

THIS DEED OF RELEASE, made this the 32 day of December, 1977, from UNITED STATES TRUST COMPANY OF NEW YORK, a corporation organized and existing under the laws of the State of New York, as Trustee under First and Refunding Mortgage from Louisville and Nashville Railroad Company, to said Trustee, dated August 1, 1921, as amended by indentures supplemental thereto, hereinafter sometimes referred to as the United States Company, to LOUISVILLE AND NASHVILLE RAILROAD COMPANY, a corporation organized and existing under the laws of the State of Kentucky, hereinafter sometimes referred to as the Louisville Company, WITNESSETH:

WHEREAS, by deed dated June 2, 1977, and by Deed of Correction dated November 11, 1977, the Louisville Company conveyed to SIDNEY M. BIRD, JR., an individual, for a consideration of Nine Thousand, Nine Hundred Fifty Dollars (\$9,950.00), with quitclaim of right, title and interest the following-described parcels of land situated at Calera, Shelby County, Alabama:

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Shelby Cnty Judge of Probate, AL
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PARCEL #1

The south 210 feet of Block #47, Dunstan's Map of Calera, Alabama, East of U. S. Highway No. 31, being Lots 1, 2, 3, 4, 5, 6, 7, 8, and the South 10 feet of Lot 9, more particularly described as: Commence at the northeast corner of Section 21, Township 22 South, Range 2 West; thence run west along the north line of said Section, a distance of 1,907.30 feet to the centerline of the L&N Railroad Main Track; thence turn an angle of 90° 31' 00" to the left and run along the centerline of said Railroad, a distance of 270.00 feet; thence turn an angle of 90° 00' 00" to the right and run a distance of 100.00 feet to the point of beginning; thence continue in the same direction, a distance of 183.24 feet to the east right-of-way of U. S. Highway #31; thence turn an angle of 86° 10' 00" to the left and run along said highway right-of-way, a distance of 210.47 feet to the north line of 8th Avenue; thence turn an angle of 93° 50' 00" to the left and run along the north line of 8th Avenue, a distance of 197.31 feet to the southeast corner of Lot 1, Block 47, Dunstan's Map; thence turn an angle of 90° 00' 00" to the left, and running along a line 100 feet westwardly from and parallel to said centerline of the main track, a distance of 210 feet to the point of beginning, situated in the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) of Section 21, Township 22 South, Range 2 West, Huntsville Meridian, Shelby County, Alabama, containing ninety-two hundredths (0.92) acre, more or less.

PARCEL #2

The north 200.00 feet of Block 46, Dunstan's Map of Calera, Alabama, east of U. S. Highway #31, being Lots 2, 3, 4, 5, 6, 7, 8 and 9, more particularly described as follows: Commence at the northeast corner of Section 21, Township 22 South, Range 2 West; thence run west along the north line of said section, a distance of 1,907.30 feet to the centerline of the L&N Railroad main track; thence turn an angle of 90° 31' 00" to the left, and run along said centerline, a distance of 555.00 feet; thence turn an angle of 90° 00' to the right, and run a distance of 100.00 feet

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to the northeast corner of Lot 9 of said Block 46 and the point of beginning; thence continue in the same direction, a distance of 202.34 feet to the east right-of-way of U. S. Highway #31; thence turn an angle of 86° 10' 00" to the left and run along said highway, a distance of 200.46 feet; thence turn an angle of 93° 50' 00" to the left and run a distance of 215.74 feet to the southeast corner of Lot 2, of said Block 46, said point being 100 feet westwardly from and at right angles to the centerline of said main line track; thence turn an angle of 90° 00' 00" to the left and running along a line 100 feet westwardly from and parallel to said centerline of the main track, a distance of 200.00 feet to the point of beginning, situated in the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4), Section 21, Township 22 South, Range 2 West, Huntsville Meridian, Shelby County, Alabama, containing ninety-four (0.94) acre, more or less.

