

NOTICE OF LIS PENDENS

CITY OF HELENA, ALABAMA,
a municipal corporation,

Plaintiff,

vs.

IN THE PROBATE COURT

OF SHELBY COUNTY, ALABAMA

CASE NO. 32-247

Inst # 1994-06079

USX CORPORATION, USX, a corporation, A, B, C & D, the person, firms or corporations who, unknown to your plaintiff, claim any right, title, interest in or lien or encumbrance against any of the properties described hereinafter referred to as "unknown claimants" and whose name, existence and identity cannot be provided after the exercise of reasonable diligence, and whose interest in said property is otherwise unknown,

Defendants.

TO THE HON. THOMAS A. SNOWDEN, JR., JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA:

Comes now the City of Helena, Alabama, a municipal corporation, by its attorney, and files herewith notice to all persons concerned that on the 24th day of February, 1994, condemnation proceedings were commenced in the Probate Court of Shelby County, Alabama, whereby said City of Helena, Alabama, a municipal corporation, seeks to obtain certain public rights of way and other rights, and said proceedings are now pending.

The names of the property owners concerned together with the property sought to be condemned is as set forth below:

Shown on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein.

Description of above property is taken from right of way map of said project on file in the City Hall of City of Helena, Alabama, and in the Office of the Probate Judge of Shelby County, Alabama.

The title of the action and the case number thereof are as hereinabove designated.

CITY OF HELENA, ALABAMA,
a municipal corporation

By

[Signature]
Attorney for said Plaintiff

STATE OF ALABAMA
SHELBY COUNTY

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

I hereby certify that the within Lis Pendens was filed in this office for record on the 24th day of February, 1994, at 10:04 o'clock A.m. and duly recorded in Real Book

Inst # 1994 at Page 06079, and examined.

[Signature]
Judge of Probate
02/24/1994-06079
10:04 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 12.00

Return to Probate

Exhibit "A"

Inst # 1994-06079

STATE OF ALABAMA
COUNTY OF SHELBY

I, Joseph E. Conn, Jr, a Registered Professional Surveyor in the State of Alabama do hereby certify that this is a true and correct plat of my survey as shown hereon and described as follows:

Commence at the northeast corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, Township 20 south, Range 3 west, Shelby County, Alabama and run thence southerly along the east line of said quarter-quarter section a distance of 1,335.23' to a three inch capped pipe corner marking the Southeast corner of said NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; Thence continue along last described course and along the east line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of same said Section 21 a distance of 449.90' to a point; Thence turn a deflection angle of 98°00'00" to the right and run west-northwesterly a distance of 229.23' to the point of beginning of the property being described; Thence continue along last described course a distance of 125.00' to a point; Thence turn a deflection angle of 90°00'00" to the left and run 200.00' to a point; Thence turn a deflection angle of 90°00'00" to the left and run 125.00' to a point; Thence turn a deflection angle of 90°00'00" to the left and run north-northeasterly a distance of 200.00' to the point of beginning, containing 25,000 square feet or 0.5739 of an acre and marked on the corners with steel capped rebar pins. Property is subject to any and all agreements, easements, restrictions and/or limitations of probated record or applicable law.

According to my survey of August 30, 1993 Joseph E. Conn, Jr A.P.L.S. # 9049
Joseph E. Conn, Jr

