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4/27/62

vs.

## ALABAMA

CASE NO: 17-278

## AMENDMENT

Comes the State of Alabama, by and through Ralph E. Coleman, Special Assistant Attorney General for the State of Alabama, and amends the State's Petition for Condemnation to cause the legal descriptions of the property to be condemned and previously described as Parcel No. 1-Tract No. 21 & 2-X, to read by metes and bounds as set forth in Exhibit A, attached hereto.

**RALPH E. COLEMAN**  
Special Assistant Attorney General  
State of Alabama

The foregoing Motion to Amend having been presented to me this the 22 day of September, 1976, the same is set for hearing on the \_\_\_\_\_ day of \_\_\_\_\_, 1976.

**JUDGE**

# CERTIFICATE OF SERVICE

1976.

**RALPH E. COLEMAN**

Filed this 22 day of Sept 1976  
**CONRAD M. FOWLER**  
 Judge of Probate

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EXHIBIT "A"

PARCEL NO. 1: Commencing at the southeast corner of Section 24, T-20-S, R-3-W; thence westerly along the south line of said Section 24, the southernmost property line, a distance of 794 feet, more or less, to the point of beginning of the property herein to be conveyed, said point of beginning being on a line, which extends from a point that is 165 feet north-easterly of and at right angles to the centerline of Project No. 1-65-2(11) at Station 811+00 to a point that is 150 feet northeasterly of and at right angles to the centerline of said project at Station 810+00; thence continuing westerly along said southernmost property line (crossing the centerline of said project at approximate Station 810+32) a distance of 304 feet, more or less, to a point that is 150 feet southwesterly of and at right angles to the centerline of said project; thence northwesterly along a curve to the left (concave southwesterly) having a radius of 28,497.89 feet, parallel to the centerline of said project, a distance of 1351 feet, more or less, to a point that is 150 feet southwesterly of and at right angles to the centerline of said project at Station 824+00; thence northwesterly along a straight line, a distance of 225 feet, more or less, to a point on the present northeast right-of-way line of the Atlantic Coast Line Railroad that is southwesterly of and at right angles to the centerline of said project at Station 825+25; thence northwesterly along said present northeast right-of-way line, a distance of 1055 feet, more or less, to a point that is southwesterly of and at right angles to the centerline of said project at Station 47+37; thence northeasterly along a straight line, a distance of 40 feet, more or less, to a point that is 325 feet southwesterly of and at right angles to the centerline of said project at Station 47+50; thence northwesterly along a straight line, a distance of 410 feet, more or less, to a point that is 100 feet southwesterly of and at right angles to the centerline of Shelby County Road No. 52 at Station 27+50; thence northwesterly along a straight line, a distance of 250 feet, more or less, to a point that is 65 feet southwesterly of and at right angles to the centerline of said County Road No. 52 at Station 25+00; thence southwesterly and at right angles to the centerline of said County Road No. 52, a distance of 32 feet, more or less,

to the present northeast right-of-way line of the Atlantic Coast Line Railroad; thence northwesterly along said present northeast right-of-way line, a distance of 265 feet, more or less, to the present southwest right-of-way line of said County Road No. 52; thence southeasterly along said present southwest right-of-way line (crossing the centerline of said project at approximate Station 48+61) a distance of 1140 feet, more or less, to the south line of the NE $\frac{1}{4}$  of said Section 24, the south property line; thence westerly along said south property line (crossing the centerline of said project at Station 48+39.9) a distance of 420 feet, more or less, to the northeast property line; thence southeasterly along said northeast property line (crossing the centerline of said project at Station 45+69.4) a distance of 722 feet, more or less, to the northwest property line; thence northeasterly along said northwest property line, a distance of 377 feet, more or less, to the present southwest right-of-way line of Shelby County Road No. 52; thence southeasterly along said present southwest right-of-way line, a distance of 1003 feet, more or less, to the east line of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , said Section 24, the east property line; thence southerly along said east property line, a distance of 125 feet, more or less, to a point that is 150 feet southwesterly of and at right angles to the centerline of said County Road No. 52; thence northwesterly, parallel to the centerline of said County Road No. 52, a distance of 228 feet, more or less, to a point that is 150 feet southwesterly of and at right angles to the centerline of said County Road No. 52 at Station 45+00; thence northwesterly along a straight line, a distance of 465 feet, more or less, to a point that is 110 feet southwesterly of and at right angles to the centerline of said County Road No. 52 at Station 40+35; thence northwesterly along a straight line, a distance of 110 feet, more or less, to a point that is 135 feet southwesterly of and at right angles to the centerline of said County Road No. 52 at Station 39+28; thence southwesterly along a straight line, a distance of 892 feet, more or less, to a point that is 200 feet northeasterly of and at right angles to the centerline of said project at Station 825+00; thence southwesterly along a straight line, a distance of 210 feet, more or less, to a point that is 230 feet northeasterly of and at right angles to the centerline of said project at Station 823+00; thence southerly along a straight line, a distance of 505 feet, more or less, to a point that is 200 feet northeasterly of and at right angles to the centerline of said project at Station 818+00; thence southwesterly along a straight line, a distance of 155 feet, more or less, to a point that is 165 feet northeasterly of and at right angles to the centerline of said project at Station 816+50; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 28,812.89 feet, parallel to the centerline of said project, a distance of 557 feet, more or less, to a point that is 165 feet northeasterly of and at right angles to the centerline of said project at Station 811+00; thence southwesterly along a straight line (which if extended would intersect a point that is 150 feet northeasterly of and at right angles to the centerline of said project at Station 810+00) a distance of 74 feet, more or less, to the point of beginning.

