

STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, the undersigned authority in and for said State and County, James H. Sharbutt, Special Assistant Attorney General for the State of Alabama, who, after first being duly sworn deposes and says:

That he is the duly appointed and acting Special Assistant Attorney General for the State of Alabama and as such is acting attorney for the State of Alabama Highway Department for the procurement of certain right of way relative to Project No. S-1360-A, Shelby County, Alabama, and more commonly known as the Columbiana By-Pass in Shelby County, Alabama.

That Avondale Mills, Inc., a Corp., conveyed certain right of way to the State of Alabama and being more particularly described on the reverse side hereof on the 8<sup>th</sup> day of September, 1965, for the consideration of \$530.00 and the said Avondale Mills having sold certain timber from and off of the said right of way in the amount of \$202.99.

That the said Avondale Mills did not own any right, title or interest in the said right of way herein described and has refunded to the State of Alabama, the total consideration in the amount of \$530.00 and has also refunded to the proper parties in interest by and through the affiant, the sum of \$202.99 being the total value received by the said Avondale Mills for the timber sold on the right of way herein described.

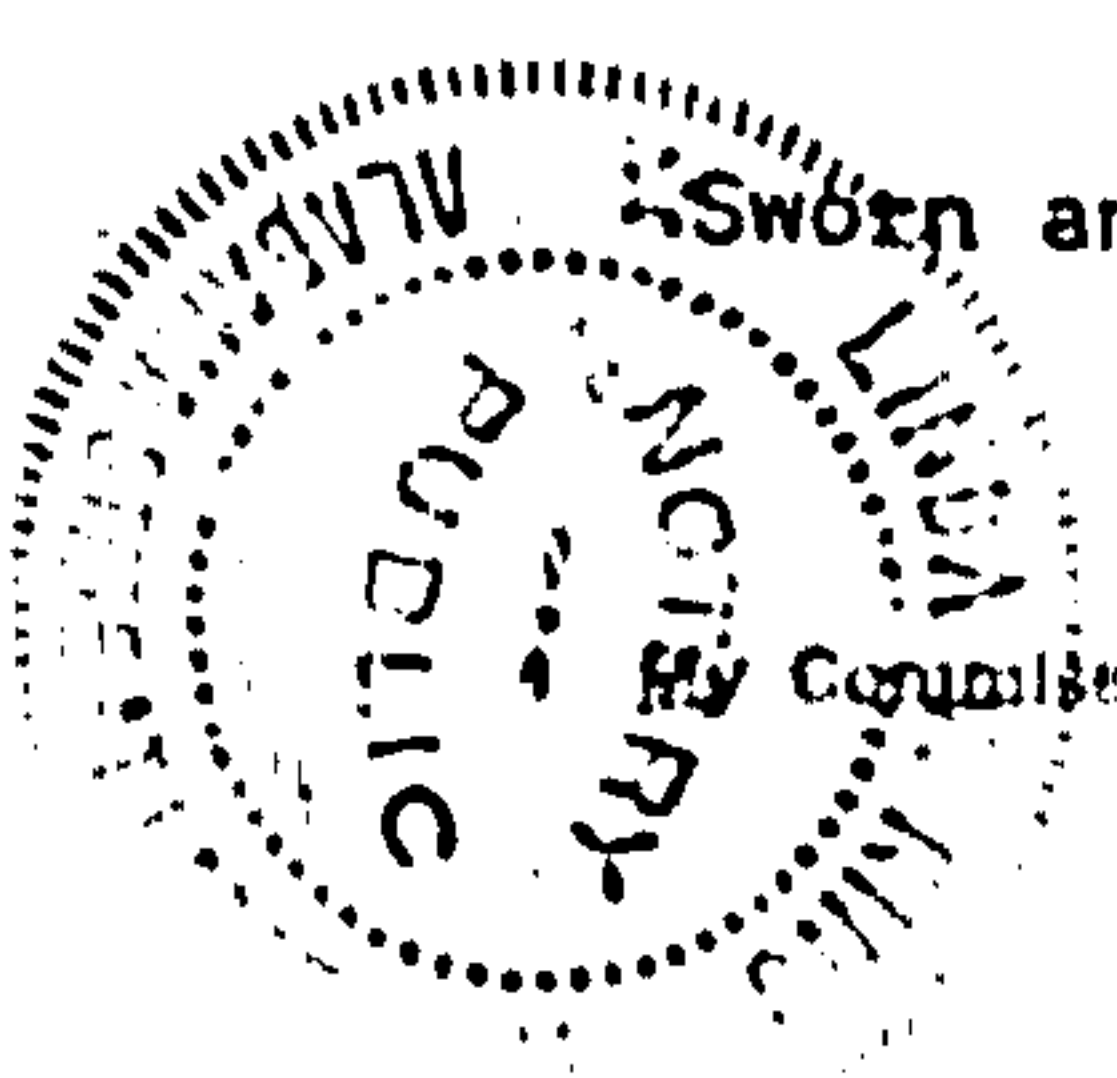
That the deed purporting to convey the right of way herein described from Avondale Mills, Inc., a Corp., to the State of Alabama on the 8<sup>th</sup> day of September, 1965, and recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Deed Record Book, Volume 237, at Page 795, in fact conveys no interest at all in said right of way as described herein and is therefore held to be naught and void. That the said conveyance of said right of way and the payment of the consideration as herein recited therefor and the sale of certain timber as herein recited was a mutual error between the parties and that the State of Alabama has instituted condemnation proceedings in the Office of the Probate Judge, Shelby County, Alabama, against the lawful owners and parties in interest of the said right of way as herein described.

