

SURVEY

#3041

\$.55 FEDERAL STAMPS HAVE BEEN CANCELLED ON THIS DEED.

J. E. WRIGHT AND WIFE
KATIE SUMRALL WRIGHT,
TO
EVELYN R. BLACKERBY,
CHELSEA, ALA.

THE STATE OF ALABAMA }
SHELBY COUNTY }

KNOW ALL MEN BY THESE PRESENTS:

That for and in Consideration of **FIVE HUNDRED AND NO/100** DOLLARS to the undersigned grantor **S. J. E. WRIGHT AND WIFE KATIE SUMRALL WRIGHT,**

in hand paid by **EVELYN R. BLACKERBY,**

the receipt whereof is acknowledged **WE** the said

J. E. WRIGHT AND KATIE SUMRALL WRIGHT,

do grant, bargain, sell and convey unto the said **EVELYN R. BLACKERBY,**

the following described real estate, to-wit: BEGIN AT THE N.W. CORNER OF THE S.W. $\frac{1}{4}$ OF THE N.W. $\frac{1}{4}$ OF SECTION 26, TP. 19, R. 1 W. AND RUN SOUTH 2 $^{\circ}$ 30' E. 270.4 FT., THENCE SOUTH 40 $^{\circ}$ 55' E. 448.9 FT. TO THE NORTH BOUNDARY LINE OF HIGHWAY 91, AND WITH SAME THREE LINES NORTH 55 $^{\circ}$ 30' E. 153.3 FT., THENCE NORTH 76 $^{\circ}$ 30' E. 199.2 FT., THENCE NORTH 85 DEGREES E. 705.9 FT., THENCE NORTH 2 $^{\circ}$ 15' W. 1574.4 FT. TO TOP OF RIDGE, AND WITH SAME FIVE LINES SOUTH 36 $^{\circ}$ 45' W. 206.3 FT., THENCE SOUTH 48 DEGREES W. 399.6 FT., THENCE SOUTH 30 $^{\circ}$ 45' W. 374.6 FT., THENCE SOUTH 44 $^{\circ}$ 45' W. 400.8 FT., THENCE SOUTH 35 $^{\circ}$ 45' W. 165. FT., THENCE SOUTH 86 $^{\circ}$ 30' W. 310. FT. TO THE POINT OF BEGINNING, CONTAINING TWENTY-SIX (26) ACRES MORE OR LESS AND LYING IN THE N.W. $\frac{1}{4}$ OF SECTION 26, TP. 19, R. 1 W. ALL MINERAL AND MINING RIGHTS ARE EXCEPTED HEREOF.

situated in Shelby County, Alabama.

EVELYN R. BLACKERBY, HER

heirs and assigns forever.

And **WE** do, for OURSELVES AND OUR
covenant with the said **EVELYN R. BLACKERBY, HER**
WE ARE
heirs and assigns, that **WE**
encumbrances; that **WE**
OUR
will, and **WE**
heirs and assigns forever, against the lawful claims of all persons.

heirs, executors and administrators,

lawfully seized in fee simple of said premises, that they are free from all
have a good right to sell and convey the same as aforesaid; that **WE**
heirs, executors and administrators, shall warrant and defend the same to the said

In Witness Whereof, **WE** have hereunto set our hands and seal, **S.**, this **12TH** day of **JANUARY**, 1946.

Witnesses:

J. E. WRIGHT

(Seal.)

KATIE SUMRALL WRIGHT

(Seal.)

(Seal.)

(Seal.)

THE STATE OF ALABAMA, SHELBY COUNTY.

PAULINE BIRD,

REGISTER OF THE CIRCUIT COURT,

J. E. WRIGHT AND WIFE KATIE SUMRALL WRIGHT,

whose name **ARE** signed to the foregoing conveyance, and who **ARE** known to me,
acknowledged before me on this day that, being informed of the contents of this conveyance **THEY** executed the same
voluntarily on the day the same bears date.

Given under my hand, this **12TH** day of **JANUARY**, A.D. 1946.

PAULINE BIRD, REGISTER CIRCUIT COURT.

THE STATE OF ALABAMA, SHELBY COUNTY.

I, **PAULINE BIRD,**

REGISTER OF THE CIRCUIT COURT,

certify that on the **12TH** day of **JANUARY**,

KATIE SUMRALL WRIGHT

J. E. WRIGHT

SHE

accord, without fear, constraint or threats on the part of the husband.

