

1964

This instrument was prepared by: Harrison, Conwill & Harrison  
P.O. Box 557  
Columbiana, Alabama 35051

JOINT SURVIVORSHIP DEED

19781020000140940 1/3 \$.00  
Shelby Cnty Judge of Probate, AL  
10/20/1978 12:00:00AM FILED/CERT

STATE OF ALABAMA )

SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Eight Thousand and no/100 DOLLARS, to the undersigned grantors in hand paid by the Grantees herein, the receipt whereof is acknowledged, we, RUSSELL E. WHITMAN and wife, MAUDIE C. WHITMAN, herein referred to as grantors do grant, bargain, sell and convey unto CLARENCE B. SIMMONS and Evelyn Simmons herein referred to as grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in Shelby County, Alabama, to-wit:

A parcel of land situated in the SW $\frac{1}{4}$  of Section 11, Township 24, Range 13 East, more particularly described as follows: Beginning at the Northeast corner of Block 51 according to a map of the Town of South Calera, Alabama, duly recorded in the Probate Office of Shelby County, which point is on the West margin of Montgomery Avenue; thence running West along the South margin of West 8th Street a distance of 53 yards; thence South parallel with Montgomery Avenue 43 yards; thence East parallel with West 8th Street 53 yards to West margin of said Montgomery Avenue; thence North along the West margin of Montgomery Avenue 53 yards to the point of beginning, situated in Shelby County, Alabama.

ALSO: Parcel I: Beginning at the Northeast corner of Block 51 according to a map of the Town of South Calera, Alabama, duly recorded in the Probate Office of Shelby County, which point is on the West margin of Montgomery Avenue; thence running South along the West margin of said Montgomery Avenue 43 yards to the point of beginning of the lot herein conveyed and which point for the Southeast corner of a lot formerly conveyed by Lucas H. Washington and wife, Ada F. Washington to Luther Washington and wife, Thelma Washington, by warranty deed dated November 15, 1946 and recorded in the Probate Office of Shelby County, in Deed Book 127 at Page 256 and which point is marked by an iron pin; thence run Northerly along the said West margin of said Montgomery Avenue 93 feet; thence run Westerly and parallel to West Eighth Street a distance of 126 feet to a point; run thence Southerly 106 feet to a point on the South boundary of said lot formerly conveyed by grantors by Lucas H. Washington and Ada F. Washington, which said point is 135 feet West of the point of beginning, thence Easterly along said South boundary parallel with West 8th Street 135 feet to the point of beginning.

PARCEL II: A part of Block 51 according to Map of South Calera, Alabama, as recorded in Map Book 3 on Page 40 in Probate Office of Shelby County, Alabama, more particularly described as follows: Commence at the Southeast corner of Lot 11 in Block 51 and run in a Northerly direction along West right-of-way line of Montgomery Avenue a distance of 258 feet to a point of beginning of Lot here described; thence run in a Westerly direction a distance of 134 $\frac{1}{2}$  feet; thence run in a Southerly direction and parallel to the East line of said Block 51, to the South line of said Block and being the North margin of 7th Street; thence run in a Westerly direction

BOOK 35 PAGE 713

Harrison Conwill





19781020000140940 2/3 \$.00  
Shelby Cnty Judge of Probate, AL  
10/20/1978 12:00:00AM FILED/CERT

