

32210

STATE OF ALABAMA
SHELBY COUNTY

Comes now before me, W. W. Rabren, a Notary Public for the State of Alabama at large, Mr. L. H. Ellis, who being first duly sworn to speak the truth deposes and says as follows:

My name is L. H. Ellis, and I am 75 years of age. I have been practicing Law in Columbiana, Shelby County, Alabama, for more than 40 years, having moved to Columbiana in the year, 1909. I now live on property situated across East College Street from Lots 1 and 2 in Block 3 according to Map of W. Y. Johnson's Addition to Columbiana, as recorded in Map Book 3 on page 59 in the Probate Office of Shelby County, Alabama, and have owned and lived on this property for at least 20 years.

I remember that about the year, 1928, when Shelby County conveyed the pipe line and water tank to Polglaze and Bosenberg of the Warrior Water Company. I remember that the pipe which was sold to the Warrior Water Company was erected, constructed and maintained across and over that certain lot or parcel of land in the Town of Columbiana, Alabama, which was described in the right of way deed dated June 14, 1916, from A. P. Longshore and Fannie T. Longshore, his wife, to Shelby County, said deed being recorded in Deed Book 60, page 137 of the Office of Judge of Probate, Shelby County, Alabama.

I know from my own personal knowledge that within a year or two at the most after the conveyance of the pipe line and water tank by Shelby County to the Warrior Water Company, about the year, 1928, that the pipe line which had been maintained by Shelby County over the lands described in the right of way deed referred to above was taken up and removed from said right of way and that this right of way was abandoned by Shelby County for the purpose for which the right of way deed was granted, and that Shelby County has not since thereafter erected, constructed or maintained a water pipe line across and over those lands described in right of way deed referred to above. I further know from my own personal knowledge that Shelby County has abandoned the right of way referred to above for the past 20 years or more.

L H Ellis
L. H. Ellis

Sworn to and subscribed before me on this 18th day of April, 1956.

W. W. Rabren
W. W. Rabren, Notary Public.

STATE OF ALABAMA, SHELBY COUNTY
I, L. C. Walker, Judge of Probate, hereby certify that the within affidavit
was filed for record the 4 day of June 19 56 at 4 o'clock P. M.
and recorded in Deed Record 180 Page 262 and the mortgage tax of
Deed Tax of — has been paid.

Judge of Probate