Whereas, the Alabama Power Company in the cause of the Alabama Power Company vs. F. M. Connell et als, in the Probate Court of Shelby County Alabama, has condemned all that part of the lands, hereinafter described that would be covered with or entirely surrounded by the waters of the Coosa River and its tributaries when raised and backed up to an elevation of four hundred and twenty-five (425) feet above a certain datum plane, which elevation of 425 feet is fixed and marked to conform to the elevations established and adopted by the United States above said datum plane in a survey of the Coosa River from Lock Four in Alabama, to Wetumpka Alabama, made August 2nd 1903, to December 19th 1903, under direction of J. B. Cavanaugh, Corps of Engineers U.S.A. and by D. M. Andrews, Assistant Engineer and N. A. Uville, Chief of Party and which elevations established by the United States in said survey, are evidenced and fixed by bench marks or elevation data marked on the left or east side of said Coosa River; said land so condemned is a part of and carved out of the following described lands, situate in Shelby County Alabama as follows:

E½ of the SE¼ of Section 1, and the NE¼ of Section 12, Township 22 South, Range 1 East; also that part of Fractional Section 6, lying West of the Coosa River; also Fractions A. & B. and the E½ of the SE¼ of Section 7; also all of Fractional Section 8, lying West of the Coosa River and all of Fractional Section 17, lying west of the Coosa River, and also the NE¼ of the NW¼ of Section 18, all in Township 22 South, Range 2 East, containing in all, that will be covered and surrounded ninety eight (98) acres more or less.

And whereas said lands were condemned in said condemnation proceedings as the property of J. R. Gaston et als, mentioned as defendants in said suit,

And whereas the grantors herein were inadvertently omitted and left out as defendants to said action, and were not parties to said proceedings,

And whereas, the said J. R. Gaston and his wife E. A. Gaston conveyed said lands above described together with other lands therein mentioned, to the Pine Tree Lumber Company a partnership composed of J. P. Van Der Veer Jr. and J. H. Roberts by mortgage deed dated September 16th 1912, which deed is recorded in Mortgage Book 99, page 284, Shelby County Alabama for the purpose of securing certain indebtedness therein mentioned and set out, which mortgage is hereby referred to for full and complete information and description, the same being a second mortgage on said lands subject to a mortgage deed ~~exe~~ executed by said J. R. Gaston and wife E. to G. A. Belle E. and Myra Hazard September 14th 1912,

And Whereas there is other and sufficient property described

and included in said mortgage deed above mentioned to secure and make certain the payment of the indebtedness therein mentioned and

Whereas it is agreed and understood that the award of $2438.00 made by commissioners as compensation for and damages to said lands in the proceedings in said cause, less the attorneys fee and usual cost in such cases, will be paid to said L.A., Belle L. and Myra Hazard and applied as a credit on their mortgage debt due from the said J.R. Gaston and thereby reducing said mortgage indebtedness to that amount,

Now therefore in consideration of the premises, and in consideration of the sum of Five Dollars, ($5.00) to us paid by J.R. Gaston we, J.C. Van Der Veer Jr. and J.H. Roberts, comprising the firm of Fine Tree Lumber Company, and doing business under said partnership name; and J.H. Roberts and wife L.M. Roberts and J.C. Van Der Veer Jr. an unmarried man, do hereby release from the operation of said mortgage deed, all that part of said lands above described that will be covered with or surrounded by the waters of the Coosa River or its tributaries if raised to an elevation of 425 feet by the erection and maintenance of a dam across said river down stream from said lands, and do hereby grant remise and release to the Alabama Power Company a corporation its successors and assigns for the consideration above expressed, the free right and privilege to cover and flood said lands, or any part thereof, and to impound and back waters of the Coosa River thereon up to the elevation of 425 feet as above set out, but nothing herein done shall operate to release from the operation of said mortgage deed or diminish our right, claim or interest to the balance and remaining property therein described.

To have and to hold to said Alabama Power Company its successors and assigns forever, and we hereby bind ourselves our successors and assigns, and our heirs and representatives by these presents.

In witness whereof, we have hereunto set our hands and seal this 14 day of March, A.D. 1913,

Signed sealed and delivered in presence of
B.R. Powell,
H.M. Simpson.

J.C. VanDerveer Jr.,
J.H. Roberts
L.M. Roberts,

The State of Alabama, } I, H.M. Simpson a Register in Chancery
Chilton County } in and for said County in said State do hereby certify that J.C. VanDerveer Jr. an unmarried man and J.H. Roberts and his wife L.M. Roberts whose names are signed to the foregoing instrument and who are known to me acknowledged before me on this day that being informed of the

contents of this instrument they executed the same voluntarily on the day the same bears date.
Given under my hand this 14th day of March 1913 (Seal)
H. M. Simpson Register in Chancery

The State of Alabama, } I, H. M. Simpson a Register in Chancery
Chilton County } in and for said County in said State
do hereby certify that on the 14 day of March, 1913, came before me the within named L. M. Roberts known to me to be the wife of the within named J. H. Roberts, who being examined separate and apart from her husband touching her signature to the within instrument acknowledged that she signed the same of her own free will and accord and without fear constraint or threats on the part of her husband. (Seal)
In Witness Whereof I hereto set my hand this 14th day of March 1913.
H. M. Simpson - Register in Chancery.

The State of Alabama, } I hereby certify that the within con-
Shelby County } veyance was filed in this office for record April 8, 1913, at 10 o'clock A. M. and recorded in Deed Record 52 - Page 181 and examined.
A. P. Longshore, Judge of Probate.