along the South line of said Block to the Southwest corner of said Block 51; thence run in a Northerly direction along the East line of Mobile Avenue to the Northwest corner of Block 51; thence in an Easterly direction along the South margin of 8th Street to the Northeast corner of Lot 24 in Block 51; thence run in a Southerly direction along the West line of lot now belonging to Frank I. Washington a distance of 43 yards, more or less, to the Southwest corner of Lot; thence in an Easterly direction along the South line of Frank I. and Annie Grace Washington lot to the West margin of Montgomery Avenue; thence in a Southerly direction along the West right-of-way line of Montgomery Avenue to the point of beginning, LESS AND EXCEPT the following portion of said above lands heretofore conveyed to Frank I. Washington, Jr. and recorded in Volume of Deeds 245 at Page 586, in Shelby County, Alabama, described as follows: Beginning at the Southwest corner of Block 51 of the Map or Plat of South Calera and being the North margin of Seventh Street, run in a Northerly direction on and along the East right-of-way of Mobile Avenue to the center of a drainage ditch, thence East along the center of said drainage ditch 377½ feet; thence South about 372 feet and to the North side of Seventh Street; thence Westerly along the North side of Seventh Street to the Southwest corner of Block 51 and to the point of beginning. LESS AND EXCEPT a small parcel of land in the Southeast corner of said above described tract owned by Mr. Dalton Presley, being about 50 feet wide North and South and about 15 feet wide East and West. Lying and being in the Northwest Quarter of the Southwest Quarter of Section 11, Township 24, Range 13 East. ALSO LESS AND EXCEPT : From the Southeast corner of Lot #11 in Block 51 according to the map or plat of South Calera as the same is of record in the Office of the Judge of Probate of Shelby County, Alabama; run thence in a Northerly direction and along the West right-of-way line of Montgomery Avenue 258 feet and to the point of beginning of the land hereby described; and from said point as the point of beginning run thence in a Westerly direction 134½ feet to a point; thence run in a Southerly direction and parallel to the East line of said Block to the South line of said Block; and being also the North margin of 7th Street; thence run in a Westerly direction on and along the South line of said Block to the Southwest corner of Block 51; thence run in a Northerly direction on and along the East right-of-way of Mobile Avenue and to the Northwest corner of said Block 51 and to the South margin of 8th Street; thence run in an Easterly direction on and along the North line of Lot 24 to the Northeast corner of said Lot 24 and thence in a Southerly direction 43 yards to the Southwest corner of the property now, or formerly owned by Frank I. Washington and Annie Grace Washington; thence run in an Easterly direction on and along the South line of the Frank I. Washington and Annie Grace Washington lot 53 yards to the West margin of Montgomery Avenue and thence run in a Southerly direction on and along the West right-of-way line of Montgomery Avenue to the point of beginning. Lying and being in the NW¼ of the SW¼ of Section 11, Township 24, Range 13 East, Shelby County, Alabama. LESS AND EXCEPT the lands described in deeds recorded in the Probate Office of Shelby County, Alabama, in Deed Book 245, Page 586 and in Deed Book 309, Page 43. ALSO LESS AND EXCEPT: the 15' by 50' parcel of land which was excepted from the deed recorded in said Deed Book 245, Page 586. ALSO LESS AND EXCEPT : A part of Block 51 according to Map of South Calera, Alabama, as recorded in Map Book 3 on Page 40 in Probate Office of Shelby County, Alabama, more particularly described as follows: Commence at the Southeast corner of Lot 11 in Block 51 and run in a Northerly direction along the West right-of-way line of Montgomery Avenue a distance of 258 feet to the point of beginning of the lot herein described;

BOOK 315 PAGE 714



from the point of beginning run North 165 feet along the West margin of Montgomery Avenue and to the Southeast corner of the Whitman property; thence West 148 feet to a point; thence South 179 feet to a point; thence East 156 feet along the North line of the Killingsworth lot back to the point of beginning. This deed is made for the purpose of correcting the description in that certain deed executed by the grantors herein to the grantees herein on November 3, 1977 and recorded in the Office of Judge of Probate Of Shelby County, Alabama, in Deed Book 308, Page 755, situated in Shelby County, Alabama.

TO HAVE AND TO HOLD to the said grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And we do for ourselves and for our heirs, executors, and administrators covenant with the said grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from 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 grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 12<sup>th</sup> day of October, 1978.

19781020000140940 3/3 \$.00  
Shelby Cnty Judge of Probate, AL  
10/20/1978 12:00:00AM FILED/CERT

Russell E. Whitman (SE)  
Russell E. Whitman  
Maudie C. Whitman (SE)  
Maudie C. Whitman

STATE OF ALABAMA )  
SHELBY COUNTY )

General Acknowledgment

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Russell E. Whitman and wife, Maudie C. Whitman, 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.

HARRIS  
OCTOBER 1978  
NOTARY PUBLIC

Given under my hand and official seal this 12<sup>th</sup> day of

[Signature]  
Notary Public

OCT 19 PM 2:37

JUDGE OF PROBATE

Deed 8.00  
Rec. 4.50  
Ind. 1.00  
13.50