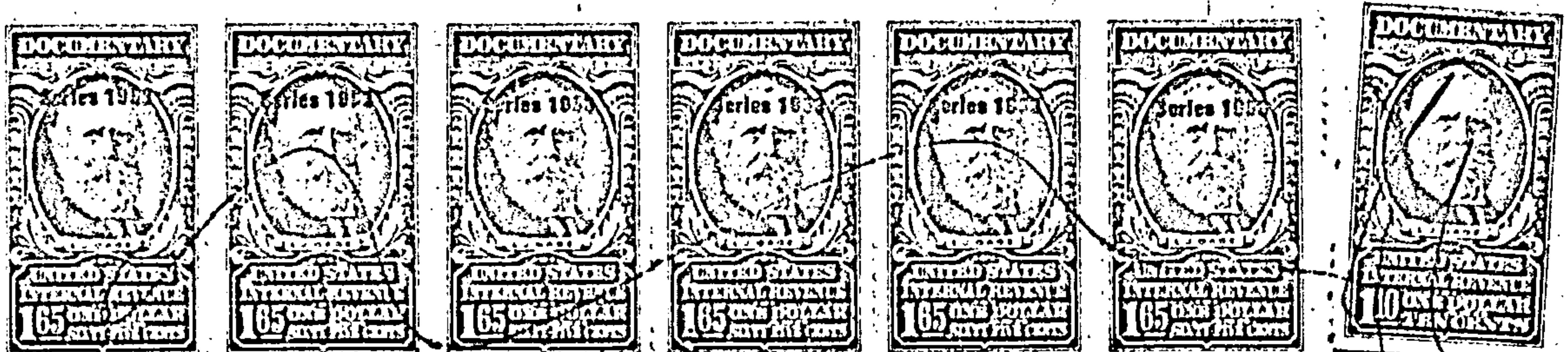
As a part of the consideration hereof, the grantees hereby assume and agree to pay the balance of that certain first mortgage against the above described property held by H. W. James and wife, Eunice H. James, dated May 23, 1956, and recorded in the Probate Office of Shelby County, Alabama, in Mortgage Volume 244, Page 298.

Further, as a part of the consideration hereof, the grantees herein agree to execute a second mortgage on the above described property in favor of the grantors herein for the balance of the sales price, namely, \$5,000.00.

Further, as a part of the consideration hereof, the grantees herein agree to dismiss forthwith that certain action commenced by them against the grantors in the Shelby County Law and Equity Court, Equity Case Number 153, and to pay immediately all court costs arising out of and in connection therewith and all fees of the Attorney representing the grantees in such action.

Further, as a part of the consideration hereof, grantees hereby assume and agree to pay all ad valorem taxes assessed against the above described property, including but not limited to the taxes for 1961.

TO HAVE AND TO HOLD Unto the said R. M. Byrd and Lucille N. Byrd, 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 we do, for ourselves and for our heirs, executors and administrators, covenant with the said grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances. That we have a good right to sell and convey the same as aforesaid; that we will and our 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, we have hereunto set our hands and seals this 17th day of August, 1961.

WITNESSES:

John J. Smith Leslie I. Newton (SEAL)
Robert W. Smith Mary W. Newton (SEAL)

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, John J. Smith a Notary Public in and for said County, in said State, hereby certify that Leslie I. Newton and his wife, Mary W. Newton, 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 17th day of August, 1961.

John J. Smith
Notary Public, Jefferson County, Alabama

STATE OF ALABAMA }
SHELBY COUNTY }

I, Conrad M. Fowler, Judge of Probate hereby certify that the within Deed was filed in this office for record the 17th day of Aug 1961 at 10 o'clock M. and recorded in Book 216 Record page 236 and examined 236 and the Mortgage Tax of \$ 5.00 and the Deed Tax of \$ 1.25 has been paid.

Fee \$ 1.25

Conrad M. Fowler
Judge of Probate