

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

**STATE OF ALABAMA,
Plaintiff,**

v.

CASE NO.

**MONTEVALLO SMALL ENGINES, INC.,
Joseph T. Adams, President, PEOPLES BANK & TRUST
COMPANY (MORTGAGEE), and ANNETTE D. SKINNER, SHELBY
COUNTY TAX COLLECTOR
Defendants.**

NOTICE OF LIS PENDENS

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

COMES NOW, the State of Alabama, by and through its Special Assistant Attorney General, and files herewith notice to all persons concerned that on the _____ day of _____, 2002, condemnation proceedings were commenced in the Probate Court of Shelby County, Alabama, whereby said State of Alabama seeks to obtain certain public rights-of-way and other rights, and said proceedings are now pending.

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

PROPERTY OWNER:	MONTEVALLO SMALL ENGINES, INC., Joseph T. Adams, President
MORTGAGEE	PEOPLES BANK & TRUST COMPANY
TAX COLLECTOR:	ANNETTE D. SKINNER

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

Description of above described property is taken from right of way map of Project **STPBH-9802(98)** of record in the Alabama Department of Transportation, and in the Office of the Judge of Probate of Shelby County, Alabama.

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

STATE OF ALABAMA


AYN TRAYLOR-SADBERRY
DEPUTY ATTORNEY GENERAL

STATE OF ALABAMA)
JEFFERSON COUNTY)

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

I hereby certify that the within Notice of Lis Pendens was filed in this office for record on the _____ day of _____, 2002, at _____ o'clock _____ m.
And duly recorded as Instrument No. _____, and examined.

JUDGE OF PROBATE

Exhibit A

*This instrument prepared by:
Alabama Department of Transportation
P.O. Box 2745
Birmingham, AL 35202*

STATE OF ALABAMA)

COUNTY OF SHELBY)

TRACT NO. 39-REV.

DEED FOR TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, for and in consideration of the sum of

_____ dollars, cash in hand paid to the undersigned by the
State of Alabama, the receipt of which is hereby acknowledged, I (we) the undersigned
grantor(s), _____

have (has) this day bargained and sold, and by these presents do hereby grant, bargain, sell,
convey, transfer and deliver unto the Alabama Department of Transportation a temporary
easement and right of way for the following purposes, to-wit:

The rights to enter upon the hereinafter-described land and grade, level, fill and cut as necessary
on, over and across the ground embraced within the boundaries of a tract or parcel of my
(our) land situated in the County of Shelby, State of Alabama.

AND AS SHOWN ON THE RIGHT-OF-WAY MAP OF PROJECT NO. STPBH-9802(98)
of record with the Alabama Department of Transportation, a copy of which is also deposited in
the Office of the Judge of Probate of Shelby County, Alabama, as an aid to persons and entities
interested therein, and as shown on the property plat attached hereto and made a part hereof:

A temporary easement necessary for construction and being part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of
Section 3, Township 24 North, Range 12 East, identified as Tract No. 39 on Project No. STPBH-
9802(98) in Shelby County, Alabama and being more particularly described as follows:

Commence at the southwest corner of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence run north along the west
line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 52.84 meters to the southeast right of way line of State
Route 25; thence run northeasterly along said southeast right of way line a distance of 28.22
meters to the northwest property corner at a point 12.19 meters southeast of and at right angles to
the centerline of said project at Station 27+81.54 and the point of beginning of the easement
herein described; thence continue said course along said right of way line a distance of 41.45
meters to a point 12.19 meters southeast of and at right angles to the centerline of said State
Route 25 at station 28+23; thence run southeasterly a distance of 13.13 meters to a point 14
meters southeast of and at right angles to the centerline of said road at station 28+10; thence run
southwesterly and parallel to the southeast line of said road a distance of 28.53 meters to a point
on the west property line of grantor at a point 14.79 meters southeast of and at right angles to the
centerline of said project at Station 27+81.48; thence run northwesterly a distance of 2.60 meters
to the point of beginning. Containing 0.007 hectare, more or less.
(Tax ID#58-36-02-03-02-3-6.000)

TO HAVE AND TO HOLD, the said easement and right of way unto the State of Alabama and unto the State of Alabama and unto its successors and assigns for a period of **three (3) years** or until the completion of Project STPBH-9802(98), whichever is later.

And the said grantor(s) hereby covenant(s) with the State of Alabama that I (we) am (are) lawfully seized and possessed of the afore-described tract or parcel of land; that I (we) have a good and lawful right to sell and convey it; that it is free from all encumbrances; and that I (we) will warrant and forever defend the title and quiet possession thereto against the lawful claims of all persons whomsoever.

As a further consideration for the payment of the purchase price, above stated, I (we) hereby release the State of Alabama, its employees and officials, from all claims for damage, from whatsoever cause, present or prospective, incidental or consequential, to the exercise of any of the rights herein granted.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this the _____ day of _____, 200____.

L.S.

L.S.

