

STATE OF ALABAMA,

Petitioner,

v.

IN THE PROBATE COURT FOR

SHELBY COUNTY, ALABAMA

CASE NO. 23-163

MARY ANN JONES; CHRISTINE  
WILLIAMSON JONES; ROGER WALLIS  
and BRENDA WALLIS; JAMES W.  
DUKE and MARY JOYCE DUKE; NETTIE  
WILL DARBY MARSTON; O.L. BAKER  
and THERESA BAKER; COOSA VALLEY  
PRODUCTION CREDIT ASSOCIATION;  
REAL ESTATE FINANCING, INC.;  
ANNETTE SKINNER, Tax Assessor;  
SHELBY COUNTY HIGHWAY DEPARTMENT;  
D. E. MORRIS; FAY BAKER PAYNE;  
CAROLYN BAKER OWENS; CLARENCE  
RAYMOND BAKER, JR.; JACK C.  
BRIMBAUGH; and ALABAMA POWER  
COMPANY;

Respondents.

NOTICE OF LIS PENDENS

Take notice that the State of Alabama has on  
the 18th day of January, 1983, filed an Application  
for Order of Condemnation in the Probate Court of Shelby County,  
Alabama, Case No. 23-163, for the purpose of acquiring title to  
all of the lands and real estate as set forth and shown more  
specifically on the attached Exhibit A through C, both inclu-  
sive, which are specifically made a part of this notice by  
reference thereto. Take further notice that the Application for  
Order of Condemnation names and sets forth all those parties who  
claim an interest in said property and said parties are speci-  
fically set forth and named on each attached exhibits. The  
Application for Order of Condemnation was filed for the express  
purpose of obtaining said lands and property for public road or

*Pat*

highway purposes.

STATE OF ALABAMA

BY: John E. Medaris  
John E. Medaris  
Special Assistant Attorney General  
for the State of Alabama

STATE OF ALABAMA )  
SHELBY COUNTY )

Before me, the undersigned authority, in and for said County in said State, personally appeared John E. Medaris, who is known to me and who, being by me first duly sworn, deposes and says that he is a Special Assistant Attorney General for the State of Alabama, and as such is authorized to make this affidavit, that he has read the foregoing notice and the averments contained therein are true and correct.

Subscribed and sworn to before me,  
this the 15 day of March,  
1983.

Michael Campbell  
NOTARY PUBLIC

- a. Tract Number 34, Christine Williamson Jones, Mary Ann Jones, Roger Wallis and Brenda Wallis, James W. Duke and Mary Joyce Duke, Real Estate Financing, Inc., Shelby County Highway Department  
Legal description, to-wit: and as shown on the right-of-way map of Project F-214(29) as recorded in the Office of the Judge of Probate of Shelby County, Alabama:

Commencing at the northwest corner of the SW 1/4 of SE 1/4, Section 28, T-19-S, R-2-E; thence easterly along the north line of said SW 1/4 of SE 1/4 a distance of 340 feet, more or less, to the present northwest right-of-way line of U. S. Highway No. 231; thence southwesterly along said present northwest right-of-way line a distance of 472 feet, more or less, to the northeast line of the property herein to be conveyed and the point of beginning; thence continuing southwesterly along said present northwest right-of-way line a distance of 72 feet, more or less, to the southwest property line; thence northwesterly along said southwest property line a distance of 4 feet, more or less, to a point on a line, which extends from a point on a flare connecting said U. S. Highway No. 231 and U. S. Highway No. 280 that is 46 feet northwesterly of and at right angles to the Traverse of said U. S. Highway 231 to a point on the present northwest right-of-way line of said U. S. Highway No. 231 that is northwesterly of and at right angles to said Traverse at Station 16+00; thence northeasterly along said line (which if extended would intersect said point on the present northwest right-of-way line of U. S. Highway 231 that is northwesterly of and at right angles to said Traverse at Station 16+00) a distance of 100 feet, more or less, to the northeast property line; thence southeasterly along said northeast property line a distance of 100 feet, more or less, to the point of beginning. Said strip of land lying in the SW 1/4 of SE 1/4, Section 28, T-19-S, R-2-E and containing 0.004 acres, more or less

- b. Tract No. 29, Nettie Bell Darby Marston, D. E. Morris, Fay Baker Payne, Carolyn Baker Owens, Clarence Raymond Baker, Jr., Jack C. Brumbaugh  
Legal description, to-wit: and as shown on the right-of-way map of Project F-214(29) as recorded in the Office of the Judge of Probate of Shelby County, Alabama:

PARCEL NO. 1: Commencing at the southeast corner of the SE 1/4 of SW 1/4, Section 28, T-19-S, R-2-E; thence northerly along the east line of said SE 1/4 of SW 1/4 a distance of 128 feet, more or less, to the present southwest right-of-way line of U. S. Highway No. 280; thence northwesterly along said present southwest right-of-way line a distance of 80 feet, more or less, to the southeast line of the property herein to be conveyed and the point of beginning; thence continuing northwesterly along said present southwest right-of-way line a distance of 392 feet, more or less, to the west property line; thence southerly along said west property line a distance of 51 feet, more or less, to a point that is 100 feet southwesterly of and at right angles to the centerline of Project No. F-214(29); thence S 76° 51' 30" E, parallel with the centerline of said project a distance of 100 feet, more or less, to a point that is 100 feet southwesterly of and at right angles to the centerline of said project at Station 109+00; thence easterly along a line (which if extended would intersect a point on the present southwest right-of-way line of said highway that is southwesterly of and at right angles to the centerline of said project at Station 1112+00) a distance of 272 feet, more or less, to the southeast property line; thence northeasterly along said southeast property line a distance of 5 feet, more or less, to the point of beginning.

