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IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

STATE OF ALABAMA, as  
applicant,

)  
) CASE NO. 29-153  
)

Plaintiff,

VS.

)  
) ALLIED LIME COMPANY, as record owner )  
) in fee simple of certain designated )  
) real estate; Aetna Life Insurance )  
) Company in its capacity as mortgagee )  
) of certain designated real estate; )  
) Aetna Casualty and Surety Company of )  
) Illinois, in its capacity as mortgagee )  
) of certain designated real estate; )  
) The First National Bank of Birmingham )  
) a/k/a AmSouth Bank, N.A. in its )  
) capacity as Trustee of a note on certain  
designated real estate; and ANNETTE  
SKINNER, in her official capacity as Tax  
Collector for Shelby County, Alabama,  
Defendants.

NOTICE OF PENDING ACTION

Notice is hereby given that the State of Alabama as  
plaintiff has entered into condemnation proceedings against the  
following described properties situated in Shelby County,  
Alabama, styled the State of Alabama VS. Allied Lime Company as  
record owners in fee simple of certain designated real estate;  
Aetna Life Insurance Company, a Connecticut corporation qualified  
to do business in Alabama; Aetna Life Casualty & Surety Company  
of Illinois qualified to do business in Alabama; First National  
Bank of Birmingham, a/k/a AmSouth Bank, N.A., Trustee; and  
Annette Skinner in her official capacity as Tax Collector of  
Shelby County, Alabama, and filed with the Probate Court of  
Shelby County, Case Number 29-153 on 8-30  
1990. Said property is to be used as right-of-way for the  
construction and maintenance of a public road as shown by the  
Right-of-Way Map of Project No. OLB-059-025-001 filed in the  
office of the Judge of Probate of Shelby County, Alabama, the  
designated tract numbers, owners and descriptions of the real  
estate sought to be acquired in aforesaid condemnation

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See Attachment Exhibit "A"

The record owners or those who may claim an interest in said parcel of real estate and their addresses are as follows:

Allied Lime Company  
Alabama Highway #25  
Montevallo, Alabama 35115

Aetna Life Insurance Company  
151 Farmington Avenue  
Hartford, Connecticut 06156

Aetna Casualty & Surety Co.  
151 Farmington Avenue  
Hartford, Connecticut 06156

James D. Pruitt, Esq.  
AmSouth Bank, N.A.  
Legal Department  
920 AmSouth Harbert Plaza  
1901 6th Avenue, North  
Birmingham, Alabama 35203

Annette Skinner  
Tax Collector  
Shelby County Courthouse  
Columbiana, Alabama 35051

State of Alabama

BY Helen Shores Lee  
Helen Shores Lee, Esquire  
Special Assistant Attorney  
General of and for the State of  
Alabama, Petitioner

Shores and Lee  
1728 Third Avenue, North  
Suite 500  
Birmingham, Alabama 35203

State of Alabama )

County of Jefferson )

Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared Helen Shores Lee, who is known to me, and who being by me first duly sworn, deposes and says that the statements made in the foregoing Notice of Pending Action are true and correct.

Helen Shores Lee  
Helen Shores Lee

Sworn to and subscribed to before me this the 23rd day of August, 1990.

Glenda L. Leitch  
Notary Public  
My Commission Expires June 13, 1992

My Commission Expires:

Exhibit A

described as follows: and as shown on the right-of-way map of the State of Alabama Highway Department as Project No. OLB-059-025-001 recorded in the Office of the Judge of Probate of Shelby County, Alabama and as shown on the Property Plat attached hereto and made a part hereof:

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PARCEL NO. 1 OF 4: Commencing at the southeast corner of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 6, T-24-N, R-13-E; thence northerly along the east line of said SE $\frac{1}{4}$  of NE $\frac{1}{4}$  a distance of 863 feet, more or less, to a point that is 45 feet southeasterly of and at right angles to the centerline of Project No. OLB-059-025-001 and the point of beginning of the property herein to be conveyed; thence S 84° 57' 30" W, parallel with the centerline of said project, a distance of 518 feet, more or less, to the west property line; thence northerly along said west property line a distance of 20 feet, more or less, to the present southeast right-of-way line of Alabama Highway No. 25; thence northeasterly along said present southeast right-of-way line a distance of 3058 feet, more or less, to the east property line; thence southerly along said east property line a distance of 22 feet, more or less, to a point that is 50 feet southeasterly of and at right angles to the centerline of said project; thence S 84° 57' 30" W, parallel with the centerline of said project, a distance of 2412 feet, more or less, to a point that is 50 feet southeasterly of and at right angles to the centerline of said project at Station 184+00; thence westerly along a line a distance of 100 feet, more or less, to a point that is 45 feet southeasterly of and at right angles to the centerline of said project at Station 183+00; thence S 84° 57' 30" W, parallel with the centerline of said project, a distance of 28 feet, more or less, to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 6 and the S $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 5, T-24-N, R-13-E and containing 1.75 acres, more or less.

