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Louisville & Nashville Railroad Company To Jasper Holcombe

The State of Kentucky } Know all men by these pres-
Jefferson County } ents: That for and in consid-
eration of the sum of ($200.00) Two hundred dollars
paid and secured to be paid by Jasper Holcombe to
The Louisville & Nashville Railroad Company, a corpo-
ration chartered by the State of Kentucky, the receipt
whereof is hereby acknowledged, the said Louisville

Nashville Railroad Company has granted, bargained and sold, and by these presents do grant bargain, sell and convey unto said Jasper Holcombe all the following tracts or parcels of lands, being Mineral Lands, Quality and quantity unknown, and not guaranteed, containing (80) Eighty acres, more or less, and described in the United States Land Survey as follows: The North half of the North east quarter of Section (35) Thirty five Township (21) Twenty one south Range (2) Two West, situated in the County of Shelby State of Alabama, within the Land District of Montgomery.

To have and to hold unto said Jasper Holcombe his heirs, executors administrators and assigns forever. But it is distinctly understood and agreed that the Louisville & Nashville Railroad Company reserves to itself, either for its own benefit or for sale to others, the exclusive right to the iron, coal, and other minerals contained in or upon said lands, with all necessary privileges for mining on said lands, and also the right of way for rail and tramways for mining purposes through any portion of said lands herein conveyed. Said Jasper Holcombe has paid for said lands the sum of ($50.00): Fifty dollars in cash, and executed 3 notes, dated this day for ($50.00) Fifty dollars each, and due respectively November 1st 1884, November 1st 1885 and November 1st 1886, and each bearing 8 per cent interest from February 1st 1884, for the remainder of the purchase money of said lands, and payable at the office of the Land Agent of the Company at Birmingham Alabama. And whereas, under the provision of a deed of trust, executed on the 16th day of April, 1870 by The South & North Alabama Railroad Company, grantor of The Louisville and Nashville Railroad Company, to Vernon K. Stephenson and James Buell of New York, it is provided that the lands mentioned in said deed of trust [the land herein conveyed being part of the lands included in and covered by said deed] may be released on the following conditions, to-wit: Fourth. The trustees shall have power, at their discretion, so long as no default shall exist in the payment of the interest or principal of said bond, upon the written request of the President of said Company, to release from the lien and operation of these presents any land procured for depot-ground in connection with said Railroad which will not be required for use in operating the same, and any land not connected with said Railroad which the party of the first part may deem it advisable to sell;

Provided, however, that no such release shall be made unless the value or proceeds of such land shall be set apart, invested or used so and in such a manner, that the holders of the said bonds shall have the benefit of the security of the same, or of the subject in which it shall be invested in place of such lands. And whereas, the said trustees on the written request of the President of the said The South and North Alabama Railroad Company, in accordance with the provisions of said deed of trust, have released the lands herein conveyed from the lien and operation of said deed of trust, which said written request and release of said trustees is attached and made part of this deed. Now therefore, in consideration of the premises, the said The Louisville & Nashville Railroad Company hereby warrant and defend the title in and to the aforegranted premises to the said Jasper Holcombe in fee simple forever.

Done under and by authority of a resolution of the Board of Directors of The Louisville & Nashville Railroad Company, dated the eighth day of October 1877.

In testimony whereof, the said The Louisville & Nashville Railroad Company, has signed this instrument by its Vice President and attested the same by causing the seal of the Company to be affixed by its Secretary, on this the 28th day of April 1884.

Attest: A. M. Lurvier, Assistant Sec'y.

The Louisville & Nashville Railroad Co.
By W. H. Smith, President.

State of Kentucky } R. K. Warren, a Commissioner of Deeds
Jefferson County } in Kentucky, for the State of Alabama, duly appointed, commissioned, and acting as such, hereby certify that M. H. Smith whose name is signed to the foregoing conveyance, and who is known to me to be the Vice President of the Louisville & Nashville Railroad Company, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily in the name of, and for and on behalf of said Louisville & Nashville Railroad Company, as its deed and conveyance, on the day said conveyance bears date; and he further acknowledged before me that the seal affixed to said deed is the true and genuine corporate seal of said Louisville & Nashville Railroad Company, and that the said corporate seal was affixed to said deed by authority of said Corporation on the day said Conveyance bears date. Given under my hand this 28th day of April A.D. 1884.

R. K. Warren
Commissioner of Deeds for the State of Alabama.

To J. H. Sloss and William Berney, Trustees:
The Louisville & Nashville Railroad Company, Grantee of the South & North Alabama Railroad Company, have sold the lands described in the foregoing deeds situated in the State of Alabama, and within the County and Land District aforesaid to Jasper Holcombe. The foregoing described lands are not required for use in operating the South & North Alabama Railroad, nor for Railroad purposes, and it is desirable to sell the same. I as President of said South & North Alabama Railroad Company, hereby make written request that you release said lands from the lien and operation of the deed of trust executed to you as trustees, etc., by said South & North Alabama Railroad Company, on the 16th day of April 1870, in accordance with the provisions of said deed of trust.

J. H. Sloss (L.S.)
President of the South & North Ala R.R.Co.

Whereas, the above written request has been made to us as trustees, under the deed of trust executed to us by the South & North Alabama Railroad Company, to release from the lien and operation of said deed of trust the lands described in the foregoing deed lying and being in the State of Alabama, and within the County and Land District aforesaid to Jasper Holcombe. And whereas, said lands are not required for use in operating the Railroad of the South and North Alabama Railroad Company, nor for Railroad purposes; and whereas, it is desirable to sell said lands, and whereas there is no default in the payment of the interest or principal of the bonds secured by said deed of trust; and whereas, the proceeds of the sales of said lands have been secured and disposed of in such a manner that the holders of the bonds will receive the benefit of the security of the same; Now, therefore in consideration of the premises, and the further consideration of one dollar to us in hand paid, we, the said trustees, in pursuance of the power vested in us by the terms of said deed of trust, & in accordance with the provisions thereof, do hereby join in the above deed to release the land therein conveyed from the lien and operation of said deed of trust, and do hereby release the aforesaid lands from the lien and operation of said deed of trust.
Witness our hands and seals, this 28th day of April 1884.

J. H. Sloss (L.S.)
as Trustee.
William Berney (L.S.)
as Trustee

Filed September 29th 1886, & recorded
James T. Leper Judge of Probate