Lease

Tenn Coal Iron & R.R. Co. to B'ham Min. R.R. Co.

The State of Alabama, } This Agreement, made and
Jefferson County, } entered into this eighth day of October, 1895, by and between the Tennessee Coal, Iron and Railroad Company, and the Birmingham Mineral Railroad Company,

Witnesseth: That for and in consideration of the sum of One and 00/100 Dollars in hand paid to the Tennessee Coal, Iron and Railroad Company, the receipt whereof is hereby acknowledged, the said Tennessee Coal, Iron and Railroad Company does hereby lease unto the Birmingham Mineral Railroad Company for a term of Twenty (20) Years from the first day of October, 1895, the following described lot or tract of land situated in Shelby County, Alabama;

Beginning on the main line of the South and North Alabama Railroad at the head-block of the Helena and Bloxton branch of the Birmingham

Mineral Railroad; thence in a southwesterly direction around a curve and along the entire line of the main track of the above mentioned Helena and Bloxton branch for a distance of 423½ feet; thence at a right angle to the track of the Helena and Bloxton branch and in a north-westerly direction, 50 feet to the edge of the right of way of the Helena and Bloxton branch, this being the initial point of the boundary of the tract herein leased; thence in a north-westerly direction and at a right-angle to the aforesaid right of way 250 feet; thence at a right angle to last mentioned course and in a southwesterly direction 165 feet; thence at a right angle to last described course and in a south-easterly direction 250 feet to the edge of the right of way of the Helena and Bloxton branch; thence along said right of way in a north-easterly direction 165 feet to initial point of boundary of leased tract; said tract being situated in the N.W.¼ of N.E.¼ of Sec. 16. T. 20. S., R. 3 W.; being more fully set forth in plat hereto annexed and forming part of this instrument, and containing one acre more or less.

It is understood and agreed that all minerals and mineral rights are reserved from and out of this lease, together with such right of way as may be required by the Tennessee Coal, Iron and Railroad Company for the construction of any railroad tracks through that portion of the tract herein leased extending back 75 feet from the right of way of the Helena and Bloxton branch of the Birmingham Mineral Railroad.

It is also understood and agreed that all taxes on the land herein leased, as well as on any improvements which may exist on said land, shall be paid by the Birmingham Mineral Railroad Company during the continuance of this lease. It is further understood and agreed that the Tennessee Coal, Iron and Railroad Company reserves the right to terminate this lease by giving to the said Birmingham Mineral Railroad Company sixty (60) days notice in writing of its intention so to do; and the said Birmingham Mineral Railroad Company agrees to peaceably surrender the possession of said premises to said Tennessee Coal Iron and Railroad Company at the expiration of sixty (60) days after the receipt of such written notice

of the termination thereof. And any improvements which may have been placed on said premises by the Birmingham Mineral Railroad Company may be removed by that Company should it so desire.

In Witness Whereof the Tennessee Coal, Iron and Railroad Company and the Birmingham Mineral Railroad Company have caused these presents to be executed in duplicate by their duly authorized officers, this the eighth day of October, 1895.

Seal

Tennessee Coal, Iron and Railroad Company,
By N. Baxter, Jr
President

Attest:
Andrew M. Adger
Secretary,

Seal

Birmingham Mineral Railroad Company,
By J. G. McCalpin
General Manager.