James H. Sharbutt  
James H. Sharbutt, Special Assistant  
Attorney General for The State of Alabama

Sworn and subscribed to before me this 16<sup>th</sup> day of February, 1966.

Lester V. King  
Notary Public

731  
BOOK 240 PAGE





Tract No. 13

Project No.  
S-1360-A

Commencing at the southeast corner of Section 27, T-21-S, R-1-W; thence westerly, along the south line of said section, a distance of 1185 feet, more or less, to a point that is 60 feet southeasterly of and at right angles to the centerline of Project No. S-1360-A and the point of beginning of the property herein to be conveyed; thence southwesterly, along a curve to the left (concave southeasterly) having a radius of 5669.58 feet, parallel to the centerline of said project, a distance of 215 feet, more or less, to the west line of the NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 34, T-21-S, R-1-W; thence northerly, along the west line of said NE $\frac{1}{4}$  of NE $\frac{1}{4}$  and the west line of the SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 27, T-21-S, R-1-W, the west property line (crossing the centerline of said project at Station 112+85) a distance of 210 feet, more or less, to a point that is 70 feet northwesterly of and at right angles to the centerline of said project; thence northeasterly, along a curve to the right (concave southeasterly) having a radius of 5799.58 feet, parallel to the centerline of said project, a distance of 295 feet, more or less, to a point that is 70 feet northwesterly of and at right angles to the centerline of said project at Station 117+50; thence northeasterly, along a straight line, a distance of 52 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said project at Station 118+00; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 5789.58 feet, parallel to the centerline of said project, a distance of 750 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said project at Station 124+50.61; thence N 47° 54' E, parallel to the centerline of said project, a distance of 199.59 feet; thence northeasterly, along a straight line, a distance of 52 feet, more or less, to a point that is 70 feet northwesterly of and at right angles to the centerline of said project at Station 127+00; thence N 47° 54' E, parallel to the centerline of said project a distance of 200 feet; thence northeasterly, along a straight line, a distance of 52 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said project at Station 129+50; thence N 33° 54' E, parallel to the centerline of said project, a distance of 208 feet, more or less, to the east line of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 27, T-21-S, R-1-W, the east property line; thence southerly, along the said east property line (crossing the centerline of said project at approximate Station 131+10) a distance of 155 feet, more or less, to a point that is 60 feet southeasterly of and at right angles to the centerline of said project; thence S 47° 54' W, parallel to the centerline of said

a distance of 608 feet, more or less, to a point that is 60 feet, southeasterly of and at right angles to the centerline of said project at P.T. Station 124+50.61; thence southwesterly, along a curve to the left (concave southeasterly) having a radius of 5669.58 feet, parallel to the centerline of said project, a distance of 1026 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 34, SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 27, T-21-S, R-1-W and containing 5.30 acres, more or less.

STATE OF ALA. BUREAU CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON

RECORDED & INDEXED  
& \$... MTG. TAX  
PD. CH. ... HAS BEEN  
PD. CH. ... INSTRUMENT.

M. J. Fowler

JUDGE OF PROBATE

732

PAGE

BOOK 240

As W. Sherburn  
Chickering

7.20-