PARCEL NO. 2 OF 4: Commencing at the southwest corner of the SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 5, T-24-N, R-13-E; thence northerly along the west line of said SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , the west property line, a distance of 1065 feet, more or less, to a point that is 50 feet southeasterly of and at right angles to the centerline of Project No. OLB-059-025-001 and the point of beginning of the property herein to be conveyed; thence continuing northerly along said west property line a distance of 22 feet, more or less, to the present southeast right-of-way line of Alabama Highway No. 25; thence northeasterly along said present southeast right-of-way line a distance of 45 feet, more or less, to the east property line; thence southerly along said east property line a distance of 23 feet, more or less, to a point that is 50 feet southeasterly of and at right angles to the centerline

of said project, thence S 84° 57' 30" W, parallel with the centerline of said project, a distance of 47 feet, more or less, to the point of beginning.

Said strip of land lying in the SW¼ of NE¼, Section 5, T-24-N, R-13-E and containing 0.02 acre, more or less.

**PARCEL NO. 3 OF 4:** Commencing at the southwest corner of the SW¼ of NE¼, Section 5, T-24-N, R-13-E; thence northerly along the west line of said SW¼ of NE¼, a distance of 1090 feet, more or less, to the present southeast right-of-way line of Alabama Highway No. 25; thence northeasterly along said present southeast right-of-way line a distance of 110 feet, more or less, to the west line of the property herein to be conveyed and the point of beginning; thence continuing northeasterly along said present southeast right-of-way line a distance of 120 feet, more or less, to the east property line; thence southerly along said east property line a distance of 26 feet, more or less, to a point that is 50 feet southeasterly of and at right angles to the centerline of Project No. OLB-059-025-001; thence southwesterly along a curve to the left (concave southeasterly) having a radius of 1748.62 feet, parallel with the centerline of said project, a distance of 7 feet, more or less, to a point that is 50 feet southeasterly of and at right angles to the centerline of said project at Station 212+37.35; thence S 84° 57' 30" W, parallel with the centerline of said project, a distance of 110 feet, more or less, to the west property line; thence northerly along said west property line; a distance of 24 feet, more or less, to the point of beginning.

Said strip of land lying in the SW¼ of NE¼, Section 5, T-24-N, R-13-E and containing 0.06 acre, more or less.

**PARCEL NO. 4 OF 4:** Commencing at the southeast corner of the SW¼ of NE¼, Section 5, T-24-N, R-13-E; thence northerly along the east line of said SW¼ of NE¼, a distance of 1048 feet, more or less, to the present southwest right-of-way line of Alabama Highway No. 25; thence northwesterly along said present southwest right-of-way line a distance of 30 feet, more or less, to a point that is southwesterly of and at right angles to the centerline of Project No. OLB-059-025-001 at Station 223+00 and the point of beginning of the property herein to be conveyed; thence southwesterly along a line a distance of 27 feet, more or less, to a point that is 50 feet southwesterly of and at right angles to the centerline of said project at Station 223+00; thence N 86° 40' 45" W, parallel with the centerline of said project, a distance of 50 feet; thence southeasterly along a line a distance of 12 feet, more or less, to a point that is 40 feet northeasterly of and at right angles to the traverse of a dirt drive at Station 8+60; thence southwesterly along a line a distance of 80 feet to a point that is 40 feet southwesterly of and at right angles to the traverse of said drive at Station 8+60; thence northwesterly along a line a distance of 138 feet, more or less, to a point that is 40 feet southwesterly of and at right angles to the centerline of said project at Station 221+00; thence N 86° 40' 45" W, parallel with the centerline of said project, a distance of 428 feet, more or less, to the west property line; thence northerly along said west property line a distance of 15 feet, more or less, to the present southwest right-of-way line of said highway; thence southeasterly along said present southwest right-of-way line a distance of 628 feet, more or less, to the point of beginning.

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STATE OF ALA. SHELBY CO.

I CERTIFY THIS

INSTRUMENT WAS FILED

90 AUG 30 PM 3:52

JUDGE OF PROBATE

90 AUG 30 PM 3:52

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