

2-129

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Shelby Cnty Judge of Probate, AL
09/28/1971 12:00:00 AM FILED/CERT

THAT, WHEREAS, heretofore on, to-wit, the 6th day of August, 1963, Robert F. McCullough and wife, Mary K. McCullough, among others, executed and delivered a certain mortgage to James Talcott, Inc., a New York corporation, which said mortgage is recorded in Mortgage Book 6946, Record of Mortgages, at page 726, et seq., in the Office of the Probate Judge of Jefferson County, Alabama, and also in Book 284, Record of Mortgages, at page 22, et seq. in the Office of the Judge of Probate of Shelby County, Alabama, which said mortgage conveyed, among other property, the real property hereinafter described; and

WHEREAS, said sale was held on Thursday, April 22, 1965, between the legal hours of sale, in front of the County Courthouse Door, at Columbiana, Shelby County, Alabama, as provided in said mortgage, and at said sale the said James Talcott, Inc., as mortgagee, first offered for sale the real estate in separate parcels, and secondly, offered for sale the real estate enmasse; and

WHEREAS, the highest and best bid obtained for the property hereinafter described was the bid of James Talcott, Inc. for the whole of said property and said property was thereafter sold to James Talcott, Inc., and mortgage foreclosure deed conveying said property to James Talcott, Inc. was executed on April 26, 1965 and recorded in Book, No. 235 at Page 265 et seq. in the office of the Judge of Probate of Shelby County, Alabama.

WHEREAS, thereafter the indebtedness secured by the above described mortgage was fully paid and satisfied without the necessity of having recourse to or realization upon the real property hereinafter described which was pledged under said mortgage by the said Robert F. McCullough and wife, Mary K. McCullough;

NOW, THEREFORE, in consideration of the premises the said James Talcott, Inc. does hereby grant, convey and quitclaim unto the said Robert F. McCullough and wife, Mary K. McCullough the following described real property, situated in Shelby County, Alabama:

PARCEL ONE

The northeast quarter of southwest quarter; the northwest quarter of southeast quarter and the southeast quarter of northwest quarter; also one and one-half acres in northeast corner of southwest quarter of southeast quarter bounded as follows: on the north by the northwest quarter of southeast quarter, on the east by the southeast quarter of southeast quarter, on the south and west by the Tuscaloosa Road, all in Section 14, Township 20, Range 3 West, excepting therefrom the following: railroad rights of way in favor of AB&C Railroad Company (now Atlantic Coast Line) and L&N Railroad Company; a certain mill site on Buck Creek known as the Needham Lee Mill site sufficient for abutments on both sides of said creek and containing in all about one acre; five acres lying between the west boundary line of the northeast quarter of the southwest quarter and the L&N Railroad Company right of way beginning where said west boundary crosses said right of way and running south so as to form a triangle, known as the Needham Lee Miller's house place.

PARCEL TWO

The southwest quarter of the northeast quarter; all of the southeast quarter of the northeast quarter which lies west of the old Birmingham Road, except for a strip of eight acres of the north side thereof and approximately two acres constituting a cemetery in the northeast portion; that part of the east half of the southeast quarter lying west of the old Birmingham highway and northeast of the right of way of the AB&C Railroad Company (now Atlantic Coast Line Railroad Company) all in Section 14, Township 20,

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Range 3 West, less and except the following described property:

Commence at the southeast corner of Section 14, Township 20 South, Range 3 West, run thence in a westerly direction along the south line of said section for a distance of 201.98 feet; thence turn an angle to the right of 62 degrees 35 minutes and in a northwesterly direction along the center line of Atlantic Coastline Railroad for a distance of 948.04 feet; thence turn an angle to the right of 110 degrees 35 minutes and in a northeasterly direction for a distance of 53.41 feet to the point of beginning; from point of beginning thus obtained, thence continue along last described course for a distance of 180.88 feet to a point on the westerly right-of-way line of the Montevallo to Ashville Road; thence turn an angle to the right of 90 degrees and in a southerly direction along the westerly right-of-way line of said Montevallo to Ashville Road for a distance of 481.65 feet to its intersection with the northeasterly right-of-way line of Atlantic Coastline Railroad; thence turn an angle to the right of 159 degrees 25 minutes and in a northwesterly direction along the northeasterly right-of-way line of the Atlantic Coastline Railroad for a distance of 514.49 feet to the point of beginning, said parcel containing 1 acre.

1. Subject to rights of Atlanta, Birmingham & Atlantic Railroad Company (now Atlantic Coast Line Railroad Company) under instruments recorded in Volume 36 at page 254, Volume 148 at page 258, Volume 187 at page 346, Volume 187 at page 339, in the Office of the Judge of Probate, Shelby County, Alabama.
2. Subject to rights of Alabama Power Company under instruments recorded in Volume 93 at page 392, Volume 127 at page 566, Deed Book 169 at page 19, Deed Book 206 at page 202, Deed Book 76 at page 307 and Deed Book 142 at page 567 in said Probate Office.
3. Subject to rights of Southern Natural Gas Company under instruments recorded in Volume 90 at page 296 and Volume 143 at page 105 in said Probate Office.
4. Subject to ad valorem taxes for 1971.
5. Subject to right of Southern Natural Gas Company under instruments recorded in Deed Book 267, page 172 and Deed Book 267, page 167 in said Probate Office.

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6. Subject to right of Alabama Power Company under instruments recorded in Deed Book 248, page 835 and Deed Book 248, page 837 in said Probate Office.

7. Subject to right of way for public road granted to Shelby County in Deed Book 253, page 545 in said Probate Office.

TO HAVE AND TO HOLD the right, title and interest of James Talcott, Inc. in the above described real property unto the said Robert F. McCullough and wife, Mary K. McCullough, their heirs, executors and assigns, forever.

IN WITNESS WHEREOF, the said JAMES TALCOTT, INC., a corporation, has caused these presents to be executed this 1st day of September, 1971.

JAMES TALCOTT, INC., a corporation

By: R.V. Keller
R.V. Keller, its Vice-President

In the presence of:

Harry A. Margolis
Shelby County Clerk
ALB

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RECORDED
INDEXED
SEP 28 1971
8:14
SHELBY COUNTY, ALA.
CLERK OF THE COURT
J. H. SHELLEY, JR.
BY: Shelby

STATE OF NEW YORK)
: ss.
COUNTY OF NEW YORK)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that R.V. KELLER

State of New York, } ss.:
County of New York, }

No. 35037

Form 1

I, NORMAN GOODMAN, County Clerk and Clerk of the Supreme Court of the State of New York, in and for the County of New York, a Court of Record, having by law a seal, DO HEREBY CERTIFY pursuant to the Executive Law of the State of New York, that

whose name is subscribed to the annexed affidavit, deposition, certificate of acknowledgment or proof, was at the time of taking the same a NOTARY PUBLIC in and for the State of New York duly commissioned, sworn and qualified to act as such; that pursuant to law, a commission or a certificate of his official character, with his autograph signature has been filed in my office; that at the time of taking such proof, acknowledgment or oath, he was duly authorized to take the same; that I am well acquainted with the handwriting of such NOTARY PUBLIC or have compared the signature on the annexed instrument with his autograph signature deposited in my office, and I believe that such signature is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this

SEP 22 1971

FEE \$1.00

Norman Goodman

County Clerk and Clerk of the Supreme Court, New York County

COUNTY
NEW YORK
COUNTY