In Witness Whereof, I hereunto set my hand, this **12TH** day of **JANUARY**, A.D. 1946.

PAULINE BIRD, REGISTER CIRCUIT COURT.

THE STATE OF ALABAMA, SHELBY COUNTY.

I, L. C. WALKER, Judge of the Probate Court of said County, hereby certify that the foregoing conveyance was filed for registration in this office on the **11** day of **January**, 1946, and was recorded in Volume 122, Record of Deeds, **Inst. # 1993-05260** on the **16** day of **January**, 1946.

Recording Fee, \$ 1.25

02/24/1993-05260
10:01 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 MCD 19.00

#1616

See Deed Record 122, page 531

THE STATE OF ALABAMA
SHELBY COUNTY

TO

Evelyn R. Blackerby Spraitzar

KNOW ALL MEN BY THESE PRESENTS:

That for and in Consideration of.....Five Hundred and no/100.

DOLLARS

to the undersigned grantor.....J.E. Wright and Katie Sumrall Wright

in hand paid by.....Evelyn R. Blackerby Spraitzar

the receipt whereof is acknowledged.....we.....the said J.E. Wright and wife, Katie Sumrall Wright.

do grant, bargain, sell and convey unto the said.....Evelyn R. Blackerby Spraitzar formerly Evelyn R. Blackerby

situated in Shelby County, Alabama.

the following described real estate, to-wit:

Begin at the NW corner of the SW_{1/4} of the NW_{1/4} of Section 26, Township 19, Range 1 West and run South 2° 30' East 270.4 feet, thence South 40° 55' East 448.9 feet to the North boundary line of Highway 91 (Florida Short Route) thence in a Easterly direction following the curvature of the highway along the North boundary line of said highway to the quarter section line, thence North 2° 15' West 15' 4.4 feet to top of ridge, thence South 36° 45' West 206.3 feet, thence South 18° West 399.6 feet, thence South 30° 45' West 374.6 feet, thence South 44° 45' West 400.8 feet, thence South 35° 45' West 165 feet, thence South 86° 30' West 310 feet to the point of beginning, containing 26 acres, more or less and lying in the NW_{1/4} of Section 26, Township 19, Range 1 West,

All mineral and mining rights are excepted herefrom. This is a deed of correction written to correct description in deed dated Jan. 12, 1946 and filed for record in deed book 122 page 531 probate office Shelby co. situated in Shelby County, Alabama. The warranties in this deed are made as of Jan. 12, 1946.

Ala.

To Have and to Hold, To the said.....Evelyn R. Blackerby Spraitzar, her

heirs and assigns forever.

And we.....do, for ourselves and for.....our.....heirs, executors and administrators, covenant with the said.....Evelyn R. Blackerby Spraitzar, her.....lawfully seized in fee simple of said premises; that they are free from all heirs and assigns, that.....we are.....have a good right to sell and convey the same as aforesaid; that.....we.....encumbrances; that.....we.....will, and.....our.....heirs, executors and administrators, shall warrant and defend the same to the said.....heirs and assigns forever, against the lawful claims of all persons.

Evelyn R. Blackerby Spraitzar, her
In Witness Whereof, we.....have hereunto set.....our.....hand.....and seal.....this.....25th.....day of
January, 1949.

Witnesses:

J.E. Wright

(Seal)

Katie Sumrall Wright

(Seal)

(Seal)

THE STATE OF ALABAMA, SHELBY COUNTY
Montgomery

I, Juliet Marcus, Notary Public, do hereby certify that in and for said County, in said State, hereby certify that J.E. Wright and wife, Katie Sumrall Wright, whose name is R. A. Wright, signed to the foregoing conveyance, and who are known to me acknowledged before me on this day that, being informed of the contents of this conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand, this.....25th.....day of.....January.....A.D. 1949.....

Juliet Marcus, Notary Public

Montgomery

THE STATE OF ALABAMA, SHELBY COUNTY

I, Juliet Marcus, Notary Public, do hereby certify that in and for said County, in said State, hereby certify that to the foregoing conveyance, known to me, appeared before me this day, and, being duly sworn, stated that, the Grantor, voluntarily executed the same in.....presence, and in the presence of the other subscribing witness, on the day the same bears date; that.....attested the same in the presence of the Grantor.....and of the other witness.....name as a witness in.....presence.