Attest:
J. H. Ellis,
Secretary —

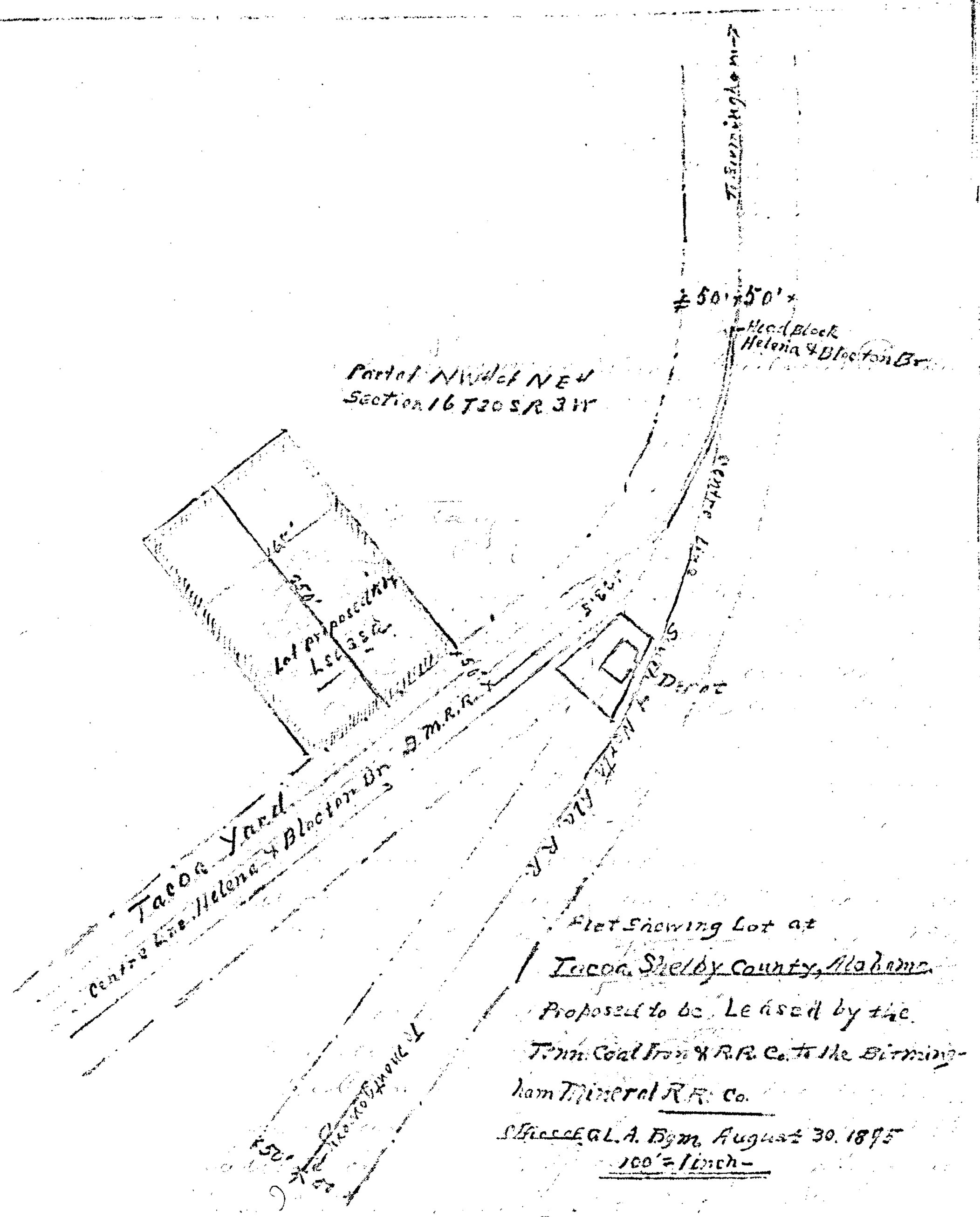
State of Alabama, } I, C. E. Morris, Notary Public in
Jefferson County } and for said State and County, hereby certify that N. Baxter, Jr., whose name is signed to the foregoing conveyance, and who is known to me to be the President of the Tennessee Coal, Iron & Railroad Company, acknowledged before 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 the said Tennessee Coal, Iron & 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 Tennessee Coal, Iron & 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 9th day of November, A.D. 1895.

Seal

C. E. Morris
Notary Public

Extract —

"A contract with the Birmingham Mineral
"R.R. Co. for a certain right of way -- also
"a lease to said Company of one acre of land --
"were laid before the meeting, with a letter from
"the President, dated 28th Sept '95, asking
"favorable action on the same.
"On motion of Mr. Baldwin, duly seconded,



Identified as plat referred to in agreement dated 8th day of October 1895.

Tennessee Coal Iron & Railroad Company
by N. Porter Jr. President

Birmingham Mineral Railroad Company
by J. G. McCalpe
Genl Manager

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"Resolved, that the contract for right of way, and
"lease, now before the Committee, be approved,
"and that the President be, and he is hereby authorized
"to execute and deliver the same."

I hereby certify the above written extract to be a true and exact copy from the minutes of a meeting of the Executive Committee of the Tennessee Coal, Iron & Railroad Company held in the City of New York on the third day of October A.D. 1895, approving a contract or agreement for a right of way, and also the accompanying lease from the said Tennessee Coal, Iron & Railroad Co. to the Birmingham Mineral Railroad Co., executed the eighth day of October, 1895, of one acre of land in Section 16, Township 20, South, Range 3, West, lying in Shelby County, State of Alabama.

Andrew M. Adger
Secy. Tenn. Coal, Iron & R.R. Co

Sworn to before me this 30th day of October, A.D. 1895.

C. E. Morris,
Notary Public (Seal)

Filed for record Dec 4th 1895 recorded,
D. R. McMillan Judge of Probate