

NOTICE OF LIS PENDENS

CITY OF PELHAM, ALABAMA,
a municipal corporation, and
THE GOVERNMENTAL UTILITY
SERVICES CORPORATION OF THE
CITY OF PELHAM, a corporation,

IN THE PROBATE COURT

OF SHELBY COUNTY, ALABAMA

Plaintiffs,

CASE NO.

26-176

vs.

OPAL GLIDEWELL, otherwise
known as Opal Martin,
T. M. BURGIN, M. BRIAN
GORDON, RUTH LUCK GORDON,
SHERMAN HOLLAND, KEN MITCHELL
BUILDERS, INC., CARDINAL
DEVELOPMENT, INC., ROBERT E.
LEE, individually and as trustee
of the Last Will and Testament
of Tom Lee, deceased, MARY NELL
LITTLEFIELD, individually and as
trustee of the Last Will and
Testament of Tom Lee, deceased,
LOUELLA HONEYCUTT, individually
and as trustee of the Last Will
and Testament of Tom Lee, deceased,
A, B, C & D, the person,
firms or corporations who,
unknown to your plaintiffs,
claim any right, title,
interest in or lien or
encumbrance against any of
the properties described
herein, hereinafter re-
ferred to as "unknown
claimants" and whose name,
existence and identity
cannot be provided after
the exercise of reasonable
diligence, and whose interest
in said property is otherwise
unknown,

Defendants.

TO THE HON. THOMAS A. SNOWDEN, JR., JUDGE OF PROBATE OF
SHELBY COUNTY, ALABAMA:

Come now the City of Pelham, Alabama, a municipal corporation, and The Governmental Utility Services Corporation of the City of Pelham, a corporation, by their attorney, and file herewith notice to all persons concerned that on the 19th day of March, 1987, condemnation proceedings were commenced in the Probate Court of Shelby County, Alabama, whereby said City of Pelham, Alabama, a municipal corporation, and The Governmental Utility Services Corporation of the City of Pelham, a corporation, seek to obtain certain public rights of way and other rights, and said proceedings are now pending.

The names of the property owners concerned together with the property sought to be condemned is as set forth below:

Shown on Exhibit One attached hereto and made part and parcel hereof as fully as if set out herein.

Description of above property is taken from right of way map of said project on file in the City Hall of City of

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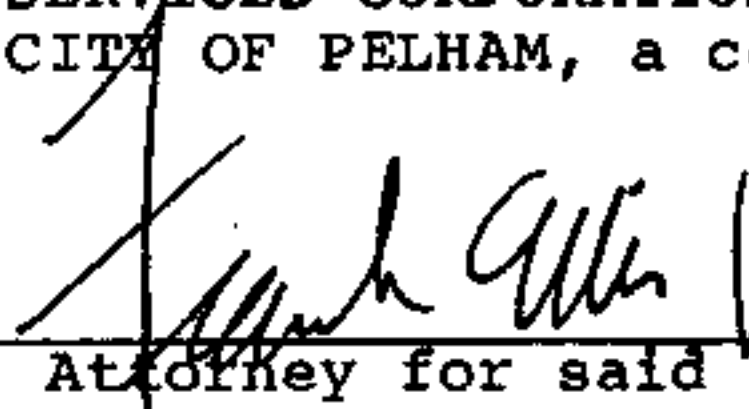
Return to Probate

Pelham, Alabama, and in the Office of the Probate Judge of Shelby County, Alabama.

The title of the action and the case number thereof are as hereinabove designated.

