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Shelby Cnty Judge of Probate, AL
02/01/1977 12:00:00 AM FILED/CERT

AFFIDAVIT

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STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned, a notary public in and for Shelby County, Alabama, personally appeared before me, Gladys Walters who is known to me and who, after being sworn by me, deposes and says as follows:

(1) My name is Gladys Walters and I am over 21 years of age.

(2) I am personally familiar with the property shown on the attached EXHIBIT "A", my husband and I having owned this property and also adjoining property for over 7 years before selling the attached listed property in 19 58 .

(3) I am personally familiar with the fact that this property was serviced by a farm road for over 10 years prior to the time the Alabama Power Company raised the water level to 397 feet and hereby certify that the road bed was higher than 397 feet so that when the water was raised, the attached listed property would never have been surrounded by water so as to become an island.

(4) I further certify that a causeway was built atop the existing road way prior to the time the water level was raised to 397 feet and the property has never been an island.

(5) Further the affiant sayeth not.

Gladys Walters
GLADYS WALTERS

Subscribed and sworn to before me on this the 12th day of

January, 1977.

Martha B. Spencer
Notary Public

EXHIBIT "A"

Start at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 23, Township 21 South, Range 1 East, and run thence North 89 deg. 38 min. West 300 feet to a point thence to the left turning an angle of 89 deg. 48 min. to the South, 0 deg. 34 min. West, a distance of 190 feet for a point of beginning of the tract of land hereby conveyed, thence continuing along the same course in a Southerly direction, a distance of 470 feet to a point; thence turning an angle to the left of 90 deg. 12 min. go South 89 deg. 38 min. East, a distance of 819.6 feet to the Coosa River, thence turning an angle to the left of 74 deg. 08 min., go North 16 deg. 14 min. East along the Coosa River, a distance of 128 feet, thence 18 deg, 20 min. to the right, go North 34 deg. 34 min. East along the Coosa River 220.2 feet, thence 10 deg. 20 min. to the left go North 24 deg. 14 min. East along the Coosa River a distance of 180.3 feet, thence turning to the left 113 deg. 52 min., go North 89 deg. 38 min. West 1051 feet to the point of beginning, said tract of land containing 10 acres, more or less, and lying in the Northeast quarter of the Southeast quarter of Section 23 and in the Northwest Quarter of Southwest Quarter of Section 24, Township 21, Range 1 East, in Shelby County, Alabama. ALSO and easement for ingress and egress on and over the following property: South 20 feet of the Northeast Quarter and South 20 feet of the Southeast Quarter of Northwest Quarter lying East of Beeswax Road, as now located, also the East 20 feet of the North 190 feet of the Northeast Quarter of Southeast Quarter in Section 23, Township 21, South, Range 1 East. LESS AND EXCEPT that part of the lands hereinabove described which would either be covered with or which either alone or together with other lands would be entirely surrounded by waters of the Coosa River or its tributaries should such river or its tributaries be raised and backed up to that certain datum place on 397 feet above mean sea level as established by the United States Coast and Geodetic Survey, as adjusted in January, 1955; together with the right to flood, cover or surround with water from time to time that portion of the lands hereinabove described which would lie above such datum plane and which would be flooded, covered with or surrounded by such waters should such river or its tributaries be raised and backed up to that certain datum plane of 400 feet above such mean sea level, together with rights of ingress and egress over and across that part of the lands hereinabove described which lies above such datum plane first above described, which is the subject of a deed recorded in Deed Book 239, Page 409, in the Probate Court of Shelby County, Alabama. Situated in Shelby County, Alabama.

Subject to transmission line permits to Alabama Power Company, right of way to Shelby County and flood rights owned by Alabama Power Company of record in Shelby County, Alabama.



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JAN 31 1977
CLERK OF PROBATE

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