

STIPULATION AMENDING SECURITY INSTRUMENTS

STATE OF ALABAMA)
SHELBY COUNTY)

THIS AGREEMENT made and entered into this 23 day of December, 1968, by and between ALTON L. POWELL and his wife, VIOLET B. POWELL, of the County of Shelby, State of Alabama, and the United States of America;

WITNESSETH, THAT: WHEREAS, on the 17th day of July, 1964, on the 25th day of January, 1966, on the 20th day of September, 1968, Alton L. Powell and wife, Violet B. Powell, executed to the United States of America certain security instruments which appear of record in Mortgage Book 289, page 91, in Mortgage Book 298, page 12, and in Mortgage Book 309, page 667, in the Office of the Judge of Probate of Shelby County, Alabama, and were given to secure a loan made for the purpose of acquiring the lands described therein; and

WHEREAS, an error was made in the preparation of said instruments in that said mortgages contained an error in the description of the land of said mortgages; and

WHEREAS, the parties hereto desire to amend said security instruments so as to set forth the correct description and the true intent of the parties thereto;

NOW, THEREFORE, it is agreed by and between the parties hereto that said security instruments shall be and the same are hereby amended so as to include the following description of land:

PARCEL 1:

The NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 36, Except 8 $\frac{1}{2}$ acres out of SE corner of said forty, being 8 $\frac{1}{2}$ acres heretofore sold and deeded to Granville Drasher.
Also, that part of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 36, that lies East of the Public Road leading from Columbiana to Shelby, Alabama.
Also, that part of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 36, that lies East of the road leading from Columbiana to Shelby, Alabama.
Also, 4 $\frac{1}{2}$ acres off of the South side of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and also 5 acres off of the South side of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, the fence being the line on the North, and lying East of the road leading from Columbiana to Shelby, Alabama. All in Section 36, Township 21, Range 1 West; containing 80 acres, more or less.

Less and except from the above described property, the following: Commence at the NW corner of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 36, T-21-S, R-1-W; thence run North along West line of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, a distance of 143.98 feet to a wire fence and the point of beginning; thence turn an angle of 90 deg. 32 min. to the left and run a distance of 1.85 feet to the East right of way line of the Columbiana, Shelby Hwy; thence turn an angle of 95 deg. 10 min. to the left and run along said R.O.W. line a distance of 336.14 feet to the P.C. of a curve; thence run along the arc of a curve to the left (whose Delta Angle is 8 deg. 21 min. to the left, Tangent distance is 136.49 feet, Radius is 1873.58 ft. and Length of Curve is 273.00 feet), to the P.T.; thence along a tangent a distance of 90.40 feet, to the P.C. of a curve; thence run along the Arc of a curve to the left (whose Delta Angle is 16 deg. 36 min. to the left, Tangent distance is 133.56 feet, Radius is 915.55 feet and the Length of Curve is 265.26 feet) to the P.T.; thence along a tangent a distance of 122.20 feet; thence turn an angle of 90 deg. 00' to the right and run a distance of 10.00 feet; thence turn an angle of 90 deg. 00 min. to the left and run a distance of 104.00 feet; thence turn an angle of 90 deg. 00 min. to the left and run a distance of 10.00 feet; thence turn an angle of 90 deg. 00 min. to the right along the Tangent of a curve, said point being the P.C.; thence run along the arc of said curve (whose Tangent distance of 140.12 feet, Delta Angle is 13 deg. 28 min. to the right, Radius is 1186.85 feet, and Length of curve is 278.95 feet) to the P.T.; thence run along a tangent a distance of 68.00 feet; thence turn an angle of 74 deg. 05 min. (from said R.O.W. Tangent) to the left and run a distance of 270.10 feet; thence turn an angle of 105 deg. 48 min. to the left and run a distance of 803.00 feet; thence turn an angle of 2 deg. 00 min. to the left and run a distance of 790.20 feet to a wire fence; thence turn an angle of 71 deg. 30 min. to the left and along said Wire Fence, a distance of 260.00 feet to point of beginning.

PARCEL 2:

Also, the SW $\frac{1}{4}$ of NE $\frac{1}{4}$; the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, except 10 acres off of the South side of said 80 acres, the cross fence between the lands herein described and the lands known as the O'Hara Homestead (now known as G. C. McDonald land) being the line.
Also, all that part of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ that lies East of the Public road from Columbiana to Shelby and North of McDonald property; All in Section 36, Township 21 South, Range 1 West. Except Highway right of way. ALSO EXCEPTING LOT SOLD to Earnest L. Lansford and Eva P. Lansford as shown by deed recorded in the Probate Office of Shelby County, Alabama, in Deed Book 220, on page 24.
All of the above property situated in Shelby County, Alabama.

Subject to transmission line permits and public road rights of way of record.

It is further agreed that all other terms and conditions of said security instruments shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the date first above written.

Alton L. Powell (SEAL)
(Alton L. Powell)

Violet B. Powell (SEAL)
(Violet B. Powell)

THE UNITED STATES OF AMERICA

By Robert C. Bamberg
State Director (Alabama)
Farmers Home Administration
United States Department of
Agriculture

STATE OF ALABAMA)
COUNTY OF MONTGOMERY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert C. Bamberg whose name as State Director (Alabama) of the Farmers Home Administration, 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, in his capacity as such State Director, of the Farmers Home Administration, and with full authority executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23 day of December, 1968.
(NOTARIAL SEAL)

My Commission expires: December 1, 1971

Elizabeth R. Brasher
Notary Public
State of Alabama

STATE OF ALA. SHELBY CO.
I CERTIFY THAT
INSTRUMENT WAS FILED
JUN 26 1968
U.C.C. FILE NO. 186
BR. & PAGE AS ABOVE
JUN 26 1968
FHE: 44

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, A Notary Public in and for said County, in said State, do hereby certify that ALTON L. POWELL and wife, VIOLET B. POWELL, 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, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this 21 day of January, 1969.

(NOTARIAL SEAL)

My commission expires: 1-2-73

Larrie Brasher
Notary Public

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