STATE OF ALABAMA

SHELBY COUNTY

I, Juliet Marcus, Notary Public, do hereby certify that in and for said County, in said State, do hereby

certify that on the 25th day of January, 1949, came before me the within named Katie Sumrall Wright, L. C. WALKER, Judge of Probate, known to me (or made known to me), to be the wife of the within named

J. E. Wright, who, being examined separate and apart from the husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, without fear, constraint or threats on the part of the husband.

In Witness Whereof, I hereinunto set my hand, this.....25th.....day of.....January.....A.D. 1949.....

Juliet Marcus, Notary Public

THE STATE OF ALABAMA, SHELBY COUNTY

I, L. C. WALKER, Judge of the Probate Court of said County, hereby certify that the foregoing conveyance was filed for registration in this office on the 12th day of Feb., 1949, and was recorded in Volume 137, Record of Deeds, Page 90 on the 12th day of February, 1949.

Recording Fee, \$1.25
L.C. Walker, Judge of Probate

Evelyn Ruth Spraitzar and husband I. W. Spraitzar

TO

THE STATE OF ALABAMA
SHELBY COUNTY

Consideration--\$75.00

Edrie Stewart and husband J. A. Stewart

KNOW ALL MEN BY THESE PRESENTS:

That for and in Consideration of..... TEN AND NO/100 DOLLARS, AND OTHER VALUABLE CONSIDERATION.

IN CONSIDERATION

to the undersigned grantors,..... Evelyn Ruth Spraitzar and husband I. W. Spraitzar,

In hand paid by..... Edrie Stewart and husband J. A. Stewart,

the receipt whereof is acknowledged..... we..... the said..... Evelyn Ruth Spraitzar and husband I. W. Spraitzar

do grant, bargain, sell and convey unto the said..... Edrie Stewart and husband J. A. Stewart,

the following described real estate, to-wit:..... Begin at North-west corner of SW¹ of NW¹ of Sec. 26, Tp. 19 Range 1 west and run South 270.4 feet; thence 40 deg. East 448.9 feet to North boundary of highway 91; thence East along said highway 630 feet; thence North 210 feet; thence West 105 feet; thence North 817.5 feet to top of ridge; thence in a westerly direction 753 feet; thence West 310 feet to point of beginning, containing 11 1/3 acres, more or less.

situated in Shelby County, Alabama.

To Have and to Hold: To the said..... Edrie Stewart and husband J. A. Stewart, their

heirs and assigns forever. selves

And..... we..... do, for..... OUR/..... and for..... OUR..... heirs, executors and administrators,

covenant with the said..... Edrie Stewart and husband J. A. Stewart, their

heirs and assigns, that..... we..... are..... lawfully seized in fee simple of said premises, that they are free from all

encumbrances; that..... we..... have a good right to sell and convey the same as aforesaid; that..... we.....

will, and..... our..... heirs, executors and administrators, shall warrant and defend the same to the said.....

Edrie Stewart and husband J. A. Stewart, their..... heirs and assigns forever, against the lawful claims of all persons.

In Witness Whereof,..... we..... have hereunto set..... our..... hands..... and seal....., this..... day of
April....., 1946....

Witnesses:

BEATRICE MALLINGER

EVELYN RUTH SPRAITZAR

(Seal)

FLORENCE N. SHARP

I. W. SPRAITZAR

(Seal)

(Seal)

(Seal)

THE STATE OF ALABAMA, SHELBY COUNTY.

I,..... Florence N. Sharp

Notary Public..... in and for said County, in said State, hereby certify that
Evelyn Ruth Spraitzar and husband I. W. Spraitzar,
whose names..... are..... signed to the foregoing conveyance, and who..... are..... known to me,
acknowledged before me on this day that, being informed of the contents of this conveyance..... they..... executed the same
voluntarily on the day the same bears date.

Given under my hand, this..... 12th..... day of..... April....., A. D. 1946.....

NOTARIAL SEAL

Florence Sharp, Notary Public,

My Commission expires January 2, 1949

THE STATE OF ALABAMA, SHELBY COUNTY.

