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City of Montevallo
plaintiff

v

Leon Harris, Dorothy Woods Lilly,
and unknown claimants
defendants

Shelby County Alabama

Probate Court

Case number 27:173

NOTICE OF LIS PENDENS

1. Notice is hereby given that on, to-wit: May 26, 1988, the City of Montevallo filed the attached condemnation complaint against Leon Harris, Dorothy Woods Lilly, and unknown claimants to certain property located adjacent to Orr Park, adjacent to 524 Island Street, and adjacent to 171 Island Street in the City of Montevallo, more particularly described in the said complaint.

Steven R. Sears

Steven R. Sears
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BX 4
Montevallo, AL 35115+0004
City Attorney

Sworn to and subscribed before me, a notary public in and for the State of Alabama at large, this June 1, 1988, in Columbiana.

Paul L. Lipp
Notary public

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Steve Sears

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) SHELBY COUNTY ALABAMA

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CONDEMNATION COMPLAINT

1. The City of Montevallo has used reasonable diligence to ascertain the persons who have a claim to the property sought to be taken herein, and those who are known have been listed as defendants above.

2. The property sought to be condemned is described as: all that land N of the present city park, S of the Atchison property located at 524 Island Street, W of the former Walnut Grove Subdivision, and SE of the Robert H Hodges lot at 171 Island Street, more particularly: Commence at the NW corner of Lot 1, Walnut Grove subdivision, a map of which is recorded at map book 4, page 92 of the Probate Records of Shelby County; and proceed southwesterly and parallel with Island Street ± 170 feet; thence angle south-southwesterly and continue ± 52 feet; thence easterly along the edge of Orr Park ± 220 feet to the W edge of lot 4 of Walnut Grove Subdivision; thence northeasterly ± 30 feet to the westernmost intersection of lots 3 and 4 of said Walnut Grove Subdivision, thence northwesterly along the W boundary of said subdivision ± 165 feet to the point of beginning. It has been assigned property tax numbers 27 5 21 3 002 099 and 27 5 21 3 002 005.

3. The plaintiff's right to bring this action is established by §11-47-170 of the 1975 Alabama Code.

4. The City plans to add this land to the adjoining park and use it for public recreation and allied purposes.

5. There are no known improvements on the property described above. An old house described as being of no value in the attached appraisal has since burned. Since the city knows of no improvements, equipment, or fixtures attached to this realty, the owner may remove any that may be there.

6. Attached to this complaint are an appraisal evaluating this land at \$2900, and a copy of a letter written to the two named defendants offering to purchase the land, as required by §18-1A-22(a), §18-1A-22(d), and §18-1A-55 of the 1975 Alabama Code.

7. Wherefore, the City of Montevallo prays that the court set a hearing date for this complaint within 30 days, as provided by §18-1A-276; that service of process be had on the two named and any unnamed defendants, apprising them of the hearing, as provided by §18-1A-74; that a deposit of the offered price be accepted by the court; that a notice of this action be filed with the lis pendens in the probate records, as provided by §18-1A-75; and that after the hearing, a judgment be entered in accordance with §18-1A-21 setting forth the city's right and title to the condemned land; the price awarded therefor; ascertaining the pre-condemnation owners; and apportioning the award among the various owners.

The City of Montevallo further prays for whatever other relief it may be entitled to in law or equity.

Steven R. Sears
Steven R. Sears
Attorney for plaintiff
BX 4
Montevallo, AL 35115+0004
(205)665-1211

Filed this 26 day of May 19 88
THOMAS A. SNOWDEN JR.
Judge of Probate

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

88 JUN -1 PM 3:46

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ <u>7.50</u>
Index Fee	<u>1.00</u>
TOTAL	\$ <u>8.50</u>

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