

JAMES M. KRATZ and
VIRGINIA SUE KRATZ,
PLAINTIFFS
VS.

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

RONALD LEE ADAWAY, RICHARD ADAWAY
and wife, BETTY ADAWAY; JESSE GUY
HORTON and wife, CONSTANTINO L.
HORTON; and JOE ADAWAY,
DEFENDANTS

CASE NO. CV-85-334

FILED IN OFFICE THIS THE <u>4th</u> DAY
OF <u>Sept.</u> 19 <u>85</u>

LIS PENDENS NOTICE

Notice is hereby given that on the 4th day of September, 1985, suit was begun by James M. Kratz and Virginia Sue Kratz, as plaintiffs, in the Circuit Court of Shelby County, Alabama, Civil Action No. CV-85-334, which was filed against Ronald Lee Adaway, Richard Adaway and wife, Betty Adaway, Jesse Guy Horton and wife, Constantino L. Horton, and Joe Adaway, as defendants, in which suit the plaintiffs are seeking a determination by the Court that they own and hold the right and easement to use, maintain, and enjoy a right of way over and across a parcel 40 feet in width, being more particularly described as follows:

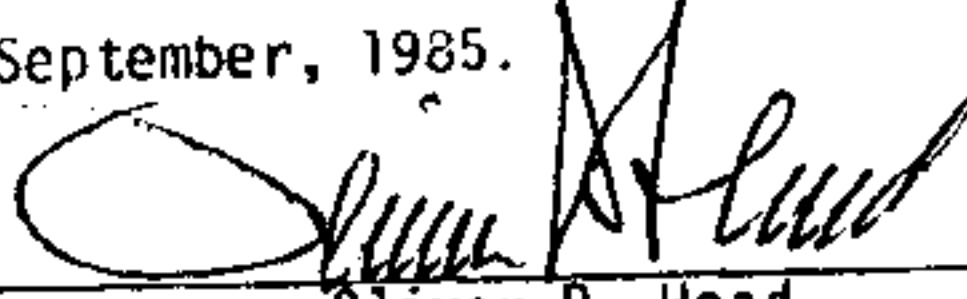
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A right of way 40 feet in width being more particularly described as follows: Begin at NE corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 22, Township 19 South, Range 1 East and run thence West along North line of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 40 feet; thence run south and parallel with East line of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 40 feet; thence run East and parallel with North line of said $\frac{1}{4}$ $\frac{1}{4}$ Section and North line of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 23, Township 19 South, Range 1 East a distance of 350.00 feet; thence run South and parallel with West line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ to a point on the north right of way line of U.S. Highway 280; thence run in a Northeasterly direction along North R/O/W line of said Highway a distance of 40.0 feet to a point; thence North and parallel with West line of said $\frac{1}{4}$ $\frac{1}{4}$ Section to North line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 23; thence run West along North line of said $\frac{1}{4}$ $\frac{1}{4}$ Section to NE corner thereof, being the point of beginning.

without interference of said defendants, that said plaintiffs have the right to remove any and all fences or other obstructions which presently exist thereon, that the Court will otherwise define with specificity the extent of the plaintiffs right, title, and interest in and to the above described parcel, and that the Court will perpetually enjoin and restrain the defendants and their successors in title from interfering in any wise with the use and enjoyment of said parcel by the plaintiffs.

Notice is further given that said suit is pending in said Court.

Witness my hand this 4th day of September, 1985.


Oliver P. Head
Attorney for Plaintiffs

✓ WALLACE, ELLIS, HEAD & FOWLER STATE OF ALA. RELAY CO.
Box 587
Columbiana, Alabama 35051 I CERTIFY THIS INSTRUMENT WAS FILED

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