I,..... Florence N. Sharp
Notary Public..... in and for said County, in said State, hereby certify that
certify that on the..... 12th..... day of..... April....., 1946....., came before me the within named
Evelyn Ruth Spraitzar..... known to me (or made known to me), to be the wife of the within named
I. W. Spraitzar..... who, being examined separate and apart from the husband, touching her signature to the within
conveyance....., acknowledged that she signed the same of her own free will and
accord, without fear, constraint or threats on the part of the husband.

THE STATE OF ALABAMA, SHELBY COUNTY.

I, L. C. WALKER, Judge of the Probate Court of said County, hereby certify that the foregoing conveyance was filed for registration in this office
on the..... 15th..... day of..... July....., 1946....., and was recorded in Volume 125, Record of Deeds, Page..... 113..... on the
18th..... day of..... July....., 1946.....

Recording Fee, \$ 1.25

L. C. WALKER, Judge of Probate

#1617

Second book 125, pg. 113

Evelyn Ruth Spraitzar
TO
Edrie Stewart and J.A. Stewart } THE STATE OF ALABAMA
SHELBY COUNTY }

KNOW ALL MEN BY THESE PRESENTS:

That for and in Consideration of..... Ten and No/100 (\$10.00) and other valuable considerations; DOLLARS
to the undersigned grantor..... Evelyn Ruth Spraitzar.

in hand paid by..... Edrie Stewart and J.A. Stewart.
the receipt whereof is acknowledged..... we..... the said..... Evelyn Ruth Spraitzar, formerly Evelyn R. Balckerby, and
husband I.W. Spraitzar

do grant, bargain, sell and convey unto the said..... Edrie Stewart and husband, J.A. Stewart

the following described real estate, to-wit, situated in Shelby County, "Alabama.

Begin at the Northwest corner of the "outhwest Quarter of the Northwest Quarter (SW¹ of NW¹) of Section
26, Township 19, Range 1 West and run South 2° 30' East 270.4 feet; thence South 40° 55' east 448.9'
to the North boundary line of Highway 91; thence in a northerly direction along the northerly line
of said highway 630 feet; thence in a northerly direction and parallel with the east section line 210 feet;
thence in a westerly direction and parallel with the north section line 105 feet, thence North 2° 15'
west 817.5 feet to top of ridge; thence South 30° 45' west 187.2 feet; thence south 44° 45' west 400.8';
thence South 35° 45' west 165 feet; thence South 86° 30' west 310 feet to the point of beginning, containing
eleven and one-thired acres, more or less.

This deed is a deed of correction written to correct the description in deed dated April, 1946 and
recorded in Deed Book 125, page 113, in the Probate Office of Shelby County, Alabama.

situated in Shelby County, Alabama.

To Have and to Hold, To the said..... Edrie Stewart and J.A. Stewart, their

heirs and assigns forever.

And we..... do, for ourselves and for our..... heirs, executors and administrators,
covenant with the said..... Edrie Stewart and J.A. Stewart, their..... heirs and assigns, that..... we are..... lawfully seized in fee simple of said premises; that they are free from all
encumbrances; that we..... have a good right to sell and convey the same as aforesaid; that..... we.....
will, and..... our..... heirs, executors and administrators, shall warrant and defend the same to the said
Edrie Stewart and J.A. Stewart, their..... heirs and assigns forever, against the lawful claims of all persons.

In Witness Whereof, we..... have hereunto set our..... hands..... and seal....., this..... 7th..... day of
Feb., 1949.

Witnesses:

Evelyn Ruth Spraitzar

(Seal)

I.W. Spraitzar

(Seal)

(Seal)

(Seal)

THE STATE OF ALABAMA, SHELBY COUNTY

I,..... Kathryn R. Walker

Notary Public

..... in and for said County, in said State, hereby certify that
Evelyn Ruth Spraitzar, formerly Evelyn R. Balckerby, and husband, I.W. Spraitzar
whose name..... are..... signed to the foregoing conveyance, and who..... are..... known to me
acknowledged before me on this day that, being informed of the contents of this conveyance..... they..... executed the same
voluntarily on the day the same bears date.

Given under my hand, this..... 7th..... day of..... February..... A.D., 1949.

Kathryn R. Walker, Notary Public

My commission expires April 15, 1951

THE STATE OF ALABAMA, SHELBY COUNTY

I,.....

