

AFFIDAVIT

STATE OF ALABAMA

SHELBY COUNTY

Before me, Warren G. Findley, the undersigned authority in and for said County in said State personally appeared Charles J. Lyons, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Charles J. Lyons. I am 62 years of age and live in Calera, Alabama.

I am the owner of the following described land:

Beginning at the quarter section corner on the east line of Section 23, Township 21 South, Range 2 West and run thence south 3 degrees 45 minutes east, a distance of 681.6 feet to an iron pin; thence south, 87 degrees 30 minutes west, a distance of 3149.0 feet to a point on the west right of way line of Highway No. 31 for the point of beginning of the land herein described; thence north, 16 degrees 50 minutes west, a distance of 206.7 feet to an iron pin; thence south, 87 degrees 30 minutes west, a distance of 1100.7 feet; thence south, 10 degrees 50 minutes east a distance of 203.1 feet; thence north, 87 degrees 30 minutes east, a distance of 1123.7 feet to the point of beginning; containing in all 5 and one-third acres, more or less, and being situated in Shelby County, Alabama.

Affiant further says that Mrs. Z. A. Lyons was his mother and was the wife of James B. Lyons, deceased. My said mother died in the year 1932. Affiant further says that he has had called to his attention an instrument from Mrs. Z. A. Lyons to Postal Telegraph Cable Company dated July 10, 1925, and recorded in Deed Book 60 Page 34 in the Probate Office of Shelby County, Alabama, which instrument covered, among other things, the construction and maintenance of telegraph lines across "N $\frac{1}{2}$ of E $\frac{1}{2}$ of SW $\frac{1}{4}$, W $\frac{1}{2}$ of N $\frac{1}{2}$ of SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23, Township 21, Range 2 West, Shelby County, Alabama". Affiant further says that said lines ran immediately west of the west right of way line of U. S. Highway 31. In fact, affiant says said lines were almost on the highway right of way. Affiant further says said lines were taken down more than 15 years ago.

Affiant has had called to his attention a Transmission Line Permit from D. B. Lyons and others to Alabama Power Company dated March 17, 1936, which is recorded in Deed Book 101 Page 139 in said Probate Office and which covered a right of way across the "N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and N $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33, Township 21, Range 2 West". Affiant further says that said right of way line is along the east side of U. S. Highway 31 and does not touch the land/^{first}described in detail above.

Affiant further says he has had called to his attention a Transmission Line Permit from Frank Lyons and wife to Alabama Power Company dated April 9, 1936, and recorded in Deed Book 101 Page 140 in said Probate Office and which covered a right of way across the "N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33,

Township 21, Range 2 West". Affiant says that said right ofway line is along the east side of U. S. Highway 31 and does not touch the land first described in detail above.

Affiant further says that James B. Lyons, his father, did not leave a Will.

Charles J. Lyons
Charles J. Lyons



Sworn to and subscribed to before me this the 20th day of March, 1954.

Harmon L. Finley
Notary Public

Filed in the office of the Probate Judge on the <u>15</u> day of <u>April</u> 19 <u>54</u> at <u>8</u> o'clock <u>P</u> . M.	
and recorded in <u>Book 166</u> Page <u>45</u> this <u>15</u> day of <u>April</u> 19 <u>54</u> .	
Deed Tax _____ Mortgage Tax _____ has been paid.	L.C. Walker, Judge of Probate