Said strip of land lying between the E $\frac{1}{4}$  of SE $\frac{1}{4}$ , the NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , and the S $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 24, T-20-S, R-3-W and containing 29.18 acres, more or less.

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This conveyance is made for the purpose of a controlled access facility and adjacent service road or roads and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights appurtenant to grantor's remaining property in and to said controlled access facility, provided however, that there is hereby reserved (along a line described as beginning at a point on the east line of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 24, T-20-S, R-3-W that is 150 feet southwesterly of and at right angles to the centerline of Shelby County Road No. 52; thence northwesterly, parallel to the centerline of said County Road No. 52, a distance of 228 feet, more or less, to a point that is 150 feet southwesterly of and at right angles to the centerline of said County Road No. 52 at Station 45+00; thence northwesterly along a straight line (which if extended would intersect a point that is 110 feet southwesterly of and at right angles to the centerline of said County Road No. 52 at Station 40+35) a distance of 165 feet, more or less, to a point that is southwesterly of and at right angles to the centerline of said project at Station 43+35 and the point of ending, also along a line described as beginning at a point that is 65 feet southwesterly of and at right angles to the centerline of said County Road No. 52 at Station 25+00; thence southwesterly and at right angles to the centerline of said County Road No. 52, a distance of 32 feet, more or less, to the present northeast right-of-way line of the Atlantic Coast Line Railroad and the point of ending) the right of ingress to and egress from such remaining property to and from said service road or roads which will be accessible to the controlled access facility only at such points as may be established by public authority.

PARCEL NO. 2: Commencing at the southeast corner of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 24, T-20-S, R-3-W; thence northerly along the east line of said NE $\frac{1}{4}$  of SE $\frac{1}{4}$  (crossing the centerline of Shelby County Road No. 52 at approximate Station 46+58) a distance of 883 feet, more or less, to the present northeast right-of-way line of said County Road No. 52 and the point of beginning of the property herein to be conveyed; thence northwesterly along said present northeast right-of-way line (crossing the centerline of a service road at approximate Station 0+43) a distance of 1070 feet, more or less, to the north line of said NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , the north property line; thence easterly along said north property line, a distance of 364 feet, more or less, to a point that is 190 feet northeasterly of and at right angles to the centerline of said County Road No. 52; thence southeasterly, parallel to the centerline of said County Road No. 52, a distance of 300 feet, more or less, to a point that is 190 feet northeasterly of and at right angles to the centerline of said County Road No. 52 at Station 42+00; thence northeasterly along a straight line, a distance of 145 feet, more or less, to a point that is 120 feet northwesterly of and at right angles to the centerline of a service road at Station 3+00; thence northeasterly along a straight line (which if extended would intersect a point that is 90 feet northwesterly of and at right angles to the centerline of said service road at Station 5+00) a distance of 89 feet, more or less, to the north line of said NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , the north property line; thence easterly along said north property line (crossing the centerline of a service road at approximate Station 4+22) a distance of 150 feet, more or less, to the east line of said NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , the east property line; thence southerly along said east property line, a distance of 438 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 24, contains approximately 1.10 acres, more or less.

This conveyance is made for the purpose of a controlled access facility to and from said road or roads, and the

point that is 120 feet northwesterly of and at right angles to the centerline of Shelby County Road No. 52 at Station 42+00; thence northeasterly along a straight line, a distance of 145 feet, more or less, to a point that is 120 feet northwesterly of and at right angles to the centerline of a service road at Station 3+00; thence northeasterly along a straight line (which if extended would intersect a point that is 90 feet northwesterly of and at right angles to the centerline of said service road at Station 5+00) a distance of 89 feet, more or less, to the north line of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 24, T-20-S, R-3-W and the point of ending) the right of ingress to and egress from such remaining property to and from said service road or roads which will be accessible to the controlled access facility only at such points as may be established by public authority.

