

1106 #1

## 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 Louis and

Diamond Construction Co.

Margaret Howell to as recorded in the office of the Judge of Probate of

Shelby County on the 27 day of May 1961 in Deed Record 272 Page 742;

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 4243-A at Station 0+00, being a point in the center of County Road 55; thence in a southwesterly direction along the centerline of said project along a 2° curve to the right a distance of 300 feet to the point of ending at Station 3+00, being a point on the southwest property line. Said parcel of land being 30 feet wide on the left side from Station 0+00 to Station 2+00; thence 40 feet wide on the said left side to Station 3+00 of said project and is lying in the SE 1/4 of SW 1/4, Sec. 5, T 18 S, R 2 E and contains .23 acres, 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 1st day of

October 1963

Witness:

Diamond Construction Co.

By: Earl C. Bloom, Jr. (Seal)

Secretary-Treasurer (Seal)

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Earl C. Bloom, Jr., whose name as Secretary-Treasurer of the Diamond Construction Company, a corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 1st day of October, 1963.

Leola M. Flanigan  
Notary Public.

228 PAGE 275

BOOK