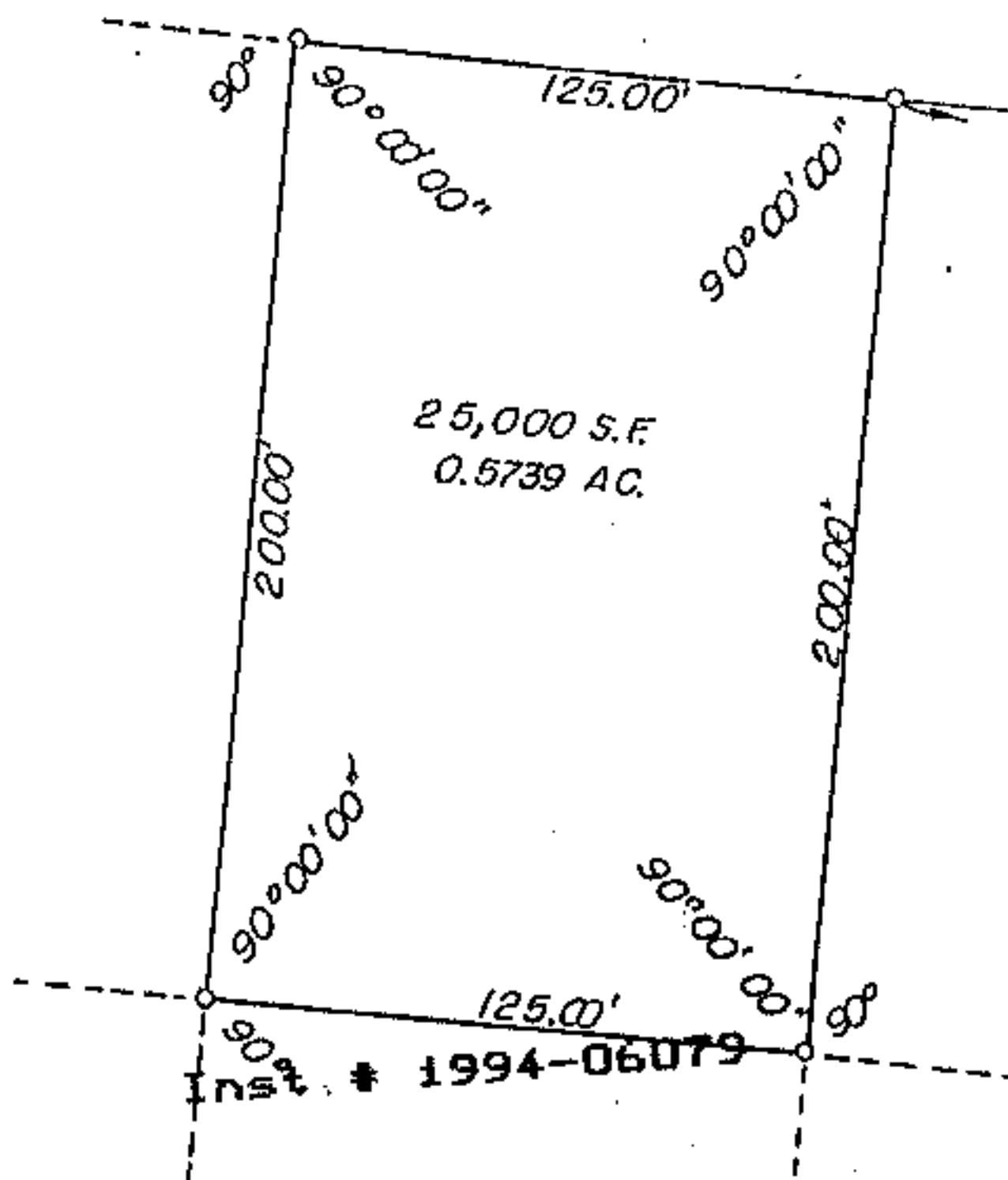
File No. 4992-A-93
Water Tank Site
Charles Tucker Engineering, Inc
Aug. 1993
SW $\frac{1}{4}$ -SW $\frac{1}{4}$, S21, T20S, R3W



NE CORNER
NW $\frac{1}{4}$ -SW $\frac{1}{4}$
SEC. 21, T. 20S, R. 3W

NE CORNER
SW $\frac{1}{4}$ -SW $\frac{1}{4}$
SEC. 21, T. 20S, R. 3W

SCALE: 1" = 50'



02/24/1994-06079
10:04 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 12.00