CITY OF PELHAM, ALABAMA,
a municipal corporation, and
THE GOVERNMENTAL UTILITY
SERVICES CORPORATION OF THE
CITY OF PELHAM, a corporation

By

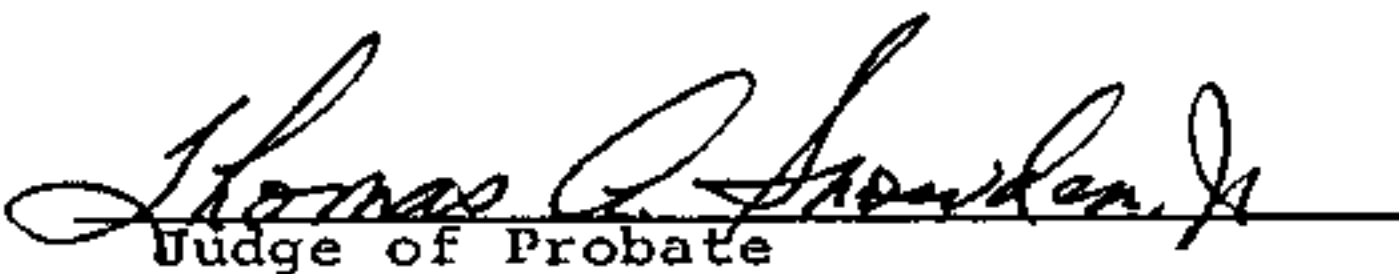

Attorney for said Plaintiffs

STATE OF ALABAMA

SHELBY COUNTY

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

I hereby certify that the within Lis Pendens was filed in this office for record on the 19th day of March, 1987, at 10:39 o'clock A..m. and duly recorded in Real Book 120 at Page 396, and examined.


Judge of Probate

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EXHIBIT ONE

PARCEL ONE:

Owner: Opal Glidewell, otherwise known as Opal Martin

Any part of the Opal Martin property located in the NW 1/4 of the SW 1/4 and the SW 1/4 of the NW 1/4 of Section 31, Township 19 South, Range 2 West, all in the City of Pelham, Shelby County, Alabama that lies within the bounds of the following described proposed easements:

A fifteen foot wide permanent easement described as follows:

Commence at a point 10.22' Southeast of and along the Westerly right of way line of U.S. Highway 31 South from the Northeasternmost corner of the Opal Martin property as located in the NW 1/4 of the SW 1/4 and the SW 1/4 of the NW 1/4 of Section 31, Township 19 South, Range 2 West and the Southeasternmost corner of the T. M. Burgin property as located in the SW 1/4 of the NW 1/4 of same said Section 31, Township 19 South, Range 2 West, all in the City of Pelham, Shelby County, Alabama and run thence Westerly 5.41' to a point, thence turn 29 deg. -13'-04" to the left and run Southwesterly seven and one half feet (7.50') South of and parallel with the common South property line of the T. M. Burgin property located in the S.W.-N.W. of Section 31, Township 19 South, Range 2 West and the North property line of the Opal Martin property located in the same said quarter-quarter section a distance of 218.50' to a point, thence turn an angle of 20 deg. -32'-54" to the right and run Southwesterly a distance of 159.51' to a point, Thence turn an angle of 22 deg. -15'-59" Right and run Westerly a distance of 479.99' to a point, Thence turn an angle of 41 deg. -30'-46" to the left and run a distance of 75.42' to a point, Thence turn an angle of 129 deg. -02'-39" to the right and run Northerly a distance of 350.0' to a point, Thence turn an angle of 7 deg. -59' -51" to the left and run Northerly a distance of 180.48' to the end of subject easement. Just described centerline represents the proposed centerline of proposed sanitary sewer and the route as herein described crosses and recrosses the common property line of subject two property owners as shown on a survey plat dated October 30, 1986, drawing number 2102-C prepared by Survconn of Pelham, Alabama.

Any part of the following described property that constitutes a ten foot (10.') temporary easement for use by the contractors in constructing a sanitary sewer line and related appurtenances.

A ten foot (10') wide temporary easement immediately South of the just described Southernmost line of permanent easement from the point of beginning to the point described as (75.42' to a point) and a ten foot wide (10') temporary easement East of, along, parallel and contiguous with the Easternmost line of the permanent easement from the point described as (75.42' to a point) to the end of the easement centerline.

