

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

THE COMMISSION OF SHELBY
COUNTY, ALABAMA, as applicant,)

Plaintiff,)

v.)

Case No. 29-242

CARL E. BIRD and CHEROVISE I.)
BIRD, as record owners in fee)
simple of certain designated)
real estate; ANNETTE SKINNER,)
in her official capacity as)
Tax Collector of Shelby County)
Alabama; and any party or)
parties, unknown others, and)
all other unknown persons)
owning or having an interest)
or claim in this cause,)
claiming any right, title or)
interest in and to the)
property described in this)
petition,)

Defendants.)

NOTICE OF PENDING ACTION

Notice is hereby given that the Commission of Shelby County, Alabama as plaintiff has entered into condemnation proceedings against the following described property situated in Shelby County, Alabama, styled the Commission of Shelby County, Alabama v. Carl E. Bird and Cherovise I. Bird as record owners in fee simple of certain designated real estate; 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 29-242 on January 9, 1991. Said property is to be used in the public interest for public use for the construction and maintenance of a pump station and other utility facilities for the Shelby

County Water System as shown by the attached proposed project map of Phase I of the Shelby County Water System, Pump Station B-1, the designated owners and descriptions of the real estate sought to be acquired in aforesaid condemnation proceeding are as follows:

See Attachment Exhibit "A".

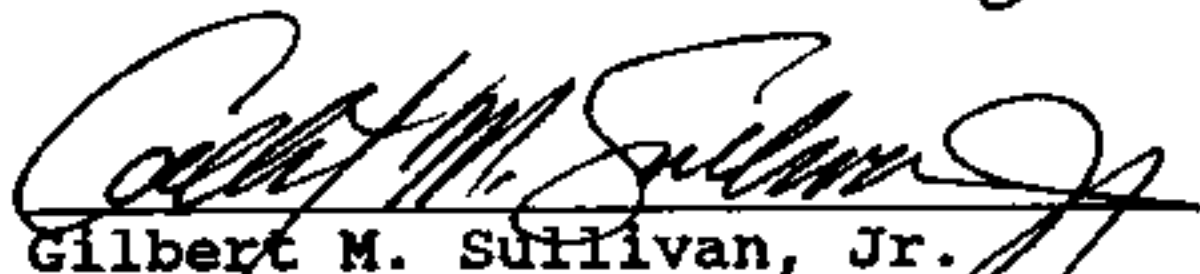
The record owners or those who claim an interest in said parcel of real estate and their addresses are as follows:

Carl E. Bird
184 Bird Street
Harpersville, AL 35078

Cherovise I. Bird
184 Bird Street
Harpersville, AL 35078

Annette Skinner
Tax Collector
Shelby County Courthouse
Columbiana, AL 35051

Witness my hand this the 9th day of January,
1991.


Gilbert M. Sullivan, Jr.
for The Commission of Shelby
County, Alabama, Petitioner

OF COUNSEL:
MASON & FITZPATRICK, P.C.
P. O. Box 360187
Birmingham, Alabama 35236-0187
(205) 733-2600

STATE OF ALABAMA)

COUNTY OF SHELBY)

Before me, the undersigned authority, a Notary Public in
and for said County and State, personally appeared Gilbert M.

Sullivan, Jr., Mason & Fitzpatrick, P.C., P. O. Box 360187,
Birmingham, Alabama 35286, who is known to me, and who being by me
first duly sworn, deposes, and says that the statement made in the
foregoing Notice of Pending Action are true and correct.


Gilbert M. Sullivan, Jr.

Sworn to and subscribed to before me this the 9th day of
January, 1991.


Notary Public
My commission expires: 3-3-91

CERTIFICATE OF FILING

I hereby certify that the within and foregoing Lis Pendens
Notice was filed in this office for record on the 9th day of
Jan, 1991, and duly recorded in Book _____ at Page _____.

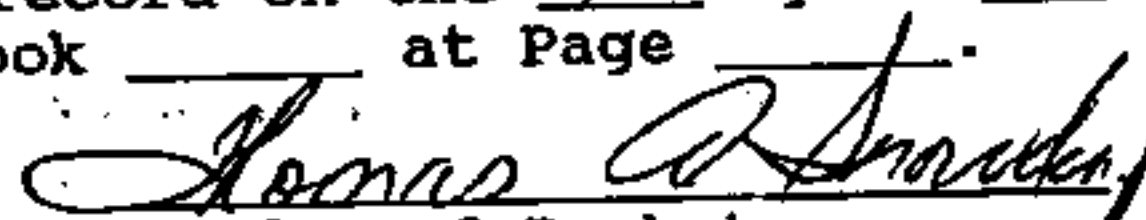

Judge of Probate

Exhibit A

Legal Description

That part of the Northeast 1/4 of the Northeast 1/4 of Section 25, Township 19 South, Range 1 East, described as follows:

Commencing at a section corner of Sections 24, 19, 30 and 25 which is located by a concrete monument so marked, thence southerly along the section line with a Bearing of South 2 degrees 40' 00" East 100.00 feet to the true point of beginning for this parcel, thence continue southerly along the section line 260.00 feet, thence South 87 degrees 20' 00" West 175.00 feet, thence North 2 degrees 40' 00" West 260.00 feet, thence North 87 degrees 20' 00" East 175.00 feet to the point of beginning.

Containing 1.05 acres more or less.

Also: A strip of land for a water pipeline Right-of-Way 30 feet in width lying 15 feet each side of, parallel to and contiguous with the following described line. Commencing at a section corner of Sections 24, 19, 30 and 25 which is located by a concrete monument so marked, thence southerly along the section line with a Bearing of South 2 degrees 40' 00" East 360.00 feet, thence South 87 degrees 20' 00" West 137.89 feet to the point of beginning of this Right of Way description, thence South 10 degrees 32' 05" West 236.23 feet to the point ending this strip at the north Right-of-Way line of U.S. Highway 280.

Containing 0.16 acres more or less.

Also, temporary construction easement strips 10 feet in width along each side, outside, parallel to and contiguous with the above ROW description.

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

91 JAN -9 PM 3:22

Thomas P. Shivers, Jr.
JUDGE OF PROBATE