J. W. & J. D. Armstrong v. Ala. Min. R. R. Co. Agreement .75

The State of Alabama } This agreement made and en-
Shelby County } tered into this the 2nd day of
April 1891 by and between J. W. & J. D. Armstrong par-
ties of the first part and the Alabama Mineral
Railroad Company by Thos. K. Scott its Superintend-
ent party of the second part, Witnesseth That whe-
as the parties of the first part furnished earth
from their land outside of the right of way limits
of the railroad of the party of the second part with
which to make embankments or fills for its said
railroad and whereas the parties of the first part
are desirous of having an assurance that an
under passage across the railroad of the party
of the second part shall be allowed to remain
open at the dry trestle between Cahaba Coup Branch
and Moxahatchie Creek in the N½ of NW¼ of Sec.
22 T 22 S R 1 W in Shelby County, Alabama Now
therefore in consideration of the Earth furnished
as above stated the receipt of which is hereby ac-
knowledged by the said party of the second part
It is agreed by and between the parties hereto that
the party of the second part will allow to remain
open for the use and benefit of the parties to this
agreement as a road or passage across and
under the railroad tracks of the party of the sec-
ond part which under passage shall be no

less width than Twelve (12) feet - In witness of which the parties hereto have signed this agreement on the day and date first above written.

Witness Jno. P. Willoughby
Wm R. A. Milner -

J. W. Armstrong
J. D. Armstrong
Alabama Mineral Railroad Co
By Thos P. Scott Supt.

Filed for record Apr. 2, 1891 & recorded.
R. W. Cobb Judge of Probate.