

NOTICE OF LIS PENDENS

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that on the 22nd day of November, 1995, suit was begun by the undersigned in the Probate Court of Shelby County, Alabama, Case No. 34-139, and that the following are the names of all parties to the said suit:

| | | |
|------------------------------|---|-------------------------|
| CITY OF ALABASTER, ALABAMA, |) | IN THE PROBATE COURT OF |
| a municipal corporation, |) | |
| |) | SHELBY COUNTY, ALABAMA |
| Plaintiff, |) | |
| |) | CASE NO. <u>34-139</u> |
| v. |) | |
| |) | |
| JACK E. MITCHELL, JR.; DEBRA |) | |
| MITCHELL; COLONIAL BANK; |) | |
| MELVY N. THOMAS; RUBY N. |) | |
| SMITH; MALCOLM NORRIS; and |) | |
| DELLA JEAN NORRIS; |) | |
| |) | |
| Defendants. |) | |

The aforesaid suit is to condemn an easement for the construction, maintenance, and operation of a sanitary sewer line and associated equipment over and across the property described on the attached exhibit, and the defendants named above are alleged to have some right, title, or interest in the lands sought to be condemned.

This the 22nd day of November, 1995.

Inst # 1995-34061

11/28/1995-34061
01:50 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 MCD 18.50

CITY OF ALABASTER, ALABAMA

by William R. Juster
Attorney for Plaintiff

Inst # 1995-34061

Pnt

EXHIBIT 1

Parcel 1:

A parcel of land in the SW 1/4 of the NW 1/4 of Section 15, Township 21 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the southwest corner of Melvy N. Thomas property as described in Real Volume 323 on Page 263 in the Office of the Probate Judge of Shelby County, Alabama and run thence North 89 deg. 39 min. 19 sec. East along the south line of subject property a distance of 178.35 feet to a point on the proposed centerline of the proposed sanitary sewer line and the point of beginning of the easement being described, thence run North 00 deg. 58 min. 15 sec. East along proposed centerline of proposed easement a distance of 255.15 feet to a point that represents a future manhole; thence run North 47 deg. 16 min. 39 sec. East along said centerline of said proposed easement 216.30 feet to a point on the East property line of subject parcel and the end of required easement for this parcel. Centerline of proposed easement is 345.26 feet north of the southeast corner of same said subject parcel at its terminus.

EXHIBIT 2

Parcel 2:

A parcel of land in the SW 1/4 of the NW 1/4 of Section 15, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows: Commence at the southwest corner of the Ruby N. Smith property as described in Real Volume 323 on page 266 in the Office of the Judge of Probate of Shelby County, Alabama and run thence North 1 deg. 51 min. 39 sec. West along the west line of subject parcel a distance of 345.26 feet to a point on the proposed centerline of proposed sanitary sewer and the point of beginning of the easement being described; thence run North 47 deg. 16 min. 39 sec. East along proposed centerline of proposed easement a distance of 61.95 feet to a point that represents a future manhole; thence run North 59 deg. 06 min. 20 sec. East a distance of 368.57 feet to a point on the east property line of the subject parcel and the end of required easement for this parcel. Ruby N. Smith owns the adjacent parcel to the east that is shown and known hereon this plat as Parcel -3. Centerline of proposed easement is 537.35 feet north of the southeast corner of this parcel at its terminus.

EXHIBIT 3

Parcel 3:

A parcel of land in the South 1/2 of the NW 1/4 of Section 15, Township 21 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the southwest corner of the Ruby N. Smith property as described in Real Volume 323 on page 266 in the Office of the Judge of Probate of Shelby County, Alabama and run thence North 1 deg. 52 min. 41 sec. West along the west line of subject parcel a distance of 537.35 feet to a point on the proposed centerline of proposed sanitary sewer and the point of beginning of the easement being described; thence run North 59 deg. 06 min. 20 sec. East along proposed centerline of proposed easement a distance of 70.90 feet to a point that represents a future manhole; thence run North 78 deg. 55 min. 15 sec. East along same said centerline of same said proposed sanitary sewer a distance of 314.63 feet to a point that represents a future manhole; thence run South 85 deg. 44 min. 20 sec. East along proposed centerline of proposed easement for a distance of 88.49 feet to a point on the east property line of the subject parcel and the end of required easement for this parcel. Centerline point at end is 155.06 feet north of the southeasternmost corner of this parcel at it's terminus.

Parcels 4 & 5:

A parcel of land in the SW 1/4 of the NW 1/4 of Section 15, Township 21 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the southwest corner of the SW 1/4 of the NW 1/4 of Section 15, Township 21 South, Range 3 West, Shelby County, Alabama and run thence North 1 deg. 42 min. 18 sec. West along the west line of said 1/4-1/4 section and the west line of the Malcolm and Della Jean Norris property as described in Real Volume 252 on page 908 in the Office of the Judge of Probate of Shelby County, Alabama a distance of 432.63 feet to the northwest corner of said Norris property; thence run North 89 deg. 39 min. 19 sec. East along the north line of said Norris property a distance of 613.35 feet to a point on the centerline of the proposed easement and the point of beginning of the easement being described; thence run South 00 deg. 58 min. 15 sec. West along said centerline a distance of 13.98 feet to a point that represents a future manhole; thence run South 7 deg. 10 min. 00 sec. East along said centerline a distance of 131.89 feet to a point that represents a future manhole; thence run South 3 deg. 00 min. 45 sec. East along said centerline of said proposed easement a distance of 145.04 feet to a point that represents a future manhole; thence run South 7 deg. 47 min. 30 sec. East along said centerline of said easement a distance of 146.04 feet to a point on the south line of the Norris property as described in Real Volume 320 on page 445 and the end of required easement across these two properties. Centerline of proposed easement is 19.93 feet east of the southwest corner of parcel described in Real Volume 320 page 445 at it's terminus.

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