

2733

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Eleven Thousand Two Hundred Ninety-four and No/100 (\$11,294.00) Dollars, to the undersigned grantor, BISHOP CREEK PARK, INC., a corporation, in hand paid by W. D. Upton, the receipt of which is hereby acknowledged, the said BISHOP CREEK PARK, INC. does by these presents, grant, bargain, sell and convey unto the said W. D. UPTON the following described real estate, situated in Shelby County, Alabama, to-wit:

Begin at the SE corner of the NE $\frac{1}{2}$ of the NW $\frac{1}{2}$ of Section 12, Township 20, South, Range 3 West; thence run southerly along the east boundary line of the SE $\frac{1}{2}$ of the NW $\frac{1}{2}$ of Section 12, Township 20 South, Range 3 West for 230.0 feet; thence turn an angle of 121 degrees 17 $\frac{1}{2}$ ' to the right and run northwesterly 640 feet, more or less, to the center of Cahaba Valley Creek; thence run northeasterly up and along the center of said creek with the meanderings thereof for 412 feet, more or less, to a point that is 470.0 feet perpendicular from the south boundary line of the NE $\frac{1}{2}$ of the NW $\frac{1}{2}$ of Section 12, Township 20 South, Range 3 West; thence run easterly parallel to the south boundary line of the NE $\frac{1}{2}$ of the NW $\frac{1}{2}$ of Section 12, Township 20 South, Range 3 West, for 390.0 feet, more or less, to a point on the east boundary line of the NE $\frac{1}{2}$ of NW $\frac{1}{2}$ of Section 12, Township 20 South, Range 3 West; thence run southerly along the east boundary line of said 1/4 1/4 Section 470 feet to the point of beginning. Being a part of the SE $\frac{1}{2}$ of the NW $\frac{1}{2}$ and the NE $\frac{1}{2}$ of NW $\frac{1}{2}$ of Section 12, Township 20 South, Range 3 West, and being 5.647 acres, more or less.

EXCEPTED from the above described land the South 30 feet, which is a dedicated roadway.

Subject to the following which are recorded in the Probate Records of Shelby County, Alabama:

- (a) There is excepted herefrom covenant not to pollute or allow pollution of Cahaba Valley Creek (Bishop Creek) and easements for road right of way reserved and as described in Deed to Bishop Creek Park, Inc. from Coy M. Cooper, as Trustee, which is recorded in Deed Book 241, Page 88.
- (b) Right of way in favor of shelby County dated 4/2/70 and recorded in Deed Book 261, Page 776.
- (c) Transmission line permit in favor of Alabama Power Company dated 11/17/39 and recorded in Deed Book 108, Page 379.

TO HAVE AND TO HOLD, To the said W. D. Upton, his heirs and assigns forever.

And said Bishop Creek Park, Inc. does for itself, its successors and assigns, covenant with said W. D. Upton, his heirs and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances, 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 W. D. Upton, his heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Bishop Creek Park, Inc., by its President W. D. Upton, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 26 day of April, 1971.

ATTEST:

By M. P. Buss
Its Secretary

BISHOP CREEK PARK, INC.
By W. D. Upton
Its President

REC-115
APR 26 1971
11:50

STATE OF ALABAMA)
COUNTY OF)

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Shelby Cnty Judge of Probate, AL
04/26/1971 12:00:00 AM FILED/CERT

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800x287

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that W. D. Upton whose name as President of Bishop Creek Park, Inc., a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 26 day of April, 1971.

Maria K. Schmitt
Notary Public