

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

IN RE: APPLICATION OF
Arnold Ray Thornton, Jr.

FOR THE CONDEMNATION OF
RIGHT OF WAY
Arnold Ray Thornton, Jr.,
Condemnor

vs.
F. Richard Fogle and Anna Carol
Fogle
Condemnees

Case No.: 42-252

NOTICE OF LIS PENDENS

PLEASE TAKE NOTICE; that an action has been commenced in the Probate Court of Shelby County by the above named Condemnor against the above named Condemnees applying to the Probate Court of Shelby County, Alabama to condemn a private right of way as contemplated by Code of Alabama, Section 18-3-1, et seq.; over and across the lands of the Condemnees, which lands are described as follows:

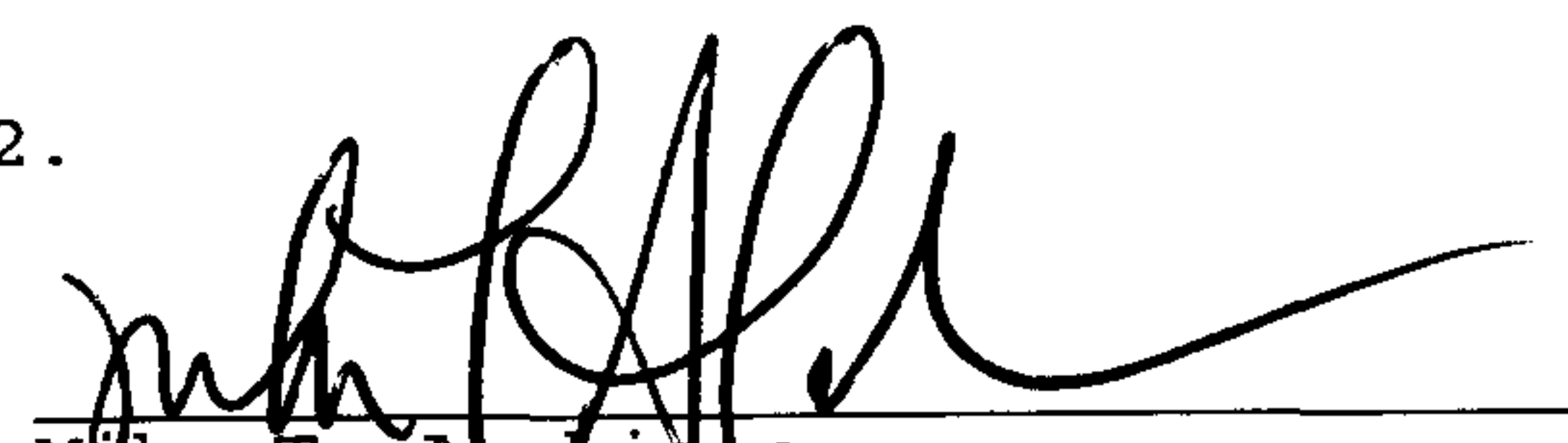
EASEMENT A:

A 30-foot easement for ingress, egress and utilities, described as follows:

Commence at the NW corner of the SW 1/4 of the NE 1/4 of Section 9, Township 21 South, Range 2 West, Shelby County, Alabama; thence South 00 degrees 28 minutes 19 seconds East, a distance of 231.61 feet; thence South 00 degrees 37 minutes 05 seconds East a distance of 58.29 feet to the point of beginning of the centerline of a 30-foot ingress, egress, and utility easement lying 15 feet to either side of and parallel to described centerline; thence South 41 degrees 23 minutes 24 seconds West along said centerline, a distance of 324.12 feet; thence South 68 degrees 59 minutes 18 seconds West along said centerline a distance of 134.69 feet; thence North 81 degrees 24 minutes 48 seconds West along said centerline, a distance of 190.43 feet to the Easterly right of way of Timber Lane to the point of ending of described centerline.

According to survey of Rodney Y. Shiflett, RLS #21784, dated February 11, 2001.

Done this 4th day of April, 2002.


Mike T. Atchison,
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