

5442 / - 3 - 66849
Agreement not to Encumber or Transfer Real Property

King, James L.
King, Rose Marie

As an inducement to Bank For Savings & Trusts, Birmingham, Alabama, (hereinafter called "Bank") to grant credit to the undersigned under a promissory note for the sum of \$ 4040.82, dated 7/9/68 or to purchase from Shelby, (hereinafter called "Dealer") the promissory note of the undersigned, in the principal amount of \$, dated , and payable to "Dealer"; and in consideration thereof, the undersigned, (hereinafter called "Borrowers") jointly and severally AGREE that until said note and any extension or renewal thereof shall have been paid in full or until twenty-one (21) years following the death of the last survivor of the undersigned, whichever shall occur, first,

- (a) "Borrowers" will pay all taxes, assessments, dues and charges of every kind imposed or levied, or which may be imposed or levied, upon their real property prior to the time when any of such taxes, assessments, dues or charges shall become delinquent and
- (b) "Borrowers" will not, without the consent in writing of "Bank" first had and obtained,
1. Create or permit any lien or other encumbrances (other than presently existing liens) to exist on the following described real property, or
 2. Transfer, sell, hypothecate, assign, or in any manner whatever dispose of the following described real property, situated in the County of Shelby State of Alabama

SHELBY COUNTY
STATE OF ALABAMA

From the Northwest corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, Township 20 South, Range 3 West, run Southerly along the West boundary line of the said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, Tsp. 20 S, R. 3W, for 979.94 feet; thence turn an angle of 89 degrees, 51 minutes to the left and run Easterly 1006.71 feet; thence turn an angle of 76 degrees, 14 minutes to the left and run North-easterly 88.10 feet to a point on the South Right of Way line of the Helena-Pelham County Road; thence turn an angle of 114 degrees, 08 minutes to the right and run Southeasterly along the South R. O. W. line of the said Helena-Pelham County Road for 60.10 feet; thence turn an angle of 07 degrees, 52 minutes, 40 seconds to the left and continue Southeasterly along the South R. O. W. line of the Helena-Pelham County Road for 97.12 feet, to the point of beginning of the parcel herein conveyed. Thence turn an angle of 87 degrees 01 minutes, 40 seconds to the right and run Southwesterly 116.45 feet; thence turn an angle of 82 degrees, 16 minutes to the right and run Northwesterly for 122.01 feet; thence turn an angle of 84 degrees, 27 minutes to the right and run Northeasterly 62.25 feet, more or less to the Southwest corner of the property heretofore conveyed by Austin M. Hinds and wife, Maggie Hinds to James L. King as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Deed Book 218, Page 904, thence turn an angle to the right and run in an Easterly direction for 152.57 feet; more or less to the point of beginning. *Recorded in Map Book 331 Page 331 in Office of the Probate Court Shelby County, Ala*

Witness

Witness

It is further AGREED and understood that if default be made in any of the terms hereof, or of any instrument executed by "Borrowers" in connection herewith, or in the payment of any indebtedness or obligation of "Borrowers", now or hereafter owing to "Bank", then "Bank" may, at its election, in addition to all other remedies and rights which it may have by law, declare the entire remaining unpaid principal and interest of any such obligations or indebtedness then remaining unpaid to the "Bank" immediately due and payable.

It is further AGREED and understood that the "Bank", in its discretion, is hereby authorized and permitted by "Borrowers" to cause this instrument to be recorded at such time and in such places as "Bank" may, in its discretion, elect.

This 10th day of July, 1964

James L. King
Rose Marie King

Witness

Witness

ACKNOWLEDGMENT FOR INDIVIDUAL

State of Alabama)
Jefferson County)

I, Jean Ann Simon, hereby certify that James L. & Rose Marie King whose names ^{are} signed to the foregoing instrument, and who ^{are} known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand this 10th day of July, 1964.

Jean Ann Simon

ACKNOWLEDGMENT FOR CORPORATION

State of _____)
County)

I, _____ in and for said county in said state, hereby certify that _____ whose name as _____ of the _____, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the _____ day of _____, 19____.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 7/14/64
RECORDED & S. 11.00 TAX
& S. 11.00 TAX HAS BEEN
PAID ON THIS INSTRUMENT.

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