The State of Alabama, } Know all men by these Presents:
Shelby County. } That for and in Consideration of the sum of Seventy-five ($75.00) dollars paid by R. A. Berry on the mortgage indebtedness of J. M. Bearden to J. T. McGaughey, which is hereby acknowledged, and for the further Consideration hereinafter reserved, we J. M. Bearden and Anna Bearden his wife, have granted, bargained and sold, and do hereby grant, bargain, sell and Convey to said R. A. Berry the right and privilege to build, erect and forever maintain a dam not to exceed ten (10) feet in height across Shoal Creek on the first Shoal in said Creek North of the point where "Bowdon's Spring branch" empties in said Creek, the said Shoal being in the S. W¼ of Section Ten (10), Township Twenty Two (22) Range Three (3) West, in Shelby County, Alabama, and the right to forever flood so much of the West bank of said Creek North of said Shoal throughout the length of the land of said J. M. Bearden along said Creek (that is to say, all the West bank of said Creek from said Shoal Northward to the North line of said J. M. Bearden's

land the same being the line separating said Beardens land from the tract known as the Killoughy Mill tract" as will be covered or flooded by raising the water level of said Creek two (2) feet over and above said shoal. Also all their right title and interest of said grantors in and to the waters of said Creek North of said proposed dam after the same shall have been erected and opposite their said tract of land so long as said dam shall be maintained except the right hereinafter reserved. Also the right to use and enjoy the just in width additional of said land adjoining and parallel with the line of the water level, after being raised by said dam, between said dam and said Killoughy Mill tract, on the West side of said Creek for fishing purposes and as an easement or passage way to and fro along the edge of the point. But the grantors reserve to themselves and all the members of their immediate family and this conveyance is conditional upon, the right to fish with hook and line only, in the pond to be made by said dam, at their pleasure. To have and to hold the aforegranted rights, privileges and easements unto said R. A. Berry, his heirs and assigns forever. And J. T. McGaughy, mortgagee of said premises, for the consideration first above mentioned does hereby remise release quit-claim and convey to said R. A. Berry right, title and interest in and to the rights and privileges hereinbefore granted by said J. M. Beardon and Anna Beardon.

In testimony whereof we have hereto set our hands and seals on this 29th day of Oct, 1910.

J. M. Beardon (L.S.)
Anna Beardon (L.S.)
J. T. McGaughey (L.S.)

The State of Alabama
Shelby County. } I, Wm Lyman a Notary Public in and for said County and State hereby certify that J. M. Beardon, Anna Beardon and J. T. McGaughey whose names are signed to the foregoing conveyance, and who are known to me

acknowledged before me on this day, that being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.
Given under my hand, this 29th day of October 1910.

Wm Lyman.
Notary Public.

The State of Alabama,
Shelby County, } I. Wm Lyman, a Notary Public in and for said County and State do hereby certify that on the 29th day of October 1910 came before me the within named Lynn Bearden known to me to be the wife of the within named J. M. Bearden, who being examined separate and apart from the husband touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of the husband.
In witness whereof, I hereunto set my hand, this 29th day of October, 1910.

Wm Lyman Notary Public.

Filed and recorded Nov. 14th 1910.
A. P. Longshore Judge of Probate.