

STATE OF ALABAMA,

PETITIONER

vs.

C. E. RUTHERFORD AND  
FLORENCE RUTHERFORD

IN THE PROBATE COURT OF

~~JEFFERSON~~ COUNTY, ALABAMA  
SHELBY

CASE NO. 19-260

I certify this to be a true and  
correct copy *[Signature]*

Probate Judge  
Shelby County

Inst # 1993-03751

02/1993-03751

03:30 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

005 MCD 16.50

AMENDMENT TO PETITION FOR ORDER OF CONDEMNATION

Comes the Petitioner in the above styled cause and amends the  
petition for order of condemnation in said cause in the following  
respects: As to Tract No. 51, "By striking the description hereto-  
fore filed in this tract and substituting in lieu thereof, the  
following described property:"

SEE DESCRIPTION ATTACHED HERETO

BOOK 41 PAGE 568

Filed this 21 day of July 1976  
CONRAD M. FOWLER  
Judge of Probate

STATE OF ALABAMA

By *[Signature]*  
Special Assistant Attorney General  
for the State of Alabama

RALPH E. COLEMAN

STATE OF ALABAMA )  
JEFFERSON COUNTY )

Before me, the undersigned authority in and for said County in  
said State, personally appeared Ralph E. Coleman is known to me and  
who, being by me first duly sworn, deposes and says that he is a  
Special Assistant Attorney General of the State of Alabama, and as  
such is authorized to make this affidavit, that he has read the above  
and foregoing amendment to the petition and the averments of fact  
contained therein are true and correct.

*[Signature]*  
RALPH E. COLEMAN

Sworn to and subscribed before  
me this 21st day of July  
1976

*[Signature]*  
Notary Public

I hereby certify that a copy of the foregoing  
pleading has been served upon all other counsel  
herein by mailing same by first class United States  
mail properly addressed and postage prepaid on the  
21st day of July, 1976

By *[Signature]* ATTORNEY

SHELBY &  
JEFFERSON

TRACT NO. 51, REV. 3

Shelby & Jefferson

and as shown on the right-of-way map of Project No. I-65-2(37) as recorded in the Office of the Judge of Probate of Shelby and Jefferson Counties, Alabama:

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PARCEL NO. 1: Commencing at the southwest corner of the SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 20, T-19-S, R-2-W; thence easterly along the south line of said SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , a distance of 508 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 180 feet northwesterly of and at right angles to the centerline of Shelby County Road No. 17 at Station 70+60 to a point that is 130 feet northwesterly of and at right angles to the centerline of said road at Station 81+19.96; thence northeasterly along said line, a distance of 145 feet, more or less, to said point that is 130 feet northwesterly of and at right angles to the centerline of said road at Station 81+19.96; thence northeasterly along a straight line, a distance of 793 feet, more or less, to a point that is 100 feet northwesterly of and at right angles to the centerline of said road at Station 89+14.96; thence northeasterly along a straight line, a distance of 200 feet, more or less, to a point on the present northwest right-of-way line of said road that is northwesterly of and at right angles to the centerline of said road at Station 91+00; thence southwesterly along said present northwest right-of-way line, a distance of 975 feet, more or less, to the south line of said SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , the south property line; thence westerly along said south property line, a distance of 180 feet, more or less, to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 20; T-19-S, R-2-W and containing 1.77 acres, more or less.

PARCEL NO. 2: Commencing at the southeast corner of the SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 20, T-19-S, R-2-W; thence westerly along the south line of said SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , the south property line, a distance of 53 feet, more or less, to the southwest property line; thence northwesterly along said southwest property line, a distance of 190 feet, more or less, to a point that is 115 feet southeasterly of and at right angles to the centerline of Shelby County Road No. 17 and the point of beginning of the property herein to be conveyed; thence continuing northwesterly along said southwest property line, a distance of 78 feet, more or less, to the present southeast right-of-way line of said road; thence northeasterly along said present southeast right-of-way line, a distance of 482 feet, more or less, to a point that is southeasterly of and at right angles to the centerline of said road at Station 91+00; thence southwesterly along a straight line, a distance of 200 feet, more or less, to a point that is 115 feet southeasterly of and at right angles to the centerline of said road at Station 89+14.96; thence southwesterly along a curve to the right (concave northwesterly) having a radius of 5844.58 feet, parallel to the centerline of said road, a distance of 311 feet, more or less, to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 20, T-19-S, R-2-W and containing 0.68 acres, more or less.

