

STATE OF ALABAMA

SHELBY COUNTY

Dolce Coffey
CORRELL, NEWSOM, ROGERS & MAY, ATTYS
FRANK NELSON BLDG. 231-1188
BIRMINGHAM, ALA. 35203

96
KNOW ALL MEN BY THESE PRESENTS, That in consideration of Thirty Thousand and No/100 (\$30,000.00) Dollars and the assumption of the hereinafter described mortgage, to the undersigned grantor J. Howard Estes and wife, Jean F. Estes, in hand paid by the Grantee herein, the receipt and sufficiency whereof is hereby acknowledged, we, J. Howard Estes and wife, Jean F. Estes (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto Duncan & Gilliam Construction Company, Inc. (herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

All that part of the Northwest quarter of Southwest quarter of Section 12, Township 20 South of Range 3 West lying South and East of the center line of Cahaba Valley Creek (sometimes called Bishop Creek) in Shelby County, Alabama, more particularly described as follows:

Begin at a point on the north line of the Northwest quarter of Southwest quarter of said Section 12, 319.57 feet west of the northeast corner of said forty, which point is in the center line of said creek, run thence east 319.57 feet along the north line of said forty to the northeast corner of said forty, thence run south along the east line of said forty 1329.125 feet to the southeast corner of said forty, run thence west along the south line of said forty 850.36 feet to the center line of said creek, thence run northerly following the meanderings of the center line of said creek (as shown by survey of Alton Young, surveyor, made in July 1967) to the point of beginning on the north line of said forty, containing 21.09 acres, more or less, according to said survey, a copy of which is held by grantor and also by grantee.

Also the north one acre of the south 11 acres of that part of the South half of the Northwest quarter of Section 12, Township 20 South of Range 3 West, lying east of the center line of Cahaba Valley Creek (Bishop Creek) and west of the center line of the old Birmingham-Montgomery Highway, being the old highway not now in use, referred to in deed from Coy M. Cooper, as Trustee to Southeastern Products Corporation, dated February 11, 1966, and recorded in the Probate Office of Shelby County, Alabama, in deed book 240, at page 653.

Also a forty foot wide right of way for road purposes across the westerly side of the south ten acres of that part of the South half of Northwest quarter of said Section 12, which lies east of the center line of said creek, and west of the center line of said old Birmingham-Montgomery Highway; being the forty foot right of way reserved by the grantor in said deed from Coy M. Cooper, as Trustee to Southeastern Products Corporation.

BOOK 260 PAGE 652

Also a strip of land thirty feet wide evenly off the east side of that part of the Southeast quarter of Northwest quarter of said Section 12 lying South of the dirt road leading from said old Birmingham-Montgomery Highway (not now in use) to said creek and lying north of the eleven acre tract described in deed from Coy M. Cooper, as Trustee, to Bishop Creek Park, Inc., recorded in the Probate Office of Shelby County, Alabama, in deed book 241, page 88, and lying west of and abutting the center line of said old Birmingham-Montgomery Highway, containing one half acre, more or less.

Except from the above an easement and right of way granted in favor of Alabama Power Company as said right of way runs across the northerly part of the above described property as shown by said map and survey made by Alton Young, surveyor, in July 1967.

Subject to ad valorem taxes for tax year, 1970;
Subject to transmission line permit to Alabama Power Company recorded in Probate Office of Shelby County, Alabama, in Deed Book 108, page 379;
Subject to covenants and exceptions in deed from Coy M. Cooper, as Trustee, to J. Howard Estes which deed is recorded in said Probate Office in Deed Book 250, pages 430, 431, 432 and 433;
Subject to rights obtained by Alabama Power Company in condemnation proceedings filed in the Probate Office of Shelby County, Alabama, as Case No. 15-128, if the same crosses the subject property (no survey has been furnished);
Subject to that certain mortgage executed by J. Howard Estes to Coy M. Cooper, as Trustee, under trust dated January 15, 1963, recorded in Probate Office of Shelby County, Alabama, in Volume 226, page 473, shown in Mortgage Book 307, page 191, which said mortgage the grantee herein agrees to assume and pay in accordance with the terms thereof.

TO HAVE AND TO HOLD to the said grantee, their successors and assigns forever.

And we do for ourselves and for our heirs, executors and administrators covenant with the said grantee, their successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said grantee, their successors and assigns

forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals
this the 24th day of December, 1969.

J. Howard Estes (SEAL)
J. Howard Estes

Jean F. Estes (SEAL)
Jean F. Estes

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that J. Howard Estes and wife, Jean F. Estes, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 14 day of December, 1969.

Sylvia Smith (SEAL)
Notary Public
S. Smith
12/24/69

My Commission Expires February 15, 1973

SEARCHED
INDEXED
SERIALIZED
FILED
FEB 24 1969
CLERK OF COURT
JEFFERSON COUNTY
ALABAMA
S. Smith
Notary Public
S. Smith
12/24/69