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Montevallo, Alabama  
May 20, 1970

From Floyd Atkinson, a registered Land Surveyor in the State of Alabama.

To whom it may concern.

Subject: The following is an attempt to resolve some moot points in title of lands shown on a map by this Surveyor, showing site of plant of Brown Moulding Company, and dated March 28, 1970.

Refer to map made in the Office of Shelby County Highway Engineer and marked "Exhibit A". This map shows the right-of-way of paved County Highway 12 and also the right-of-way of the old unpaved road that it replaced. Between the south boundaries of these two roads is one small strip of land whose title is in doubt. I have been informed at the Office of Shelby County Highway Department that the County has never had formal deeds to rights-of-way of unpaved roads, and claimed Jurisdiction by "right of use" from bank to bank of side ditches. And they further state that when such a road or any part of it is abandoned they claim no further Jurisdiction and assume that full ownership reverts to the owner of the property through which it passes. I do not know if there is any statute relating to this practice, but for several years this Surveyor has made many surveys and maps assuming its validity and no examiner of title has expressed any doubt to me. And when the Highway Office was asked for a ruling on this particular piece they said they did not consider it an exception to the general rule, and they believed their Chief Engineer would willingly sign an affidavit to that effect if it is desired.

As to deeds referred to and recorded in Deed Record 201 on pages 226 and 234 and in Deed Record 200 on page 429, it is quite difficult to give firm answers, since it is only stated that the lands are situated between certain stations on Highway Map and do not tell us on which side of road. However, it is my opinion that all of them are either on the North side of said Highway 12 or East of anything claimed by the moulding company. I have been surveying in this area for 18 years and have been very well acquainted with operations at

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this plant and it has always appeared that the owners were in full possession of property shown and I have never heard any claim to the contrary.

Floyd Atkinson  
Floyd Atkinson

STATE OF ALABAMA )

SHELBY COUNTY )

I, Durmond W. Haysen, a Notary Public in and for said County in said State, hereby certify that Floyd Atkinson, whose name is signed to the foregoing statement and who is known to me, acknowledged before me on this day that he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18 day of August, 1970.

Durmond W. Haysen  
Notary Public  
My Commission Expires:  
3-3-73

The undersigned Chief Engineer for the Shelby County Highway Department has read the foregoing statement of Floyd Atkinson and certifies that same is true and correct insofar as the records and practices of the Shelby County Highway Department indicate and further certifies that Shelby County claims no right, title or interest in and to that part of the right of way of the old unpaved road which lies outside of the right of way of paved County Highway No. 12.

James L. Ray Jr.  
Chief Engineer, Shelby County  
Highway Department

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