PARCEL NO. 3: Commencing at the southwest corner of the NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 20, T-19-S, R-2-W; thence easterly along the south line of said NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , the south property line, a distance of 232 feet, more or less, to a point that is 325 feet northwesterly of and at right angles to the centerline of Project No. I-65-2(37) and the point of beginning of the property herein to be conveyed; thence northerly along a curve to the left (concave westerly) having a radius of 3494.72 feet, parallel to the centerline of said project, a distance of 503 feet, more or less, to a point that is 325 feet westerly of and at right angles to the centerline of said project at Station 373+00; thence northeasterly along a straight line, a distance of 193 feet, more or less, to a point that is 280 feet westerly of and at right angles to the centerline of said project at Station 375+00; thence northerly along a curve to the left (concave westerly) having a radius of 3539.72 feet, parallel to the centerline of said project, a distance of 560 feet, more or less, to a point that is 280 feet westerly of and at right angles to the centerline of said project at Station 381+00; thence northwesterly along a straight line, a distance of 119 feet, more or less, to a point that is 350 feet westerly of and at right angles to the centerline of said project at Station 382+00; thence northerly along a curve to the left (concave westerly) having a radius of 3469.72 feet, parallel to the centerline of said project, a distance of 335 feet, more or less, to a point that is 350 feet westerly of and at right angles to the centerline of said project at Station 385+75; thence northwesterly along a straight line, a distance of 103 feet, more or less, to a point that is 400 feet southwesterly of and at right angles to the centerline of said project at Station 386+75; thence northwesterly along a curve to the left (concave southwesterly) having a radius of 3419.72 feet, parallel to the centerline of said project, a

distance of 68 feet, more or less, to a point that is 400 feet southwesterly of and at right angles to the centerline of said project at Station 387+53.0; thence N 19° 11' 45" W, parallel to the centerline of said project, a distance of 147.0 feet; thence northeasterly along a straight line, a distance of 138 feet, more or less, to a point that is 300 feet southwesterly of and at right angles to the centerline of said project at Station 390+00; thence N 19° 11' 45" W, parallel to the centerline of said project, a distance of 350 feet, more or less, to the west line of the SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 20, T-19-S, R-2-W; thence northerly along the west line of said SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , a distance of 267 feet, more or less, to the north line of said SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , the north property line; thence easterly along said north property line (crossing the centerline of said project at approximate Station 394+78) a distance of 431 feet, more or less, to a point that is 190 feet northeasterly of and at right angles to the centerline of said project; thence S 19° 11' 45" E, parallel to the centerline of said project a distance of 85 feet, more or less, to a point that is 190 feet northeasterly of and at right angles to the centerline of said project at Station 394+34.9 "Ahead" which equals Station 393+82.4 "Back"; thence continuing S 19° 11' 45" E, parallel to the centerline of said project, a distance of 629.4 feet; thence southerly along a curve to the right (concave westerly) having a radius of 4009.72 feet, parallel to the centerline of said project, a distance of 1630 feet, more or less, to a point that is 190 feet easterly of and at right angles to the centerline of said project at Station 372+00; thence southeasterly along a straight line, a distance of 232 feet, more or less, to a point that is 280 feet easterly of and at right angles to the centerline of said project at Station 370+00; thence southwesterly along a straight line (which if extended would intersect a point that is 250 feet easterly of and at right angles to the centerline of said project at Station 367+00) a distance of 160 feet, more or less, to the south line of the NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 20, T-19-S, R-2-W, the south property line; thence westerly along said south property line (crossing the centerline of said project at approximate Station 358+09) a distance of 598 feet, more or less, to the point of beginning.

Said strip of land lying in the NW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub>, and the SW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub>, Section 20, T-19-S, R-2-W and containing 32.00 acres, more or less.

The above described area includes a present 30 foot wide easement granted to the Alabama Gas Company which lies approximately 230 feet southwesterly of approximate Station 396+43.

As a part of the consideration hereinabove stated there is also bargained, sold, conveyed and relinquished to the grantees all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified as Project No. I-65-2(37), Counties of Shelby and Jefferson, and all of the grantor's remaining property consisting of all parcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which parcels either adjoin the property conveyed by this instrument or are connected thereto by other parcels owned by the grantor.

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C. E. & Florence Rutherford  
Tract No. 51, Rev. 3  
June 23, 1976