

2502

THIS DEED OF RELEASE, made this the 23rd day of February 1965, from UNITED STATES TRUST COMPANY OF NEW YORK, a corporation organized and existing under the laws of the State of New York, as Trustee under First and Refunding Mortgage from Louisville and Nashville Railroad Company to said Trustee, dated August 1, 1921, as amended by indentures supplemental thereto, hereinafter sometimes referred to as the United States Company, to LOUISVILLE AND NASHVILLE RAILROAD COMPANY, a corporation organized and existing under the laws of the State of Kentucky, hereinafter sometimes referred to as the Louisville Company, WITNESSETH:

WHEREAS, by deed

with covenant of general warranty dated October 12, 1964, the Louisville Company conveyed to STANDARD OIL COMPANY OF KENTUCKY, for a consideration of One Thousand Dollars (\$1,000.00), a parcel of land situated at Columbiana, in Shelby County, Alabama, more particularly described as follows:

"Beginning at a point in the property line between the Grantor and Grantee, said point being forty (40) feet measured southwestwardly at right angles from a point in the center line of the main track of the Columbiana Branch of the Birmingham Division of the railroad of the Grantor at Valuation Station 284+65, which point is forty-nine hundred eighteen (4918) feet measured northwestwardly along said center line of main track from Mile Post 440 from Louisville, Kentucky; thence northwestwardly along said property line between the Grantor and Grantee forty (40) feet southwestwardly from and parallel to said center line of main track a distance of three hundred forty-four (344) feet to a point opposite Valuation Station 288+09, said point being eleven (11) feet southwestwardly at right angles from a point in the southwest line of Depot Street; thence southeastwardly along a line eleven (11) feet southwestwardly from and parallel to said southwest line of Depot Street to a point which is thirteen (13) feet measured southwestwardly at right angles from a point in said center line of main track at Valuation Station 287+65; thence southeastwardly along a line thirteen (13) feet southwestwardly from and parallel to said center line of main track a distance of three hundred (300) feet to a point opposite Valuation Station 284+65; thence southwestwardly at right angles a distance of twenty-seven (27) feet to the point of beginning, containing twenty hundredths (0.20) acre, more or less, and being located in the Northwest Quarter of Northeast Quarter (NW 1/4 of NE 1/4) of Section Twenty-six (26), Township Twenty-one (21) South, Range One (1) West, Shelby County, Alabama,"

and being a part of the same property conveyed to the Louisville Company by the Louisville Property Company, by deed dated February 1, 1908, recorded in Book No. 42, pages 370-371, in the office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, said property hereinabove described is covered by and subject to the lien of said First and Refunding Mortgage dated August 1, 1921, as amended or supplemented; and,

WHEREAS, the Louisville Company is obligated to procure a release of the lien of said First and Refunding Mortgage resting thereon; and,

WHEREAS, the recitals herein contained are made by the Louisville Company, and the United States Company assumes no responsibility therefor.

NOW, THEREFORE, in consideration of the premises and of the payment by the Louisville Company to the United States Company of the sum of

One Thousand Dollars (\$1,000.00)

receipt of which is hereby acknowledged, representing the net proceeds received in the sale of the property, to be held by the Trustee upon the uses and trusts of said Mortgage dated August 1, 1921, as amended, supplemented, or extended, the United States Company does hereby release the hereinabove-described parcel(s) of land from the lien and operation of said Mortgage, and any amendment or extension thereof or supplement thereto, and to and for the benefit of the Louisville Company, its grantees, successors and assigns.

Said Mortgage dated August 1, 1921, is recorded in the office of the Judge of Probate of Shelby County, Alabama, in Mortgage Record No. 137, page 1-30, and the^c supplements thereto are recorded in said office as follows:

<u>Date of Supplement</u>	<u>Mortgage Record</u>	<u>Page</u>
November 1, 1922	135	170
April 1, 1936	173	75
July 1, 1936	173	231
December 17, 1942	192	1
October 1, 1944	194	447
April 1, 1945	195	401
April 1, 1948	206	49
October 1, 1954	236	231-235

But nothing herein contained is intended to or shall constitute an acknowledgment of satisfaction of the indebtedness, or any part thereof, secured by the aforesaid Mortgage, or any amendment or supplement thereto, and this deed of release shall operate only as a release of the property hereinabove specifically described, and as to the remaining property described in said Mortgage, or supplement thereto, or subject to the lien thereof, except as to such property as may have been heretofore released, the said Mortgage and supplements thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the United States Trust Company of New York, as Trustee aforesaid, has caused this instrument to be signed and acknowledged by its respective officers, duly authorized to execute same, and its corporate seal to be hereunto affixed and attested by its Secretary, or an Assistant Secretary, the day and year first above written.

UNITED STATES TRUST COMPANY OF NEW YORK

By

[Signature]
Assistant Vice President

ATTEST:

[Signature]
Assistant Secretary

(Corporate Seal)

(Ala.)

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS:

I, **IRENE R. SCOCCA**, a Notary Public in and for the State and County aforesaid, hereby certify that

ELMER WITTING and **FRED W. GUNDERSDORF**, whose names as Assistant Vice President and Assistant Secretary, respectively, of United States Trust Company of New York, ^{as Trustee as aforesaid} a corporation, are signed to the foregoing deed of release, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, they, as such officers, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 23rd day of February, 19 65.

My commission expires

Irene R. Scocca

Notary Public, New York County, New York

IRENE R. SCOCCA
NOTARY PUBLIC, STATE OF NEW YORK
No. 41-8285475
Qualified in Queens County
Certificate filed in New York County
Commission Expires March 30, 1966

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 3/15/65
RECORDED & S. TAX
& S. TAX PAID
PD. ON THIS INSTRUMENT.
Conrad M. Decker
JUDGE OF PROBATE

BOOK 234 PAGE 589