

~~JEFFERSON~~ COUNTY )  
SHELBY )  
STATE OF ALABAMA )

## AGREEMENT



19790823000108510 1/3 \$.00  
Shelby Cnty Judge of Probate, AL  
08/23/1979 12:00:00 AM FILED/CERT

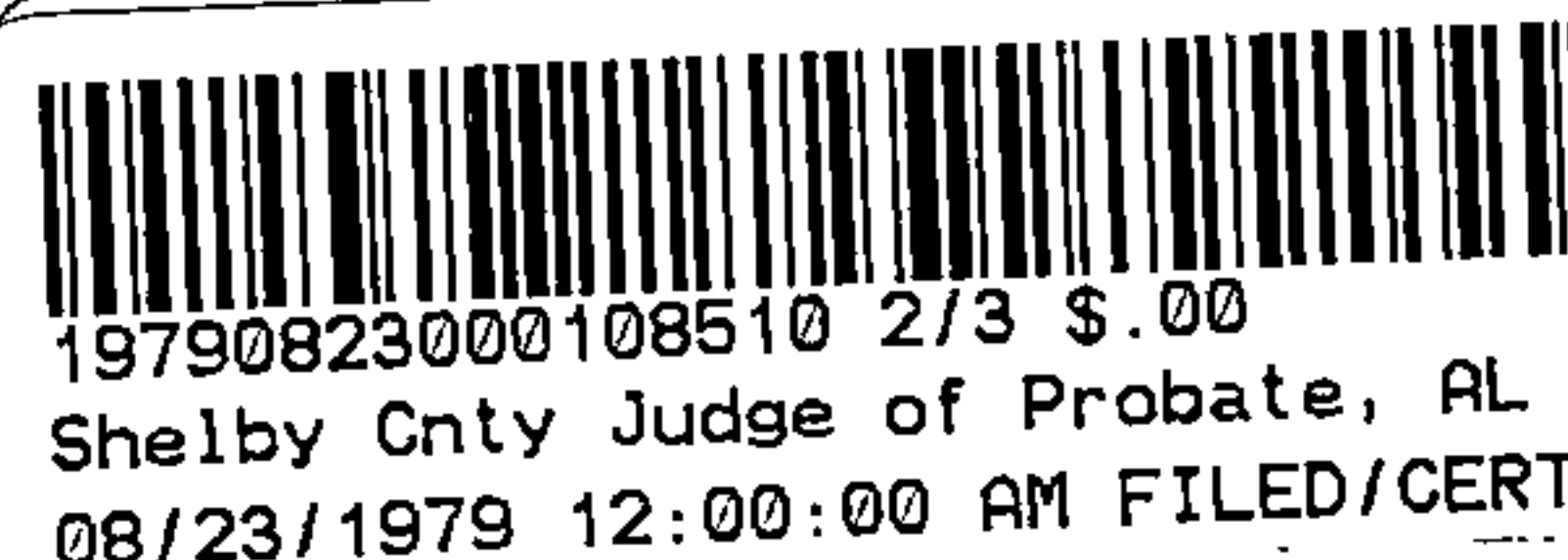
Whereas, J. E. Kelly Co., Inc. executed  
a mortgage on the following described real estate in favor  
of The First National Bank of Birmingham to secure a debt  
owed by J. E. Kelly Co., Inc. to the Bank:

which mortgage is recorded in said office in Real Volume 379  
at page 872 and

Whereas, said debt is not paid in full and by mistake  
the Bank executed and recorded in said office in Real Volume 31  
page 701 a satisfaction of said mortgage;

Whereas, the Bank and J. E. Kelly Co., Inc. have agreed that the mortgage has been and shall remain in full force and effect with regard to said Lot 100, Southern Pines, 2nd Sector.

Now, therefore, in consideration of the mutual covenants contained herein and \$1.00 in handpaid by the Bank to J. E. Kelly Co., Inc., the receipt and sufficiency of which are hereby acknowledged by J. E. Kelly Co., Inc., the Bank and J. E. Kelly Co., Inc. hereby agree as follows:



BOOK 32 PAGE 290

1. The mortgage recorded in the office of the Judge  
Shelby  
of Probate of ~~Jefferson~~ County, Alabama in Real Volume  
379, page 872 shall remain in full force and  
effect as to Lot 100, Southern Pines, 2nd Sector  
\_\_\_\_\_ as recordd in said office  
in Map Book 7, page 12 as to said Lot 100,  
Southern Pines, the Satisfaction of Mortgage recorded  
in said Office in Real Volume 31, page 701,  
is of no force or effect.
2. J. E. Kelly Co., Inc. acknowledges that is has  
never paid in full the debt secured by the mortgage.

IN WITNESS WHEREOF, The First National Bank of Birmingham  
has caused this instrument to be executed by William E. Coleman  
its \_\_\_\_\_ Vice President, duly authorized thereto and attested by  
Raymond J. Reinhardsen, its Assistant Vice President who affixed its  
corporate seal hereto, being duly authorized thereto, and J. E. Kelly  
Co., Inc., has caused this instrument to be executed by \_\_\_\_\_  
James E. Kelly, Jr., its President, duly authorized thereto  
and attested by \_\_\_\_\_, its \_\_\_\_\_, who affixed  
its corporate seal hereto, being duly authorized thereto this 8th  
day of August, 1979

ATTEST:

Raymond J. Reinhardsen  
Its Assistant Vice President

THE FIRST NATIONAL BANK OF BIRMINGHAM

BY William E. Coleman  
Its \_\_\_\_\_ --Vice President

(Corporation)

Attest:

By James E. Kelly, Jr.  
Its President

Its \_\_\_\_\_

STATE OF ALABAMA )

JEFFERSON COUNTY )



19790823000108510 3/3 \$.00  
Shelby Cnty Judge of Probate, AL  
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I, the undersigned, a Notary Public in and for  
said County in said State, hereby certify that \_\_\_\_\_

William E. Coleman whose name as Vice President  
of The First National Bank of Birmingham, a national banking  
association, is signed to the foregoing instrument, and who  
is known to me, acknowledged before me on this day that, being  
informed of the contents of the instrument, he, as such  
officer and with full authority, executed the same voluntarily  
for and as the act of said national banking association.

Given under my hand and official seal of office  
this 8th day of August, 1979.

*Lyle B. Kite*  
\_\_\_\_\_  
Notary Public

Notary Public, Alabama State at Large  
My commission expires 1/9/83  
Bonded by Home Indemnity Co. of N.Y.

STATE OF ALA. SHELBY CO.  
JUL 23 1979

1979 AUG 23 AM 9:10

STATE OF ALABAMA )

JEFFERSON COUNTY )

*Thomas A. Snowden, Jr.*  
JUDGE OF PROBATE

Rec. 4.50  
Ind. 1.00  
5.50

I, the undersigned, a Notary Public in and for  
said County in said State, hereby certify that \_\_\_\_\_

James E. Kelly, Jr. whose name as President of J. E. Kelly Co.  
a corporation, is signed to the foregoing instrument,  
and who is known to me, acknowledged before me on this day that,  
being informed of the contents of the instrument, 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 of office  
this 8th day of August, 1979.

*Lyle B. Kite*  
\_\_\_\_\_  
Notary Public

Notary Public, Alabama State at Large  
My commission expires 1/9/83  
Bonded by Home Indemnity Co. of N.Y.

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BOOK