

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

STATE OF ALABAMA,
PLAINTIFF.

V.

CASE NO.

ERNEST JOSEPH and JOE JOSEPH,
Owners of the Fee, and ANNETTE D.
SKINNER, SHELBY COUNTY
TAX COLLECTOR,
DEFENDANTS.

Inst # 2001-13265

04/09/2001-13265
11:00 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 NEL

NOTICE of LIS PENDENS

TO THE HON.PATRICIA YEAGER-FUHRMEISTER, JUDGE OF PROBATE
OF SHELBY COUNTY, ALABAMA:

COMES NOW, the State of Alabama, by and through its Deputy Attorney General, and files herewith notice to all persons concerned that on the 27 day of March, 2001 condemnation proceedings were commenced in the Probate Court of Shelby County, Alabama, whereby said State of Alabama seeks to obtain certain public rights-of-way and other rights, and said proceedings are now pending.

The name of the property owner concerned together with the property sought to be condemned is set forth below:


Property Owner: Ernest Joseph and Joe Joseph
Annette D. Skinner, Tax Collector

Property described on Exhibit "A" attached hereto and made a part hereof as if fully set forth herein.

Description of above described property is taken from the right of way map of Project STPAA-458 (1) of record in the Alabama Department of Transportation, and in The office of the Judge of Probate of Shelby County, Alabama.

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

STATE OF ALABAMA

BY: 
AYN TRAYLOR-SADBERRY
DEPUTY ATTORNEY GENERAL

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 ____ day of _____, 2001, at _____ o'clock ____ m. and duly recorded as Instrument No. _____, and examined.

Judge of Probate

FORM ROW-4

THIS INSTRUMENT PREPARED BY:
ALABAMA DEPARTMENT OF TRANSPORTATION
PO BOX 2745
BIRMINGHAM, ALABAMA 35202

STATE OF ALABAMA

COUNTY OF SHELBY

RECEIVED
) APR - 5 2001
PROBATE JUDGES OFFICE
FEE SIMPLE
WARRANTY DEED

TRACT NO. 41-Rev 3

KNOW ALL MEN BY THESE PRESENTS, for and in consideration of the sum of _____ dollars, cash in hand paid to the undersigned by the State of Alabama, the receipt of which is hereby acknowledged, we (I) the undersigned grantor(s), _____ have (has) this day bargained and sold, and by these presents do hereby grant, bargain, sell and convey unto the State of Alabama the following described property, lying and being in SHELBY County, and being more particularly described as follows:

And as shown on the right of way map of Project No. STPAA-458(1) of record in the Alabama Department of Transportation, a copy of which is also deposited in the Office of the Judge of Probate of Shelby County, Alabama as an aid to persons and entities interested therein and as shown on the property plat attached hereto and made a part hereof:

A part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 2, Township 21 South, Range 3 West, and part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 11, Township 21 South, Range 3 West, identified as Tract No. 41, Project No. STPAA-458(1), Shelby County, Alabama, and being more fully described as follows:

Commence at the northeast corner of said SE $\frac{1}{4}$ of SW $\frac{1}{4}$; thence south along the east line of said SE $\frac{1}{4}$ of SW $\frac{1}{4}$, a distance of 36 feet, more or less, to a point that is 75 feet southeasterly of and at right angles to the centerline of said project; thence southwesterly, parallel with said centerline, a distance of 554 feet, more or less, to the north property line and the point of beginning of the property herein conveyed; thence west along said north property line a distance of 85 feet, more or less, to the present southeast right of way line of Alabama Highway 119; thence southwesterly along said right of way line a distance of 488 feet, more or less, to a point that is 75 feet southwesterly of and radial to the centerline of said project; thence southeasterly, parallel with said centerline, along a curve to the left, a distance of 245 feet, more for less, to a point that is 75 feet southwesterly of and at right angles to said

