

3079  
STATE OF ALABAMA )

JEFFERSON COUNTY )

Before me, the undersigned authority in and for said County in said State, personally appeared Alton Young, who, being by me first duly sworn on oath, deposes and says:

That he is a Registered Land Surveyor, State of Alabama, and has recently surveyed the property of United Cement Company, Inc., which is situated in Sections 5, 6 and 8, Township 24 North, Range 13 East, Shelby County, Alabama; that included in his survey of the property of United Cement Company, Inc., were three tracts of land described as follows:

A part of the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 5 and a part of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 6, all in Township 24 North, Range 13 East, described as follows: Commence at a pipe on the east boundary line of Section 6, Township 24 North, Range 13 East, and on the north margin of an old road and 3144.4 feet north of the southeast corner of said Section 6; thence north 85° 38' east 213.42 feet; thence north 1° 52' east 347.6 feet to the south right of way line of Alabama Highway No. 25; thence westerly along the south right of way line of said highway 700 feet; thence south and parallel to the east line of said Section 6 a distance of 367 feet, more or less, to the north margin of old Montevallo dirt road; thence in an easterly direction along the north margin of said old road to the point of beginning;

Begin at a pipe on the east boundary line of section 6, Township 24 North, Range 13 East and on the north margin of an old road and 3144.4 feet north of the southeast corner of said Section 6; thence north 85° 38' east a distance of 250.0 feet to a point, being the point of beginning; thence north 1° 52' east a distance of 347.6 feet to the point of intersection with the south right of way line of Alabama Highway No. 25; thence south 86° 52' west a distance of 36.58 feet along south right of way line of said highway to a point; thence south 1° 52' west a distance of 347.6 feet, more or less, to a point on the north line of an old road; thence north 85° 38' east a distance of 36.58 feet to the point of beginning; and

A strip of land extending 20 feet on either side of the hereinafter described line: commencing at the northeast corner of Section 6, Township 24 North, Range 13 East, being marked by a 2 inch pipe, thence south 3° 03' west along the east boundary of Section 6 a distance of 356.98 feet to a point in



the center line of the Southern Railway, known as Station 7122 + 31.33 according to the Southern Railway System's survey maps; thence southeasterly along the center line of said railway along a  $1^{\circ}$  curve to the right a distance of 41.33 feet to a point on the center line of said railway, known as Station 7121 + 90 according to said Southern Railway System's survey map; thence southeasterly along a  $15^{\circ}$  curve to the right a distance of 254.0 feet to the point of intersection with the south right of way line of the Southern Railway Company's main line track which is the point of beginning of the line herein described; thence continue southeasterly and southwesterly along said  $15^{\circ}$  curve to the right a distance of 380.38 feet; thence south  $12^{\circ} 09'$  west a distance of 346.42 feet; thence southeasterly along a  $10^{\circ}$  curve to the left a distance of 158.67 feet; thence south  $3^{\circ} 43'$  east a distance of 382.67 feet to the point of intersection with the north right of way line of Alabama Highway No. 25 to the point of ending; it being the intention to describe a 40 foot right of way, being 20 feet on either side of the above described line, which line is the center line of the present spur track which leads from the main line of Southern Railway track to the north boundary of U. S. Highway No. 25;

that he is and has been for a number of years familiar with the property above described and with the location of certain of the local landmarks upon which the earlier descriptions of the above described property were based; that the property hereinabove described is situated wholly within the boundaries of the following described tract of land, to-wit:

That part of the  $E\frac{1}{2}$  of the  $NE\frac{1}{4}$  of Section 6, and that part of the  $W\frac{1}{2}$  of the  $NW\frac{1}{4}$  of Section 5, Township 24 North, Range 13 East, Shelby County, Alabama, which is bounded as follows: on the west by the  $W\frac{1}{2}$  of said  $NE\frac{1}{4}$  of said Section 6, Township 24 North, Range 13 East, on the south by the old Montevallo and Calera dirt road, on the east by the settlement road leading from said Montevallo and Calera road to and crossing the Southern Railway at or near a lime kiln, and on the north by the right of way of the Southern Railway Company;

that he is familiar with the eminent domain proceedings filed by Shelby County, Alabama, on April 8, 1924, to condemn a right of way for the construction of a highway, the petition for the condemnation of which is recorded in Probate Minute Book 7 at Page 419 of the Shelby County Probate Records;

that other proceedings relating to said condemnation are recorded in Probate Minute Book 7 at Pages 406, 417, 444, 457 and 465 of the aforesaid Probate Records; that the right of way acquired by Shelby County under the aforementioned proceedings was for the construction of Alabama State Highway #25 through property situated in Sections 5 and 6, Township 24 North, Section 13 East, Shelby County; that the right of way condemned under said proceedings is that which is presently utilized for Alabama State Highway #25 and which is shown on affiant's plat of survey of the property of United Cement Company, Inc., dated February 24, 1965.

That affiant is also familiar with the conveyance to Southern Natural Gas Corporation, dated October 2, 1929, which is recorded in Deed Record 90 at Page 300 of the Shelby County Probate Records; that this instrument conveys to Southern Natural Gas Corporation a right of way for one or more pipe lines and appurtenances thereto across the  $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 5, Township 24 North, Range 13 East, Shelby County, Alabama, and other land; that, although the exact location of the right of way conveyed is not shown in said instrument, he knows that the pipe lines installed by Southern Natural Gas Corporation pursuant to said instrument are all located north of Alabama State Highway #25, as shown on his said plat of survey dated February 24, 1965;

That affiant is also familiar with the right of way conveyed to Southern Railway Company by Bessie Mae Lawler and husband, by instrument dated May 11, 1956 and recorded in Deed Record 180 at Page 271 of the Shelby County Probate Records, for the construction of a spur tract; that he is also familiar with the conveyance of a



40 foot strip of land by Bessie Mae Lawler and husband to United Cement Company, Inc., by instrument dated January of 1957 and recorded in Deed Book 184 at Page 351 of the aforesaid Probate Records; that the aforementioned right of way conveyed by Bessie Mae Lawler and husband to Southern Railway Company is situated within the 40 foot strip of land conveyed by the said Bessie Mae Lawler and husband to United Cement Company, Inc., and recorded in Deed Book 184 at Page 351; that said 40 foot strip of land is shown on affiant's said plat of survey of the property of United Cement Company, Inc., dated February 24, 1965; and that the railroad tracks of Southern Railway Company, as presently located on the ground, are within the boundaries of said 40 foot strip.

Alton Young (L.S.)  
Affiant

Subscribed and sworn to before me on this the 26<sup>th</sup> day of March, 1965.

Marie G. Harrison  
Notary Public for State of  
Alabama