The two above-described parcels being a part of the same property conveyed to the Grantor by the Alabama Mineral Railroad Company by deed dated September 29, 1903, recorded in Deed Book 31, Page 165, in the Judge of Probate's Office, Shelby County, Alabama.

The Deed of Correction is executed for the purpose of correcting the defective description to show that the property is actually located in Range 2 West, instead of Range 2 East as contained in that certain deed from the Grantor to the Grantee dated June 2, 1977, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 306, Page 190.



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WHEREAS, said property hereinabove described is covered by and subject to the lien of said First and Refunding Mortgage dated August 1, 1921, as amended or supplemented; and,

WHEREAS, the Louisville Company is obligated to procure a release of the lien of said First and Refunding Mortgage resting thereon; and,

WHEREAS, the recitals herein contained are made by the Louisville Company, and the United States Company assumes no responsibility therefor.

NOW, THEREFORE, in consideration of the premises and of the payment by the Louisville Company to the United States Company of the sum of

Nine Thousand, Nine Hundred Fifty Dollars (\$9,950.00),

receipt of which is hereby acknowledged, representing the net proceeds received in the sale of the property, to be held by the Trustee upon the uses and trusts of said Mortgage dated August 1, 1921, as amended, supplemented, or extended, the United States Company does hereby release the hereinabove-described parcel(s) of land from the lien and operation of said Mortgage, and any amendment or extension thereof or supplement thereto, and to and for the benefit of the Louisville Company, its grantees, successors and assigns.

Said Mortgage dated August 1, 1921, is recorded in the office of the Judge of Probate, Calera, Shelby County, Alabama, in Mortgage Record 137, page 1, and the supplements thereto are recorded in said office as follows:

<u>Date</u>	<u>Mortgage Record No.</u>	<u>Page No.</u>
November 1, 1922	135	170 ✓
April 1, 1936	173	75 ✓
July 1, 1936	173	231 ✓
December 17, 1942	192	1 ✓
October 1, 1944	194	447 ✓
April 1, 1945	195	401 ✓
April 1, 1948	206	49 ✓
October 1, 1954	236	231-235 ✓

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But nothing herein contained is intended to or shall constitute an acknowledgment of satisfaction of the indebtedness, or any part thereof, secured by the aforesaid Mortgage, or any amendment or supplement thereto, and this deed of release shall operate only as a release of the property hereinabove specifically described, and as to the remaining property described in said Mortgage, or supplement thereto, or subject to the lien thereof, except as to such property as may have been heretofore released, the said Mortgage and supplements thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the United States Trust Company of New York, as Trustee aforesaid, has caused this instrument to be signed and acknowledged by its respective officers, duly authorized to execute same, and its corporate seal to be hereunto affixed and attested by its Secretary, or an Assistant Secretary, the day and year first above written.

UNITED STATES TRUST COMPANY OF NEW YORK

By

[Signature]
Assistant Vice President

ATTEST:

[Signature]
Assistant Secretary

(Corporate Seal)

(Ala.)

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS:

I, **JAMES E. LOGAN**, a Notary Public in and for the State and County aforesaid, hereby certify that **GEORGE DOSWELL**, and **THOMAS B. ZAKRZEWSKI**, whose names as Assistant Vice President and Assistant Secretary, respectively, of United States Trust Company of New York, a corporation, are signed to the foregoing deed of release, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, they, as such officers, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 22 day of December, 1977.

My commission expires 3/30/79

James E. Logan
Notary Public, New York County, New York

JAMES E. LOGAN
Notary Public, State of New York
No. 24-2393228
Qualified in Kings County
Certificate filed in New York County
Commission Expires March 30, 1979

Prepared by Roy L. Sherman
Att'y-at-Law
908 W. Broadway
Louisville, Ky.



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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1978 JAN -9 AM 10:03

Thomas G. Snowden, Jr.
JUDGE OF PROBATE

Rec. 9.50
Ind. 1.00
10.50