

Whereas Polly Rice a widow, J.W. Rice and wife Ola Rice, S.J. Harrell and wife Lula Harrell, J.W. Bushy and wife Ella Bushy, W.H. Rice, R.J. Rice both unmarried, C.H. Rice and wife Johnnie Mae Rice, J.R. Glenn and wife Belle Glenn, and Emma Rice unmarried, who are the heirs at law of Terrell Rice deceased, heretofore by contract dated 28th day of April 1912, and agreed to convey to Alabama Power Company within ninety days from that date certain lands situated in Shelby County Alabama, and described as follows:

The southeast quarter of the southwest quarter except a five acre strip off the north end of the same; also that part of the west half of the southeast quarter lying south and west of Williams Spring Branch and also all of Fraction B. all in Section thirteen Township twenty-four North, Range fifteen east.

And whereas William Gray et al have asserted some kind of claim of ownership to said lands or a part thereof, or interest therin and before said land and conveyance was made and perfected said William Gray et al filed a petition in the County Court of Shelby County Alabama, against said heirs of Terrell Rice, seeking to sell said lands for

a division and which said is now pending in said County
and whereas the Alabama Power Company, a corporation has filed its application
for condemnation against the said heirs of said Ferrell Rice and against
William Guy et al who are claiming an interest in said lands in the
Court of Probate of Shelby County Alabama, seeking to condemn such part of
said lands above described as will be overflowed and covered by water from
the erection of a dam by said Power Company across the Coowee River down
stream from said lands.

And whereas said Alabama Power Company has obtained an order from said
Court of Probate granting said petition and had commissioners appointed by
said Court of Probate, who have viewed the lands above described and assessed
the damages to the same for the owners of said land at \$950.00 which
amount has been deposited in said Court of Probate by the said Alabama
Power Company.

And whereas the said heirs of said Ferrell Rice are not satisfied with
said award of \$950.00 of said commissioners assessing said damages
but want to sell and dispose of all the lands described above and
not that part of the same that will be flooded by water.

It is therefore by and between said Alabama Power Company and the
heirs of said Ferrell Rice above set out as follows:

That they, the said heirs of Ferrell Rice, agree to sell and convey by deed
of general warranty the above described lands to said Alabama Power Company,
its successors or assigns, at the price of \$20.00 per acre, the acreage to be
determined by actual survey of the lands, and said heirs agree to convey
said land to said Alabama Power Company within thirty days after suit above
referred to is settled or determined by said County Court of Shelby County,
or within thirty days after the time for an appeal from an order or
decree of said court has elapsed, provided no appeal therefrom is taken
in case of appeal, then within thirty days after the same is adjusted
by Supreme Court or the appellate court having jurisdiction of the same
and provided also that the said heirs of Ferrell Rice shall be declared
to be the owners of said land above described by such court finally
determining the same;

And in case of such conveyance the said Alabama Power Company shall
pay to the said heirs of Ferrell Rice the sum over and above said
\$950.00 now on deposit in the Court of Probate of Shelby County Alabama,
equal to \$20.00 per acre, for said lands above described and which are
to be conveyed, provided further that the said heirs of Ferrell Rice shall
at their own cost and expense prosecute with effect the said cause
of William Guy et al above referred to and procure a judgment or
decree of Court decreeing title to said land to them and shall in all
other respects convey valid warranty title, to be appraised by the attorney
for the said Alabama Power Company, conveying the lands above described
In witness whereof we have hereunto set our hands and seals this the 17 day
of Nov. 1912,

Alabama Power Company.

By Thos. N. Martin - Its General Counsel.

Ollie Rice.

J. N. Rice.

copy

Ella Rice
J.J. Harrell,
Lula Harrell,
J.W. Bushy,
Ella Bushy,
W.J. Glenn - (Guardian)
P.R. Rice
E.H. Rice.
Johnnie Mae Rice
J.R. Glenn
Belle Glenn,
Emma Rice.

The state of Alabama I hereby certify that the within conveyance was filed
Shelby County in this office for records Dec. 30, 1918, at 2 o'clock P.M.,
and recorded in Deed Record 527 page 428, and examined.

R.O. Longshore, Judge of Probate.