ACKNOWLEDGEMENT

STATE OF _____)

COUNTY OF _____)

I, _____, a Notary Public, in and for said County and State,
hereby certify that _____, whose name(s)
is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged
before me on this day that, being informed of the contents of this conveyance, _____
executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the _____ day of _____,
200____.

Notary Public

My Commission Expires:_____

ACKNOWLEDGEMENT FOR CORPORATION

STATE OF _____)

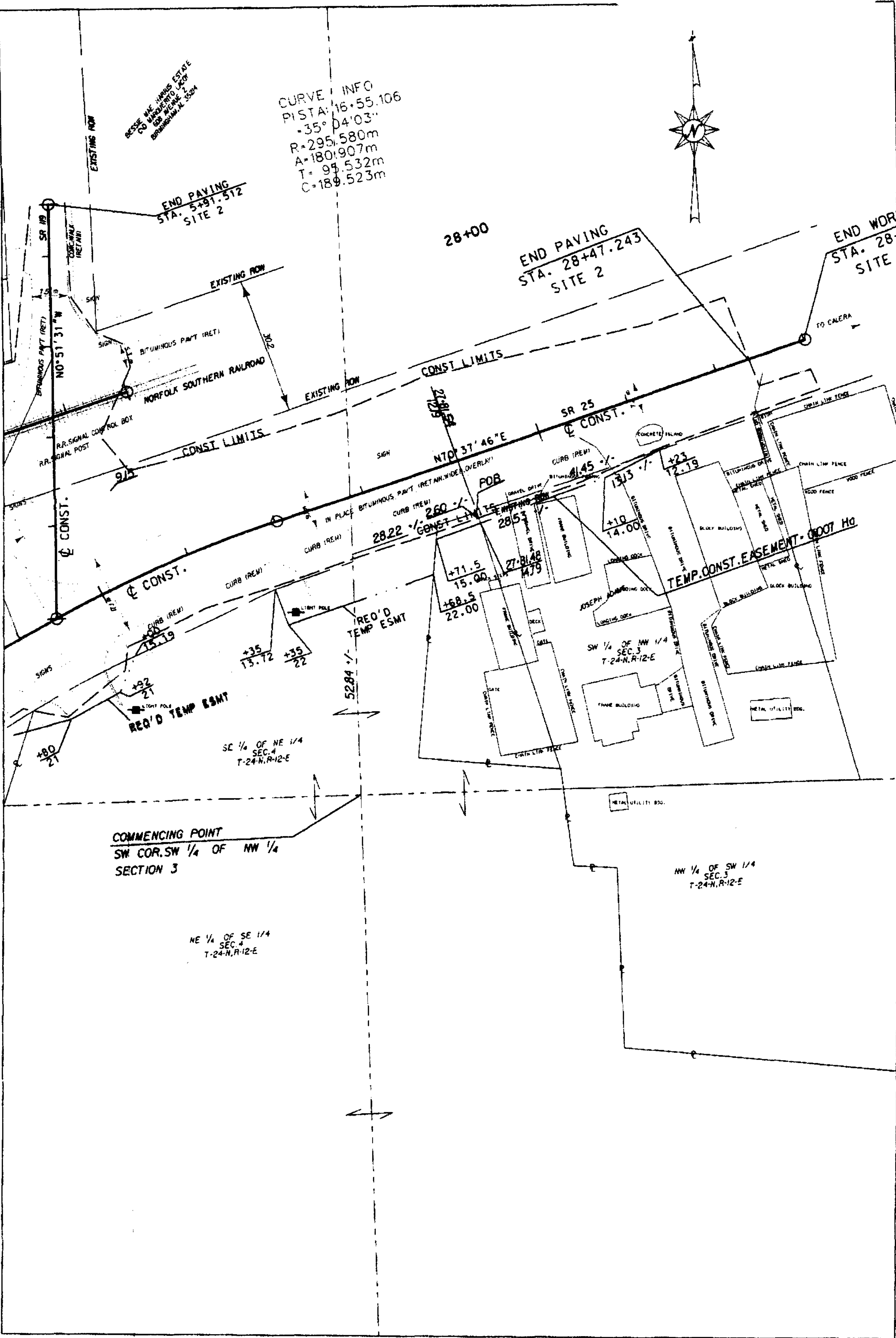
COUNTY OF _____)

I, _____, a Notary Public, in and for said County and
State, hereby certify that _____, whose name
as _____ of the Company, a corporation, is signed to the foregoing conveyance,
and who is known to me, acknowledged before me on this day that, being informed of the
contents of this conveyance, _____ as such officer and with full authority, executed
the same voluntarily, for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the _____ day of _____,
200____.

Notary Public

My Commission Expires:_____



ALABAMA DEPARTMENT OF TRANSPORTATION

TRACT NUMBER 39
OWNER: JOSEPH ADAMS

TOTAL HECTARES 0.439
TEMP.CONST.ESM'T 0.007
REMAINDER 0.439

PROJECT NO. STPBH-9802(98)
COUNTY: SHELBY
SCALE : 1:1000
DATE: 3 15 2001

