Alabama State Land Company to J K Ellis #2 25

No. 2080.

Know all men by these Presents: That whereas, By virtue of the acts of Congress of the United States, and of the General Assembly of Alabama referred to in the act of the General Assembly of Alabama, approved February 10, 1876, entitled "An act to execute the power of disposal of the lands, granted by an act of Congress, entitled "An act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads in said State, approved June 3rd 1856" which power of disposal is conferred upon the Legislature of Alabama by said act of Congress," and by virtue of what was done prior to February 10th 1876, by or under or in pursuance of the legislation of Congress and the legislation of the State of Alabama, the said State had become completely vested with the titles to the lands embraced by said acts of Congress for the uses and purposes shown in said acts of Congress; and whereas the said State, prior to February 10, 1876 and more than six months prior to the duly decreed bankruptcy of the Alabama and Chattanooga Railroad Company, had acquired a valid lien in good faith upon all of said lands to which the Alabama and Chattanooga Railroad Company ever had any right or title either legal or equitable, by a conveyance executed by that Company to the State of Alabama, to secure an indebtedness of that Company to said State greater than the value of the interest of that Company in or to said lands, no part of which indebtedness has ever been paid to said State; And whereas by a

deed executed and bearing date the 8th day of February 1877, the said land was conveyed by the Governor of said State of Alabama in pursuance of an act of the General Assembly of Alabama, approved February 23rd 1876, entitled "An Act to ratify and confirm the settlement of the existing indebtedness of this State as proposed in the report of the Commissioners appointed under the act approved 17th of December 1874 and which was communicated to the General Assembly by message of the Governor of 24th of January 1876 and to carry said settlement into effect by the issuance of new bonds of this State at a reduced rate of interest in adjustment of a portion of said indebtedness and the surrender of certain securities held by the State in discharge of another portion of said indebtedness" to John A. Billups and John Swann as Trustees for the purposes in the said deed specified; and whereas the said John A. Billups and John Swann have become vested with the power and authority to dispose of sell and convey said lands in accordance with the provisions of said deed and of said last mentioned act of Feb. 23rd 1876:

And whereas the said John A. Billups and John Swann trustees as disclosed in said deed and said act of February 23, 1876, have been directed, since May 1886 by the holders of such of the bonds described in the fifteenth section of said last mentioned act as had been surrendered to the Governor on or before the first day of May 1886, in accordance with the provisions of said last mentioned act to convey and accordingly have conveyed to the Alabama State Land Company, certain parcels of said lands remaining unsold by said trustees, including in said conveyance the parcel or parcels of land hereinafter specifically described that is to say:—

The North half of Section and South West quarter of Section Twenty one (21) Township Eighteen (18) South Range Two (2) East: (N½ of Sec. & SW¼ of Sec. 21 Tp. 18 S R 2 E) containing Four hundred and eighty acres, more or less, situated in the County of Shelby in the State of Alabama:

And whereas, The Alabama State Land Company above mentioned has this day sold to J. K. Elliott the said parcel or parcels of land last herein above specifically described at and for the price of Twenty four hundred ($2400.00) Dollars upon the terms herein shown, that is to say the said J. K. Elliott has this day paid to The Alabama State Land Company the sum of Four hundred ($400.00) Dollars in cash and executed 12 notes for the sum of One hundred and fifty dollars ($150.00) each and 1 note for Two hundred dollars ($200.00) due respectively April 15th, May 15th, June 15th, July 15th August 15th, September 15th October 15th November 15th 1890, Jan. 15th, Feb. 15th, Mar. 15th, and Apr. 15th 1891, each bearing interest from November 29th 1889 the said notes being for the balance unpaid on said sale of said land last above described and said balance to be and remain a lien on said last mentioned land until said balance shall be paid with lawful interest thereon, And it is distinctly agreed as part and parcel of the terms of said sale of the lands last above described That The Alabama State Land 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 And it is further understood and agreed that the grantee or grantees in this conveyance will not hold adversely or permit any other person to hold adversely to the grantor in this conveyance or its assigns or successors any iron coal

or other minerals or right of way or other thing reserved to the grantor in this conveyance but will hold everything herein reserved ~~for~~ to the grantor, for the grantor, its assigns or successors and for no other person or purpose whatever. Now therefore in consideration of the premises, The Alabama State Land Company doth by these presents grant bargain sell and convey unto the said J. K. Elliott the said parcel or parcels of land herein above specifically described, subject however to the reservations herein set forth - To have and to hold the said parcel or parcels of land last above described unto the said J. K. Elliott his heirs and assigns forever but subject to the said reservations herein disclosed. In Testimony whereof the said The Alabama State Land Company a corporation organized under the laws of Alabama the grantor in this conveyance has caused these presents to be signed by its President and its common seal to be affixed by its Secretary duly authorized for this purpose. December 28th, 1889.

C. Schiff
President of The Alabama State Land Company, for said Company and by its authority -

(Seal)
Thos. McDonald,
Secretary.
for said Company

State of Ohio }
County of Hamilton } I, Charles M Cist a Notary Public duly appointed and acting as such in and for the County of Hamilton in the State of Ohio hereby certify that Charles Schiff, President of The Alabama State Land Company whose name as such President in behalf of said Company is signed to the foregoing conveyance and who is known to me acknowledged before me on this day that being informed of the contents of the conveyance he on behalf of said Company and as President thereof executed the same voluntarily on the day the same bears date. Given under

my hand this 28th day of December A.D. 1889.

(Seal)

Charles M. Crist,
Notary Public.

Filed for record Octo 10, 1890 and recorded.

R. W. Cobb Judge of Probate.