..... in and for said County, in said State, hereby certify that
to the foregoing conveyance, known to me, appeared before me this day, and, before duly sworn, stated that.....
....., the Grantor.....
..... voluntarily executed the same in..... presence, and in the presence of the other subscribing witness, on the day the same bears date; that.....
..... attested the same in the presence of the Grantor....., and of the other witness, and that such other witness subscribed..... name as a
witness in..... presence.

Given under my hand and seal, this..... day of..... Feb., 1949..... A.D., 1949.

THE STATE OF ALABAMA, SHELBY COUNTY

I,..... Kathryn R. Walker

Notary Public

certify that on the 7th..... day of..... February....., 1949....., came before me the within named
Evelyn Ruth Spraitzar..... known to me (or made known to me), to be the wife of the within named
I.W. Spraitzar..... who, being examined separate and apart from her husband, touching her signature to the within
conveyance, acknowledged that she signed the same of her own free will and
accord, without fear, constraint or threats on the part of the husband.

In Witness Whereof, I hereunto set my hand, this..... day of..... Feb., 1949..... A.D., 1949.

Kathryn R. Walker, Notary Public

My commission expires April 15, 1951.

THE STATE OF ALABAMA, SHELBY COUNTY

I, L. C. WALKER, Judge of the Probate Court of said County, hereby certify that the foregoing conveyance was filed for registration in this office on the
12..... day of..... Feb., 1949....., and was recorded in Volume 187, Record of Deeds, Page..... 91..... on the
12th..... day of..... Feb., 1949....., L.C. Walker, Judge of Probate

Recording Fee, \$1.25

SHELBY COUNTY
TIPS RIV
Section 26

PLAT # 1993-05260
02/24/1993-05260
10:01 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 NCD 19.00

STATE OF ALABAMA
SHELBY COUNTY

I, Edward A. Rogers Sr., a Registered Land Surveyor of Alabama, do hereby attest, according to my Survey on February 23, 1990, that I have identified an encroachment as described below and located in shaded area depicted on foregoing map or plat on the property of RYAN R. SPRATZER, situated in the SW of NW of Section 26, Township 19 South, Range 1 West in Shelby County, Alabama being more particularly described as follows:

A. Circumstances of the observed Encroachments:

- Encroachment caused by logging operations conducted on the property of Joe L. Thacker, whose property adjoins the above mentioned parcel of Ryan R. Spratzer from a point on the ridge top, thence South and parallel to West line of said land section for a distance of 117.5 feet.

B. DAMAGE OBSERVED DUE TO THE ENCROACHMENT

- The intrusion along the West line of the above mentioned property of RYAN R. SPRATZER is not uniform along said line but varies in depth from 25 feet to 150 feet.
- Encroachment involves an area of 520 feet by 105 feet more or less which constitutes 1.2 Acres more or less.
- The principle damage caused by the encroachment by the logging operations is the removal of pine timber varying in stump diameter from 1" to 25".
- The secondary damage caused by the logging operation is:
 - The tops of trees moved or fallen onto the surveyed property or left on same.
 - Substantial timber or debris left or moved on to surveyed property.
 - Disruption of the natural flow of the creek by fallen timber and logging operations as it passes through surveyed property.
 - Smaller trees permanently damaged by the falling of large timber on or across the surveyed property.

C. ADDITIONAL REMARKS

- Approximately 7% of damaged area is clear cut and would require substantial time to harvest a similar stand as was removed by a timber company as employed heretofore;
- \$100 per 1000 Board Feet (Scribner Scale)
- 125 infiltration in 1979 (land to value in 1990)
- Clear the surveyed property of debris and tree tops
- Replant trees (Pine)
- Clear the channel of creek as was natural flow of debris and return to original channel.
- Depletion of land by the logging operation.

Edward A. Rogers
EDWARD A. ROGERS SR.
LAND SURVEYOR PLS3

Ryan R. Spratzer
RYAN R. SPRATZER
Owner Representative
Attorney-in-Fact

EDWARD A. ROGERS SR.
LAND SURVEYOR PLS3

SHOWING TIMBER CUTTED
ENCROACHMENT

EVELYN R. SPRATZER, Property

REVISIONS	BY	DATE	SCALE	DATE	DRAWING NUMBER
			1"=50'	3-1-90	
					1-2