

NOTICE OF LIS PENDENS

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

**UTILITIES BOARD OF THE
CITY OF HELENA,**

Plaintiff,

vs.

CASE NO. 37-086

Inst # 1998-15688

**04/30/1998-15688
01:37 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
18.50
005 MEL**

**CSX TRANSPORTATION, INC., a
corporation, A, B & C, the person, firm or
corporation which owns, has an interest in
or lien or encumbrance against the
property described on Exhibit "A"
attached hereto, all of whose names are
otherwise unknown, but whose true names
will be added by amendment when
ascertained,**

Defendants.

**TO THE HON. PATRICIA YEAGER FUHRMEISTER, JUDGE OF PROBATE OF
SHELBY COUNTY, ALABAMA:**

Comes now Utility Board of the City of Helena, by its attorney, and files herewith notice to all persons concerned that on the 30th day of April, 1998, condemnation proceedings were commenced in the Probate Court of Shelby County, Alabama, whereby said Utility Board of the City of Helena seeks to obtain certain public rights of way and other rights, and said proceedings are now pending.

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

Property Owner: CSX Transportation, Inc.

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

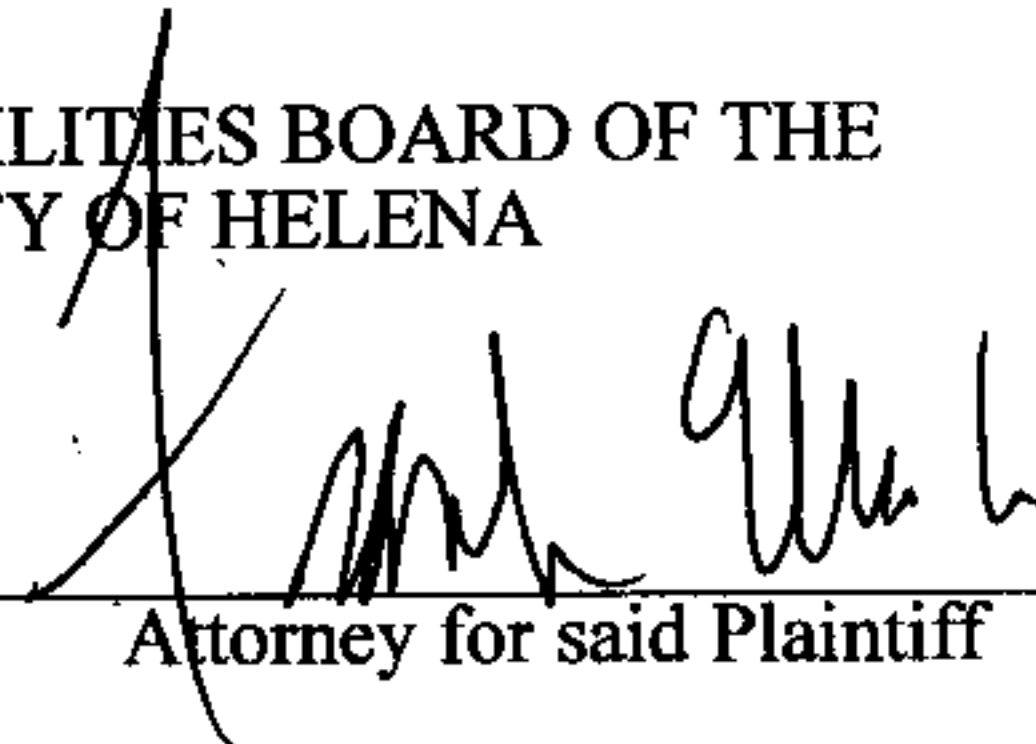
Description of above property is taken from right of way map of said project on file in the office of the Utility Board of the City of Helena in Helena, Alabama, and in the office of and in the Office of the Probate Judge of Shelby County, Alabama.

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

Return to Probate

UTILITIES BOARD OF THE
CITY OF HELENA

By


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 30th day of April, 1998, at 1:30 o'clock A.m. and duly recorded as Instrument No. _____ and examined.


