

✓ 2075

THIS DEED OF RELEASE, made this the 6TH day of APRIL 19 82, 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 December 14, 1981, the Louisville Company, for a consideration of \$16,000, conveyed to Heart of Dixie Railroad Club a portion of the right of way of the abandoned Columbiana Branch and a portion of the right of way of the abandoned Alabama Mineral Branch, both in Shelby County, Alabama, totaling approximately 9.19 miles in length, which land is described in Exhibit A, attached to and made a part of this Deed of Release.

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LOUISVILLE & NASHVILLE RAILROAD CO.

P. O. BOX 32290

LOUISVILLE, KY 40232

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 Sixteen Thousand Dollars (\$16,000.00).

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 of Shelby County, Alabama in Mortgage Record 137, pages 1-30.

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.

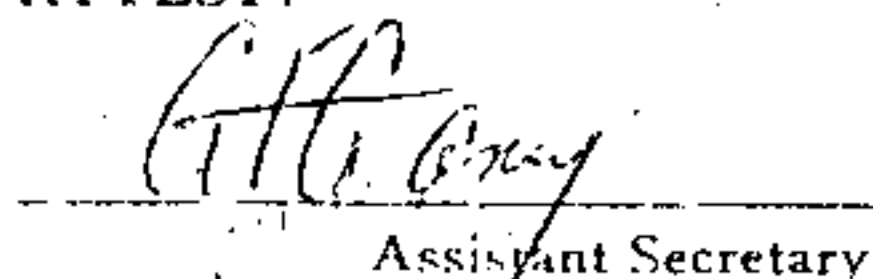
IN WITNESS WHEREOF, the United States Trust Company of New York, as Trustee aforesaid, has caused this instrument to be signed and acknowledged by its respective officers, duly authorized to execute same, and its corporate seal to be hereunto affixed and attested by its Secretary, or an Assistant Secretary,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

UNITED STATES TRUST COMPANY OF NEW YORK

By


Assistant Vice President

ATTEST:


Assistant Secretary

(Corporate Seal)

(Ala.)

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

I, **LUIS PEREZ**

, a Notary

Public in and for the State and County aforesaid, hereby certify that

JAMES E. LOGAN

and

GERARD F. GANEY

, 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 **6TH** day of **APRIL**,
19 **82**.

My commission expires

Luis Perez
Notary Public, New York County, New York

LUIS PEREZ

Notary Public, State of New York

No. [REDACTED]

Qualified in Bronx County

Commission Expires March 30, 1983



Prepared by M. H. Smith
Atty at-Law
908 W. Broadway
Louisville, Ky.

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BUCK

Description of property sold to the Heart
of Dixie Railroad Club at Calera, Shelby County
Alabama, by deed dated December 14, 1981.

Being a portion of the Columbiana Branch in Shelby County,
Alabama, from Mile Post 435.54 at Valuation Station 554+32=0+00 to Mile
Post 48.00 (Columbiana Branch) at Valuation Station 17+30, and also being
a portion of the right of way from Calera, Alabama, Mile Post 427.5 at
Valuation Station 129+82 to Shelby, Alabama, Mile Post 436.39 at Valuation
Station 599+00.4 (County Highway No. 47), together with all bridges,
trestles, culverts, buildings, and all other facilities, structures and
improvements now existing on or upon said lands and right of ways,
excepting all railroad tracks and track material therein, which the
Louisville and Nashville Railroad Company hereby reserves the right to
remove.

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
STATEMENT WAS FILED

1982 APR 28 AM 10:39

Thomas A. Shumaker, Jr.
JUDGE OF PROBATE

Rec 6.00
Ind. 1.00
7.00