

THIS AGREEMENT, made and entered into, this 15 day of July, 1914 by and between A.C. Wilson and Clayton Wilson, his wife, of Breathitt County, Kentucky, parties of the first part, and Lexington & Eastern Railway Company, a corporation organized under the laws of Kentucky, party of the second part,

WITNESSETH that whereas, the parties of the first part are and for some time past, have been the owners of certain tracts of land in Breathitt County, Kentucky, hereinafter more particularly described, and

Whereas, A.C. Wilson, one of the parties of the first part, on or about May 3, 1912, filed suit against the Lexington & Eastern Railway Company, party of the second part, in the Breathitt Circuit Court of Breathitt County, Kentucky for damages for the alleged obstruction of the river bed and natural channel of the North Fork of the Kentucky River and for the alleged alteration of the flow of water in said river bed and channel and for the alleged washing, cutting and breaking of his lands and the land of Clayton Wilson, his wife, and the river banks thereof on the opposite side of said river, due to the diversion of the water in said river over against the banks on that side thereof upon which the lands of the parties of the first part were and allocated, and

Whereas, in and by said suit it is claimed that the land, property and premises of parties of the first part have been and will continue to be injured, impaired or destroyed and the value thereof accordingly diminished or destroyed and said suit has been pending in said Court for more than two years past and

Whereas, both parties to this agreement are desirous and willing to settle said suit and to fully and finally adjust all controversies and differences between them,