STATE OF ALABAMA, SHELBY COUNTY)

Before me . L.H.Fllis, a Notary Public in and for said County in said State, personally appeared Charles Hoyt Ellis, who is known to me and who being by me first duly sworn, deposes and says that he is acquainted with the north west quarter of the north east quarter, of Section 5, Township 18, Range 1 Fast, Shelby County, Alabama, and has known the same for twenty years or more.

Further deposing affiant says that he is acquainted with the location of a tram track right of way over said land erected and constructed by Vida Lumber Company, about the year 1924.

Further deposing affiant says that said Vida Lumber Company has abandoned said right of way, removed its rails and the track, and this abandonment has been continuous for the past seven years or more.

Further deposing affiants says that when said right of way was obtained by said Vida Lumber Company, it had timber lands in that section of the County, but all of said timber lands were cut over some seven years or more ago, and its plant at Leeds, Alabama, where it then did business is being dismantled, and that said Vida Lumber Company has no further right, title or interest in said road-bed or right of way.

Further deposing affiant says that at the expiration of the twenty six months period provided for insaid right of way deed to Vida Lumber Company, from affiant and his brother, William H. Ellis, of date June 10, 1925, and recorded in the Pfobate Office of Shelby County, Alabama, in deed book#73 at page 523, said Vida Lumber Company made no further payments for the use of said right of way, and did not use said right of way beyond said twenty six months period, but abandoned it at or before the expiration of said twenty six months period.

Charles Hoyt Ellis

Sworn and subscribed to before me this theh l4th day of May, 1934.

L H Ellis, Notary Public.

Filed for record in this office July 31st 1934 at 11.30 o'clock AM and duly recorded in deed record 97, page 461 and examined.

Cage Head, Judge of Probate.