Also a temporary easement to a strip of land necessary for the construction of a drainage ditch and being more fully described as follows: Beginning at a point that is 150 feet southwesterly of and at right angles to the centerline of Project No. I-65-2(11) at Station 816+25; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 28,497.89 feet, parallel to the centerline of said project, a distance of 149 feet, more or less, to a point that is 150 feet southwesterly of and at right angles to the centerline of said project at Station 814+75; thence southwesterly along a straight line, a distance of 50 feet to a point that is 200 feet southwesterly of and at right angles to the centerline of said project at Station 814+75; thence northwesterly along a curve to the left (concave southwesterly) having a radius of 28,447.89 feet, parallel to the centerline of said project, a distance of 149 feet, more or less, to a point that is 200 feet southwesterly of and at right angles to the centerline of said project at Station 816+25; thence northeasterly along a straight line, a distance of 50 feet to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 24, T-20-S, R-3-W and containing 0.17 acres, more or less.

It is expressly understood that all rights, title and interest to the above described easement shall revert to the grantor upon completion of said project.

**TEMPORARY CONSTRUCTION EASEMENT NO. 1:** Also a temporary construction easement to a strip of land and being more fully described as follows: Beginning at a point that is 135 feet southwesterly of and at right angles to the centerline of Shelby County No. 52 at Station 39+28; thence southerly along a straight line (which if extended would intersect a point that is 300 feet northeasterly of and at right angles to the centerline of Project No. I-65-2(11) at Station 825+00) a distance of 31 feet, more or less, to a point that is 165 feet southwesterly of and at right angles to the centerline of said road; thence southeasterly along a straight line, a distance of 262 feet, more or less, to a point that is 200 feet southwesterly of and at right angles to the centerline of said road at Station 42+00; thence southeasterly, parallel to the centerline of said road, a distance of 551 feet, more or less, to the east line of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 24, T-20-S, R-3-W, the east property line; thence northerly along said east property line, a distance of 55 feet, more or less, to a point that is 150 feet southwesterly of and at right angles to the centerline of said road; thence northwesterly, parallel to the centerline of said road, a distance of 228 feet, more or less, to a point that is 150 feet southwesterly of and at right angles to the centerline of said project at Station 45+00; thence northwesterly along a straight



line, a distance of 465 feet, more or less, to a point that is 110 feet southwesterly of and at right angles to the centerline of said road at Station 40+35; thence northwesterly along a straight line, a distance of 110 feet, more or less, to the point of beginning.

Said strip of land lying in the NW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub>, Section 24, T-10-S, R-3-W and containing 1.09 acres, more or less.

It is expressly understood that all rights, title and interest to the above described easement shall revert to the grantor upon completion of said project.

TEMPORARY CONSTRUCTION EASEMENT NO. 2: Also a temporary easement to a strip of land necessary for construction and being more fully described as follows: Beginning at a point that is 65 feet southwesterly of and at right angles to the centerline of Shelby County Road No. 52 at Station 25+00; thence southeasterly along a straight line, a distance of 250 feet, more or less, to a point that is 100 feet southwesterly of and at right angles to the centerline of said County Road No. 52 at Station 27+50; thence southeasterly along a straight line (which if extended would intersect a point that is 325 feet southwesterly of and at right angles to the centerline of Project No. I-65-2(11) at Station 47+50) a distance of 42 feet, more or less, to a point that is southwesterly of and at right angles to the centerline of said County Road No. 52 at Station 28+00; thence northwesterly along a straight line, a distance of 285 feet, more or less, to a point on the present northeast right-of-way line of the Atlantic Coast Line Railroad that is southwesterly of and at right angles to the centerline of said County Road No. 52 at Station 25+00; thence northeasterly along a straight line, a distance of 32 feet, more or less, to the point of beginning.

Said strip of land lying in the SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 24,  
T-20-S, R-3-W and containing 0.17 acres, more or less.

It is expressly understood that all rights, title and  
interest to the above described easement shall revert to the  
grantor upon completion of said project.

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Dr. Rhett G. Barnes  
Tract No. 2142-X. Rev. 2  
September 15, 1976

Inst. 1993-03448

02/04/1993-03448  
03:28 PM CERTIFIED  
WELSH COUNTY JUDGE OF PROBATE  
25.00