Said strip of land lying in the SE 1/4 of SW 1/4, Section 28, T-19-S, R-2-E and containing 0.30 acre, more or less.

Also an easement to a strip of land necessary for the construction and maintenance of a drainage ditch and being more fully described as follows: Commencing at the southwest corner of the SW 1/4 of SE 1/4, Section 28, T-19-S, R-2-E; thence northerly along the west line of said SW 1/4 of SE 1/4 a distance of 58 feet, more or less, to the south property line; thence easterly along said south property line a distance of 15 feet, more or less, to the point of beginning of the property herein to be conveyed, said point of beginning being on a line which extends from a point that is 105 feet northwesterly of and at right angles to the centerline of Alabama Highway No. 25 at Station 26+04 to a point on the present northwest right-of-way line of said highway that is northwesterly of and at right angles to the centerline of said highway at Station 25+04; thence northeasterly along said line (which if extended would intersect a point on said present northwest right-of-way line that is northwesterly of and at right angles to the centerline of said highway at Station 25+04) a distance of 50 feet, more or less, to the northeast property line; thence southeasterly along said northeast property line a distance of 31 feet, more or less, to a point on a line, which extends from a point on the present northwest right-of-way line of said highway that is northwesterly of and at right angles to the centerline of said highway at Station 25+60 to a point that is 80 feet northwesterly of and at right angles to the centerline of said highway at Station 26+22; thence southwesterly along said line a distance of 28 feet, more or less, to the south line of said SW 1/4 of SE 1/4, the south property line; thence westerly along said south property line a distance of 43 feet more or less, to the point of beginning.

Said strip of land lying in the SW 1/4 of SE 1/4, Section 28, T-19-S, R-2-E and containing 0.03 acre, more or less.

Tract No. 23, O. L. Baker and Theresa Baker, Coosa Valley Production Credit Association, Alabama Power Company  
Legal description, to-wit: and as shown on the right-of-way map of Project No. F-214(29) as recorded in the Office of the Judge of Probate of Shelby County, Alabama:

Commencing at the southeast corner of the SW 1/4 of SW 1/4, Section 28, T-19-S, R-2-E; thence northerly along the east line of said SW 1/4 of SW 1/4 a distance of 911 feet, more or less, to a point that is 100 feet southwesterly of and at right angles to the centerline of Project No. F-214(29) and the point of beginning of the property herein to be conveyed; thence N 76° 51' 30" W, parallel with the centerline of said project a distance of 57 feet, more or less, to the northwest property line; thence northeasterly along said northwest property line a distance of 64 feet, more or less, to the present southwest right-of-way line of U. S. Highway No. 280; thence southeasterly along said present southwest right-of-way line a distance of 450 feet, more or less, to the east property line; thence southerly along said east property line a distance of 59 feet, more or less, to a point that is 100 feet southwesterly of and at right angles to the centerline of said project; thence N 76° 51' 30" W, parallel with the centerline of said project a distance of 410 feet, more or less, to the point of beginning.

Said strip of land lying in the S 1/2 of SW 1/4, Section 28, T-19-S, R-2-E and containing 0.63 acres, more or less.

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RESPONDENTS

Christine Williamson Jones  
Mary Ann Jones  
7709 - I East Ridge Circle  
Birmingham, AL 35210

Roger and Brenda Wallis  
P. O. Box 358  
Harpersville, AL 35078

James W. Duke and Mary Joyce Duke  
P. O. Box  
Vincent, AL 35178

Real Estate Financing, Inc.  
100 Chase Park South  
Riverchase  
Birmingham, AL 35244

Shelby County Highway Department  
506 Highway 70  
Columbiana, AL 35051  
Attn: Gary Ray

Nottie Bell Darby Marston  
c/o General Delivery  
Harpersville, AL 35078

Mr. D. E. Morris  
P. O. Box 71  
Harpersville, AL 35078

Annette Skinner, Tax Assessor  
P. O. Box 1298  
Columbiana, AL 35051

Ms. Fay Baker Payne  
42 Poplar Street  
Childersburg, AL 35044

Ms. Carolyn Baker Owens  
215 Bolton Avenue  
Bryceburg, AL 35150

Clarence Raymond Baker, Jr.  
P. O. Box 63  
Vincent, AL 35178

Mr. Jack C. Brumbaugh  
P. O. Box 326  
Sultondale, AL 35069

Alabama Power Company  
P. O. Box 2641  
Birmingham, AL 35291  
Attn: Claims Department

Coosa Valley Production Credit Association  
P. O. Box 3478  
Oxford, AL 36203

O. L. Baker and Theresa Baker  
c/o Braxton Baker  
P. O. Box 412  
Harpersville, AL 35078

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1983 MAR 17 AM 10:43

*Thomas A. Lumbard, Jr.*  
JUDGE OF PROBATE

Rec. 16<sup>00</sup>  
Ind. 12<sup>00</sup>  
17<sup>00</sup>

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