PARCEL TWO:

Owner: T. M. Burgin

Any part of the T. M. Burgin property located in the SW 1/4 of the NW 1/4 of Section 31, Township 19 South, Range 2 West, all in City of Pelham, Shelby County, Alabama, that lies within the bounds of the following described proposed easements:

A fifteen foot wide permanent easement described as follows:

Commence at a point 10.22' Southeast of and along the Westerly right of way line of U.S. Highway 31 South from the Northeasternmost corner of the Opal Martin property as located in the NW 1/4 of the SW 1/4 and the SW 1/4 of the NW 1/4 of Section 31, Township 19 South, Range 2 West and the Southeasternmost corner of the T. M. Burgin property as located in the SW 1/4 of the NW 1/4

of same said Section 31, Township 19 South, Range 2 West, all in the City of Pelham, Shelby County, Alabama and run thence Westerly 5.41' to a point, thence turn 29 deg.-13'-04" to the left and run Southwesterly seven and one half feet (7.50') South of and parallel with the common South property line of the T. M. Burgin property located in the S.W.-N.W. of Section 31, Township 19 South, Range 2 West and the North property line of the Opal Martin property located in the same said quarter-quarter section a distance of 218.50' to a point, thence turn an angle of 20 deg. -32'-54" to the right and run Southwesterly a distance of 159.51' to a point, Thence turn an angle of 22 deg. -15'-59" Right and run Westerly a distance of 479.99' to a point, Thence turn an angle of 41 deg. -30'-46" to the left and run a distance of 75.42' to a point, Thence turn an angle of 129 deg. -02'-39" to the right and run Northerly a distance of 350.0' to a point, Thence turn an angle of 7 deg. -59' -51" to the left and run Northerly a distance of 180.48' to the end of subject easement. Just described centerline represents the proposed centerline of proposed sanitary sewer and the route as herein described crosses and recrosses the common property line of subject two property owners as shown on a survey plat dated October 30, 1986, drawing number 2102-C prepared by Survconn of Pelham, Alabama.

Any part of the following described property that constitutes a ten foot (10.') temporary easement for use by the contractors in constructing a sanitary sewer line and related appurtenances.

A ten foot (10') wide temporary easement immediately South of the just described Southernmost line of permanent easement from the point of beginning to the point described as (75.42' to a point) and a ten foot wide (10') temporary easement East of, along, parallel and contiguous with the Easternmost line of the permanent easement from the point described as (75.42' to a point) to the end of the easement centerline.

PARCEL THREE:

Owner: M. Brian Gordon and Ruth Luck Gordon

Gordon Property in Section 25, City of Pelham, Alabama

DESCRIPTION OF PERMANENT EASEMENT:

Commence at the Southwest corner of the SW 1/4 of the SE 1/4 of Section 25, Township 19 South, Range 3 West, City of Pelham, Shelby County, Alabama and run thence Easterly along the South line of said quarter-quarter a distance of 229.12' to the point of beginning of the easement being described, Thence continue along last described course a distance of 314.68' to a point on the East property line of the subject Gordon property, Thence turn an angle of 99 deg.-17'-06" to the left and run Northerly along the said East property line of said Gordon property a distance of 7.60' to a point, Thence turn an angle of 80 deg. -42'-54" to the left and run Westerly parallel with the just described quarter-quarter line a distance of 297.55' to a point, Thence turn an angle of 92 deg.-14'-32" to the right and run Northerly a distance of 91.72' to a point on the North property line of same said Gordon property, Thence turn an angle of 92 deg. -16'-43" to the left and run Westerly along the said North line of said Gordon property a distance of 15.01' to a point, Thence turn an angle of 87 deg. -43'-17" to the left and run Southerly a distance of 99.22' to a point, Thence turn an angle of 26 deg. -36'-52" right and run a distance of 3.45' to the point of beginning, said easement being the same easement as shown on a survey plat dated October 22, 1986, drawing number 2002 P.S.S. prepared by Survconn of Pelham, Al. Situated in Shelby County, Alabama.