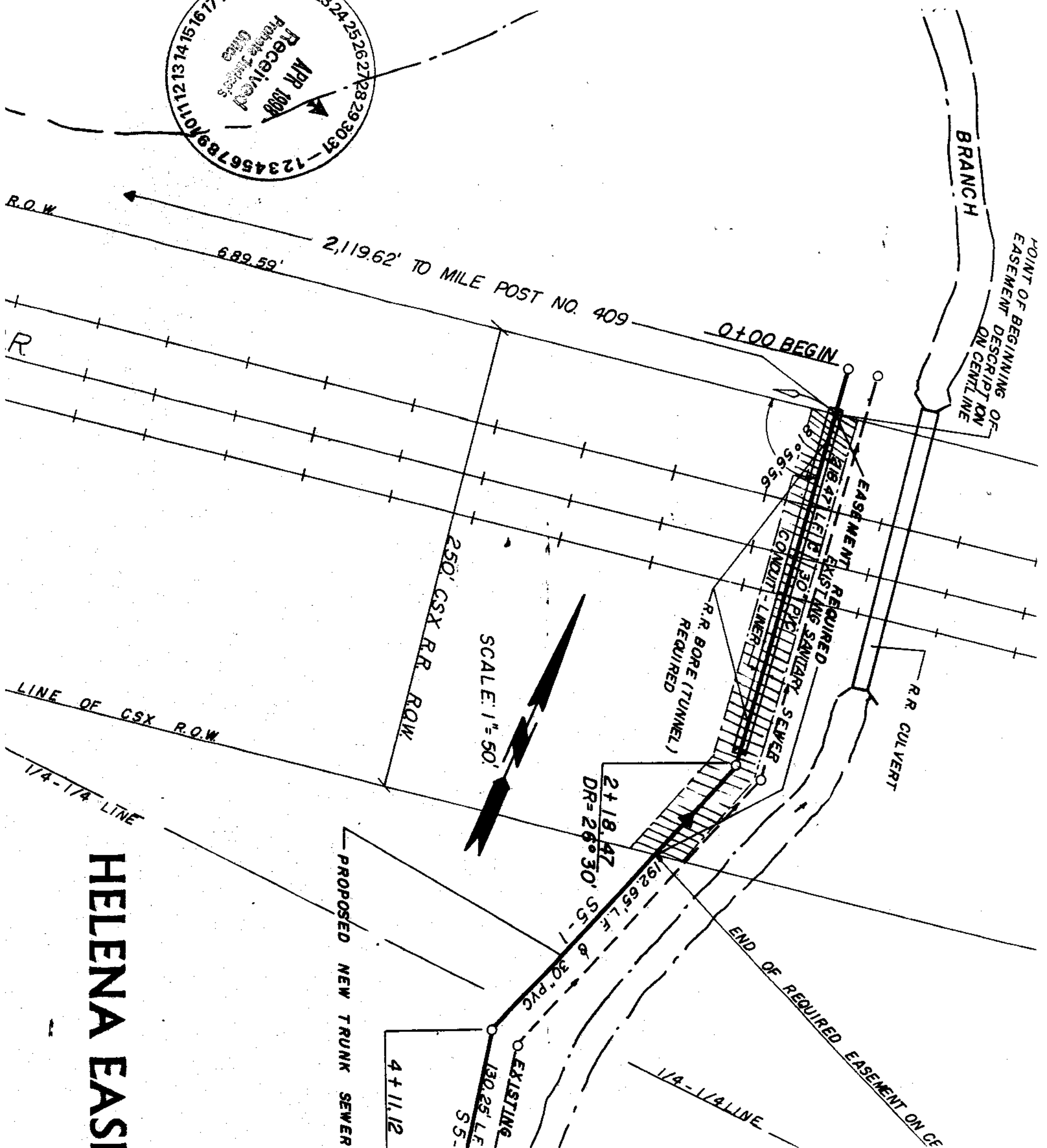

Judge of Probate

EXHIBIT "A"

