

STATE OF ALABAMA )

COUNTY OF SHELBY )

NOTICE OF THE PENDENCY OF CONDEMNATION ACTION

TO THE JUDGE OF PROBATE OF SAID COUNTY:

You are hereby notified, pursuant to Ala. Code § 18-1A-75 (Cumm. Supp. 1988), that on the 3rd day of February, 1989, a condemnation action was begun by the Water Works and Sewer Board of the City of Birmingham, a public corporation, in the Probate Court of Shelby County, Alabama, Case No. 28-31, and that the following are the names of the parties to said suit:

Name of Plaintiff

The Water Works and Sewer  
Board of the City of  
Birmingham, a public  
corporation

Names of Defendants

Dantract, Inc., an  
Alabama corporation;  
Daniel Corporation, an  
Alabama corporation

In said suit, the following described real estate situated in Shelby County, Alabama, is sought to be condemned, to-wit:

TANK SITE

Commence at the SW corner of Section 33, Township 18 South Range 1 West; thence N 00°51'25" W along the west section line 1,617.47 feet; thence N 89°08'35" E, 2,436.41 feet to the southeast right-of-way of Mountain Road to an iron; thence S 34°26'45" E, 101.14' to an iron; thence N 55°33'15" E, 169.51'; thence S 60°01'45" E, 288.08'; thence S 56°24'15" W, 44' to point of beginning; thence S 33°35'45" E, 300'; thence N 56°24'15" E, 195'; thence N 33°35'45" W, 300'; thence S 56°24'15" W 195' to point of beginning. Containing 1.34 acres.

RIGHT-OF-WAY

Commence at the SW corner of Section 33, Township 18 South, Range 1 West; thence North 00°51'25" West along the West line of said section 1,617.47'; thence North 89°08'35" E, 2,436.41' to the Southeast right-of-way of Mountain Road to an iron; thence North 55°33'15" East 91.41' along said right-of-way to an iron; thence South 34°26'45" East 4' to point of beginning of center line of 25' right-of-way; thence South 68°56'45" East 140' to point of ending of 25' right-of-way and point of beginning of 20' right-of-way; thence continue South 68°56'45" East 375.5' to point of ending of right-of-way. Containing 0.25 acres.

ALSO CONSTRUCTION EASEMENT

Commence at the SW corner of Section 33, Township 18 South, Range 1 West, thence North 00°51'25" West 1,617.47'; thence North 89°08'35" East 2,436.41' to the southeast right-of-way of Mountain Road to an iron; thence North 55°33'15" East 91.41' along right-of-way; thence South 34°26'45" East 10' to point of beginning of construction easement; thence continue South 34°26'45" East 60'; thence North 55°33'15" East 70'; thence North 34°26'45" West 60' to southeast right-of-way of Mountain

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Road; thence South 55°33'15" West along said right-of-way to point of beginning. Containing 0.1 acres.

GENERATOR SITE

A parcel of land in Section 32, Township 18 South, Range 1 West, more particularly described as follows:

Commence at the SE corner of SE $\frac{1}{4}$ , of SW $\frac{1}{4}$  of said section; thence run West along the South Boundary of said  $\frac{1}{4}$ - $\frac{1}{4}$  Section for a distance of 125.83 feet to the NE right-of-way line of U. S. Highway #280; thence turn an angle to the right of 59°52'45" and run in a Northwesterly direction along said right-of-way line for a distance of 124.45 feet; thence turn an angle to the right of 9°58'28" from tangent and continue in a Northwesterly direction along said right-of-way line for a distance of 105.06 feet; thence turn an angle to the left of 11°58'22" to tangent and continue in a Northwesterly direction along said right-of-way line for a distance of 103.49 feet; thence turn an angle to the left 11°58'22" from tangent and continue in a Northwesterly direction along said right-of-way line for a distance of 105.06 feet; thence turn an angle to the right of 9°54'16" to tangent and continue in a Northwesterly direction along said right-of-way line for a distance of 600.27 feet to point of beginning; thence turn an angle to the right of 88°06'20" from tangent and run for a distance of 35 feet; thence turn an angle to the right of 90° and run for a distance of 35 feet; thence turn an angle to the right of 90° and run for a distance of 35'  $\pm$  to NE right-of-way line of U. S. Highway 280; thence run northwesterly along said right-of-way 35'  $\pm$  to point of beginning. Containing .03 acres more or less.

Attached hereto as Exhibit "A" and "B" are diagrams which depict that property which is sought to be condemned.

Respectfully submitted,

  
CHARLIE D. WALDREP

  
K. MARK PARNELL

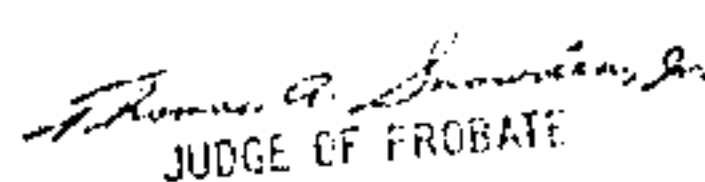
Attorneys for The Water Works and  
Sewer Board of the City of Birmingham

OF COUNSEL:

GORHAM, WALDREP, STEWART,  
KENDRICK & BRYANT  
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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

89 FEB 13 PM 2:38

  
JUDGE OF PROBATE

Rec'd 5.00  
Jud 1.00  
6.00

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