Together with two (2) separate ten foot (10.') temporary easements known as "Working easements" for use by the sewer contractor during the actual construction of the proposed sewer each described separately as follows:

DESCRIPTION OF TEMPORARY EASEMENT NO. 1

Commence at the Southwest corner of the Southwest quarter of the Southeast quarter of Section 25, Township 19 South, Range 3 West, City of Pelham, Shelby County, Alabama, and run thence easterly along the South line of said quarter-quarter a distance of 229.12' to the point of beginning of said ten foot temporary easement, Thence turn an angle of 63 deg. -23'-08" to the left and run a distance of 3.45' to a point, Thence turn an angle of 26 deg. -36'-52" left and continue Northerly a distance of 99.22' to a point on the North property line of Gordon property, Thence turn an angle of 92 deg. -16'-43" left and run Westerly along the said North line of said Gordon property a distance of 10.0' to a point, Thence turn an angle of 87 deg. -43'-17" to the left and run Southerly a distance of 99.22' to a point, Thence turn an angle of 26 deg. -36'-52" right and run a distance of 6.90' to a point on the South property line of said Gordon property, Thence turn an angle of 116 deg. -36'-52" to the left and run Easterly a distance of 11.19' to the point of beginning, said temporary easement being the same easement shown on the survey plat dated October 22, 1986, drawing number 2002 P.S.S., prepared by Survconn of Pelham, Al. Situated in Shelby County, Alabama.

DESCRIPTION OF TEMPORARY EASEMENT No. 2

Commence at the Southwest corner of the SW 1/4 of the SE 1/4 of Section 25, Township 19 South, Range 3 West, City of Pelham, Shelby County, Alabama, and run thence Easterly along the South line of said quarter-quarter a distance of 542.70 ft. to a point, Thence turn an angle of 99 deg. -17'-06" left and run a distance of 7.60' to the point of beginning of said ten foot temporary easement, Thence continue along last described course a distance of 10.13' to a point, Thence turn an angle of 80 deg. -42'-54" left and run Westerly parallel with & seven and one half feet North of the said quarter-quarter line a distance of 295.92' to a point, Thence turn an angle of 87 deg. -45'-28" left and run Southerly a distance of 10.0' to a point, Thence turn an angle of 92 deg. -14'-32" left and run Easterly a distance of 297.55' to the point of beginning, said easement being the same easement as shown on a survey plat dated October 22, 1986, drawing number 2002 P.S.S. prepared by Survconn of Pelham, Al. Situated in Shelby County, Alabama.

PARCEL FOUR:

Owner: Ken Mitchell Builders, Inc. and Cardinal Development, Inc.

PERMANENT EASEMENT:

A twenty (20) foot wide parcel of land, being ten (10) feet each side of the following described line:

Commence at the Southwest corner of the SE 1/4 of the NE 1/4, Section 12, Township 20 South, Range 3 West, thence run South, along said 1/4-1/4 Section line a distance of ten (10) feet, thence turn an angle to the left of 90 deg. and run a distance of 468.57 feet to the point of beginning, thence continue along last described course a distance of 554.87 feet to the point of termination. Situated in Shelby County, Alabama.

TEMPORARY CONSTRUCTION EASEMENT:

A ten (10) foot wide parcel of land, being five (5) feet each side of the following described line:

Commence at the Southwest corner of the SE 1/4 of the NE 1/4, Section 12, Township 20 South, Range 3 West, thence run South, along said 1/4-1/4 Section line a distance of twenty-five (25) feet, thence turn an angle to the left of 90 deg. and run a distance of 468.57 feet to the point of beginning, thence continue

along last described course a distance of 554.87 feet to the point of termination. Situated in Shelby County, Alabama.

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1987 MAR 19 AM 10:39

Thomas P. Davidson, Jr.
JUDGE OF PROBATE

1. Recording Fee	\$ <u>15.00</u>
2. Indexing Fee	<u>9.00</u>
TOTAL	<u>24.00</u>