

2564

STATE OF ALABAMA)
SHELBY COUNTY)

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, That First National Bank of Columbiana, Alabama, mortgagee named in that certain mortgage given by Carlton Franks and wife Kathryn S. Franks and Basil Smith and wife Valera W. Smith to the undersigned dated October 10, 1963, and recorded in Mortgage Book 284, Pages 757-758, in the Office of the Judge of Probate of Shelby County, Alabama, in consideration of One Dollar (\$1.00) and other good and valuable consideration to me in hand paid by Alabama Power Company, a corporation, the receipt whereof is hereby acknowledged, the undersigned does hereby remise, release and forever quitclaim unto the said Alabama Power Company, a corporation, all the right, title and interest which the undersigned acquired under the aforesaid mortgage in or to that part of the lands hereinafter described which would either be covered with or which either alone or together with other lands would be entirely surrounded by waters of the Coosa River or its tributaries should such River or its tributaries be raised or backed up to that certain datum plane of 397 feet above mean sea level as established by the United States Coast and Geodetic Survey as adjusted in January, 1955. Such lands are described as follows:

Lot No. 8 according to Willow Island Subdivision, the same being a part of the Northwest Quarter of Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 13, Township 22 South, Range 1 East, a plat of said Subdivision is recorded in Map Book 4, on page 73 in the Probate Office of Shelby County, Alabama.

TO HAVE AND HOLD to Alabama Power Company, a corporation, its successors and assigns, forever.

But it is expressly understood that this release shall not in any way affect or impair the right to hold under said mortgage and as security for the sum remaining due thereon, or to sell, under the power of sale in said mortgage contained, all the remainder of the premises therein conveyed and not hereby released.

IN WITNESS WHEREOF, the said First National Bank of Columbiana, Alabama has caused this instrument to be executed in its name by B. J. Nolen as its Vice President, and its corporate seal to be affixed on this 5 day of January, 1967.

By B. J. Nolen
Its Vice President

STATE OF ALABAMA

COUNTY OF SHELBY

I, L.E. Parker, a Notary Public in and for the said County and State hereby certify that B. J. Nolen whose name as Vice President of said First National Bank of Columbiana, is signed to the foregoing conveyance and who is known to me acknowledged before me on this date, that being informed of the contents of this conveyance, he, as such officers, and with full authority executed the same voluntarily for and as the act of said First National Bank of Columbiana, Alabama.

Given under my hand and official seal this 5 th day of January, 1967.

L. E. Parker
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1967 FEB - 7 AM 8:15
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Conrad J. Jones
JUDGE OF PROBATE