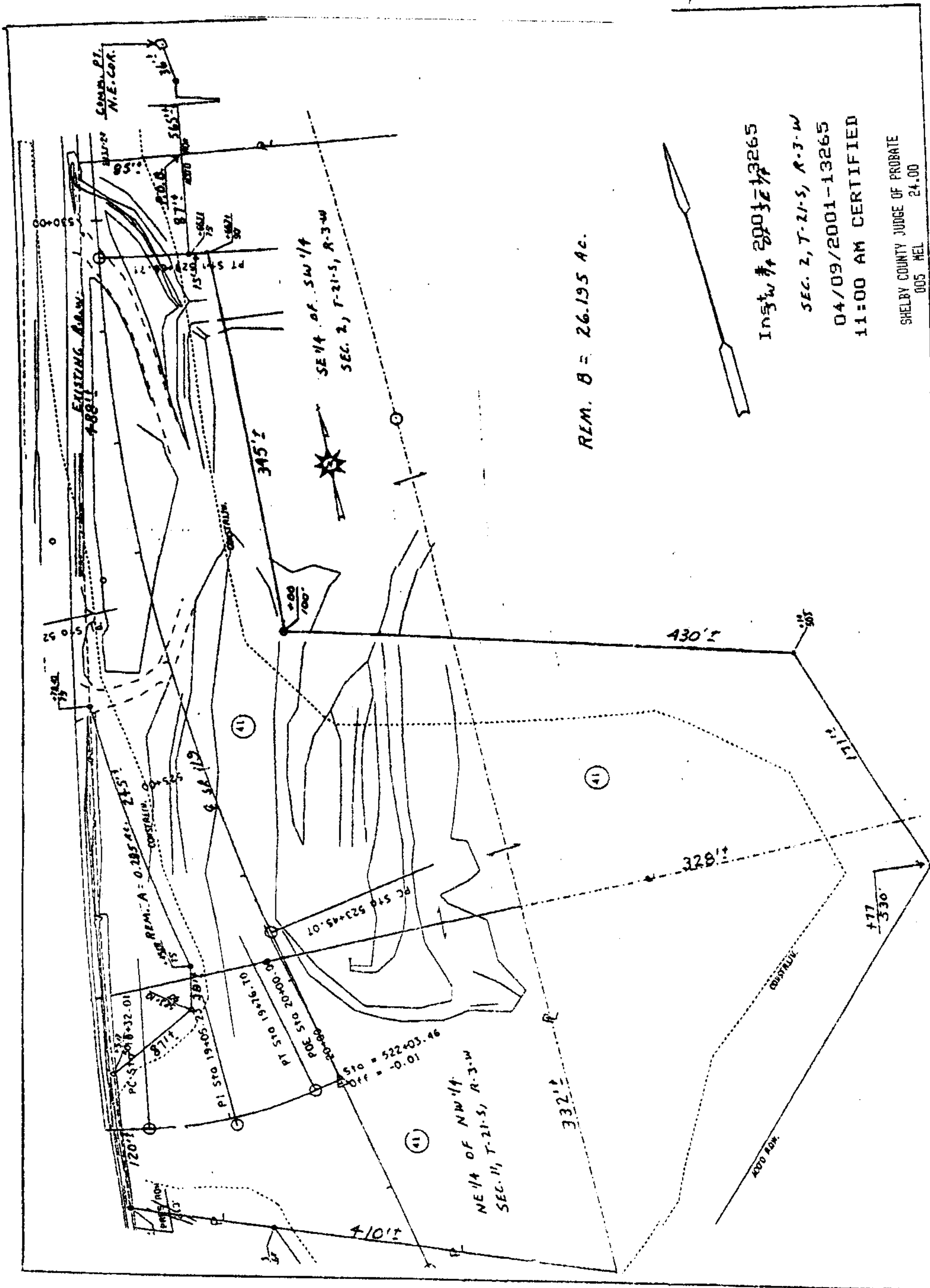
centerline at Station 523+45.07; thence southwesterly a distance of 38 feet, more or less, to a point that is 90 feet southwesterly of and at right angles to said centerline at Station 523+10; thence southwesterly a distance of 87 feet, more or less, to a point on the present southeast right of way line of Alabama Highway 119 that is 50 feet northeasterly of and at right angles to the centerline of 13th Avenue Extension; thence southwesterly along said southeast right of way line a distance of 98 feet, more or less, to the southwest property line; thence southeasterly along said southwest property line a distance of 413 feet, more or less, to the east line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, the east property line; thence north along said east line a distance of 322 feet, more or less, to the south line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, the south property line; thence east along said south line a distance of 328 feet, more or less, to a point on a line which extends from a point that is 530 feet northeasterly of and at right angles to said centerline at Station 521+77 to a point that is 503 feet northeasterly of and radial to said centerline at Station 524+14; thence northwesterly along said line a distance of 171 feet, more or less, to said point that is 503 feet northeasterly of and radial to said centerline at Station 524+14; thence northwesterly a distance of 430 feet, more or less, to a point that is 90 feet easterly of and radial to said centerline at Station 525+90; thence northerly, parallel with said centerline, along a curve to the right, a distance of 345 feet, more or less, to a point that is 90 feet easterly of and at right angles to said centerline at P.T. Station 529+66.71; thence turn an angle of 90 degrees, left for a distance of 15 feet; thence turn an angle of 90 degrees to the right for a distance of 87 feet, more or less, to the point of beginning. Containing 6.73 acres, more or less.

TO HAVE AND TO HOLD, unto the State of Alabama, its successors and assigns in fee simple forever.

AND FOR THE CONSIDERATION, AFORESAID, we (I) do for ourselves (myself), for our (my) heirs, executors, administrators, successors, and assigns covenant to and with the State of Alabama that we (I) are (am) lawfully seized and possessed in fee simple of said tract or parcel of land hereinabove described; that we (I) have a good and lawful right to sell and convey the same as aforesaid; that the same is free of all encumbrances, liens, and claims, except the lien for ad valorem taxes which attached on October 1, last past, and which is to be paid by the grantor; and that we (I) will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

THE GRANTOR(S) HEREIN further covenant(s) and agree that the purchase price above-stated is in full compensation to them (him-her) for this conveyance, and hereby release the State of Alabama

EXHIBIT A



Instr. # 2001-13265
SEC. 2, T-21-S, R-3-W
04/09/2001-13265
11:00 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 MEL 24.00

TRACT NUMBER	<u>41</u>	ALABAMA DEPARTMENT OF TRANSPORTATION
OWNER:	<u>ERNEST A., ZAFIRA D., JOE J.,</u> <u>AND YVONNE D. JOSEPH</u>	PROJECT NO. STPAA-458(1)
TOTAL ACREAGE:	<u>33.10</u>	SHELBY COUNTY
R/W REQUIRED:	<u>6.73</u>	SCALE: 1" = <u>100'</u>
REMAINDER:	<u>26.37</u>	DATE: <u>12-12-97</u>
		REVISED: <u>7-31-98</u> <u>8-21-00</u>