— Alabama, Shelby County.

This Indenture made this ninteenth day of January, in the year of our Lord one thousand eight hundred and sixty one. between, Eli L. Harkness of Shelby County, of the one part, and the Tennessee & Alabama Central Rail Road Company, of the other part, Witnesseth, that said E. L. Harkness for and in Consideration of removing their Contemplated Rail Road on and along his land, as well as the Consideration of the sum of one dollar, to him in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, hath given, granted, bargained and sold, and by these presents doth give, grant, bargain, sell and Convey unto the said Tennessee and Alabama Central Rail Road Company and their successors and assigns, the Right of way, over which to pass at all times by themselves, directors, officers, agents, hirelings and servants, in any manner they may think proper, and particularly for the purpose of removing e-recting and establishing thereon a Railroad with the requisite number of tracks on either of the lines now surveyed at the election of the Company or their agent to extend in width one hundred feet on each side of the Centre line of the Road way, as at present located

and extend in length throughout the entire track or parcel of land owned and claimed by the said E. L. Harkness, situated, lying and being in Shelby County, adjoining the lands of John Martin, and better known and distinguished as lying in Section 5, Township 20, Range 3 West, of lands subject to sale at the Tuscaloosa Land District. And Connected with the Right of Way, the Company shall have the right to cut down and remove all such trees, underwood and growth on each side of said road, as would by falling on or shading the same injure the rails or other parts of said road; together with all and singular the rights, members and appurtenances to the said strip, tract or parcel of land, being, belonging, or in any wise appertaining, and more especially the Right of way over the same. To have and to hold the same unto the said Tennessee and Alabama Central Railroad Company, their successors and assigns, to their own proper use, benefit and behoof, forever, in fee simple. And the said E. L. Harkness for himself, his heirs and assigns will warrant and defend the title thereof unto the Tennessee and Alabama Central Rail Road Company, their successors and assigns against all claims of all persons whatsoever. In witness whereof, the said E. L. Harkness hath hereunto set his hand and seal, the day and year first above written.

Signed, sealed and delivered in presence of
B. E. Grace
Zylpa Nunnally

E. L. Harkness (L.S.)

Filed for record May 7th 1908 & recorded.
A. P. Longshore
Judge of Probate.