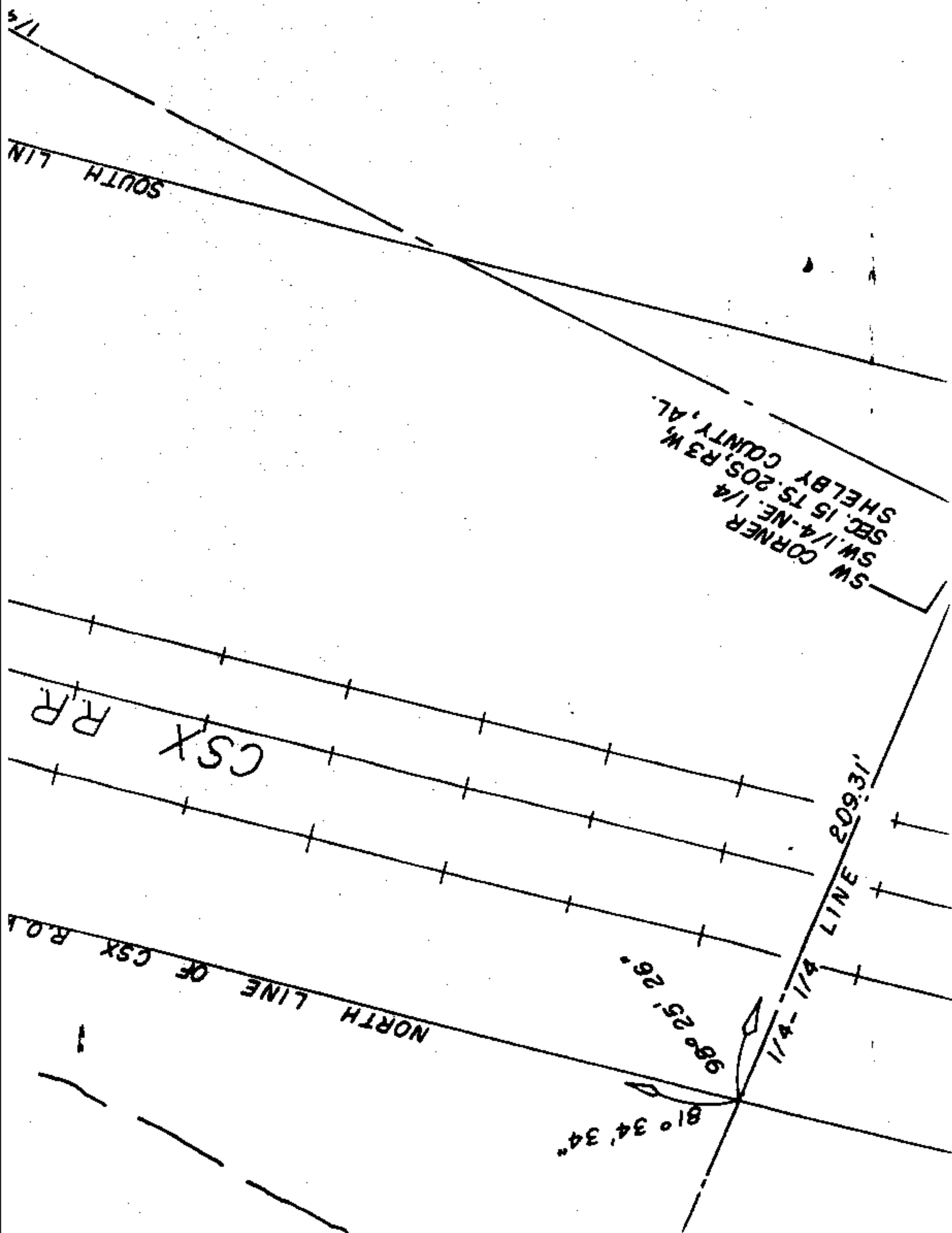
A 20 ft. permanent easement, 10 ft. on either side of said centerline, and an additional temporary construction easement of 40 ft., 20 ft. on either side of said permanent easement, crossing the following described property:

Commence at the southwest corner of the Southwest quarter of the Northeast quarter of Section 15, Township 20 south, Range 3 west, Helena, Shelby County, Alabama and run thence northerly along the west line of said quarter-quarter 209.31' to a point on the northerly right of way line of the CSX railroad right of way; Thence turn a deflection angle of 81 degrees 34 minutes 34 seconds to the right and run easterly along said right of way line a distance of 689.59' to the point of beginning, on the centerline, of the easement being described, said point also being 2,119.62' east of and along the right of way line from CSX Mile Post No. #409; Thence turn a deflection angle of 98 degrees 03 minutes 04 seconds to the right and run thence southerly across said CSX right of way a distance of 193.47' to a point; Thence turn a deflection angle of 26 degrees 30 minutes to the right and run south-southwesterly 64.17' to a point on the southerly right of way line of said CSX railroad right of way and the end of easement. Said easement being 10 feet on each side of just described centerline.



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