

8578

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS:

SHELBY COUNTY)

That in consideration of \$22,750.00 to the undersigned grantor, RALSTON PURINA COMPANY, a corporation incorporated under the laws of the State of Missouri, with its principal office in the City of St. Louis, Missouri, in hand paid by BETHEA CO., INC., a corporation incorporated under the laws of the State of Alabama, the receipt of which is hereby acknowledged, the said RALSTON PURINA COMPANY does by these presents, grant, bargain, sell and convey unto the said BETHEA CO., INC., the following described real estate, situated in Shelby County, Alabama, to-wit:



From the Southwest corner of Section 13, Township 20 South, Range 3 West run Easterly along the South boundary line of Section 13, Tsp. 20S., R. 3W. 764.69 feet, more or less, to the point of intersection of the South boundary line of Section 13, Tsp. 20S. R. 3W and the West Right of Way line of U.S. 31 Highway; Thence turn an angle of 102 Degrees, 18 Minutes to the left and run Northwesterly along the West Right of Way line of U.S. 31 Highway 1317.8 feet to the point of beginning of the land herein described; Thence turn an angle of 77 Degrees, 42 Minutes to the left and run Westerly 878.51 feet to a point in the center of the Old Birmingham Montgomery Highway; Thence turn an angle of 92 Degrees, 09 Minutes to the right and run Northeasterly along the center of the Old Birmingham-Montgomery Highway for 303.24 feet; Thence turn an angle of 03 Degrees, 28 Minutes to the right and continue Northeasterly along the center of the Old Birmingham-Montgomery Highway for 292.83 feet; Thence turn an angle of 84 Degrees, 23 Minutes to the right and run Easterly for 430.0 feet; Thence turn an angle of 93 Degrees, 41 Minutes to the right and run Southwesterly for 495.47 feet; Thence turn an angle of 93 Degrees, 41 Minutes to the left and run Easterly 418.51 feet, more or less, to a point on the West Right of Way line of U. S. 31 Highway; Thence turn an angle of 77 Degrees, 42 Minutes to the right and run South-easterly along the West Right of Way line of U.S. 31 Highway 102.35 feet, more or less, to the point of beginning.

This land being a part of the East Half of the SE1/4 of Section 14, Tsp. 20S., R.3W. and a part of the West Half of the SW 1/4 of Section 13, Tsp. 20S., R3W. and being 6.5943 acres, more or less.

EXCEPTED from the above described land the Right of Way of the Old Birmingham-Montgomery Highway as now located.

The above described land subject to Right of Way of the American Telephone and Telegraph Company Telephone line as now located.

Also excepted from this conveyance, and the property herein conveyed, transmission line permits to Alabama Power Company recorded in deed Book 101, page 517, and deed book 170, page 263, in the Probate Office of Shelby County, Alabama.

This conveyance is subject to ad valorem taxes for the year 1966 due and payable October 1, 1966, which the Grantor herein agrees to pay.

Subject to the reservation contained in the Deed from Leonard & Company (Incorporated) to Ralston Purina Company dated March 12, 1964 and recorded April 4, 1964 in Book 230, Page 42 et seq.

The following reservation contained in deed from Leonard and Company, Inc. to the Industrial Development Board of the town of Alabaster dated August 9, 1963, and recorded in deed book 226, page 635 in the Probate Office of Jefferson County, Alabama, covering property lying South of the real estate herein above described.

(Grantee proposes to construct a spur track from the Atlantic Coast Line Railroad Company right of way into the property herein conveyed, said spur track to be located within the west 70 feet of said property. Grantee also proposes to enter into a Lease Agreement dated as of July 1, 1963, with Moore - Handley, Incorporated (herein called "Lessee"), wherein it will lease the property herein conveyed to it. Grantor reserves unto itself, its successors and assigns, a right of way 16 feet in width for the construction, operation and maintenance of a spur track, to connect with the spur track to be constructed by Grantee at a point lying between the Atlantic Coast Line Railroad Company right of way and the nearest platform or building to be constructed by Grantee on the property herein conveyed, and to extend from such point of connection to the property of Grantor lying north of the property herein conveyed. The point of connection and the right of way herein reserved shall be located within the west 70 feet of the property herein conveyed at such locations as Lessee may designate, or as Grantee may designate if said Lease Agreement has terminated, and the center line of the track shall be the center line of said right of way. Grantor, its successors and assigns, after the construction of such spur track by it, shall have the right and privilege of using the portion of Grantee's spur track between the point of its connection with Grantor's spur track and the Atlantic Coast Line Railroad Company right of way for the purpose of access between said Atlantic Coast Line Railroad and Grantor's spur track, but such use shall not interfere with the use of said portion of Grantee's spur track by Lessee or by Grantee, its successors or assigns. Grantor, its successors and assigns, shall indemnify and hold harmless Lessee, Grantee and their successors and assigns from all liability for injury to persons, including death, and damage to property, arising out of the construction, operation and maintenance of the spur track constructed by Grantor, its successors and assigns, and the movement of engines and cars over it (including the movement over Grantee's spur track to the Atlantic Coast Line Railroad Company right of way.)

TO HAVE AND TO HOLD said property unto the said BETHEA CO., INC., its successors and assigns, forever.

And said RALSTON PURINA COMPANY does for itself, its successors and assigns, covenant with the said BETHEA CO., INC., its successors and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances except as specifically hereinabove noted, that it has a good right to sell and convey the same as aforesaid, and that it will, and its successors and assigns shall, warrant and defend the same to the said BETHEA CO., INC., its successors and assigns, forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said RALSTON PURINA COMPANY has caused this

