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Shelby Cnty Judge of Probate, AL
05/05/2003 13:10:00 FILED/CERTIFIED

PROBATE JUDGE'S OFFICE

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

IN RE: APPLICATION OF
Linda Gail Kelley Kirkpatrick Lanzarotta

FOR THE CONDEMNATION OF
RIGHT OF WAY
Linda Gail Kelley Kirkpatrick
Lanzarotta,
Condemnor

vs.

James D. Kincaid, Terry D. Kincaid,
Robert E. Kincaid, Terry L. Kincaid
Gem Mac Taylor, Frances Holmes
Taylor, Jack Blankenship, and
Eloise Blankenship
Condemnees

Case No.: PR2003 - 600241

NOTICE OF LIS PENDENS

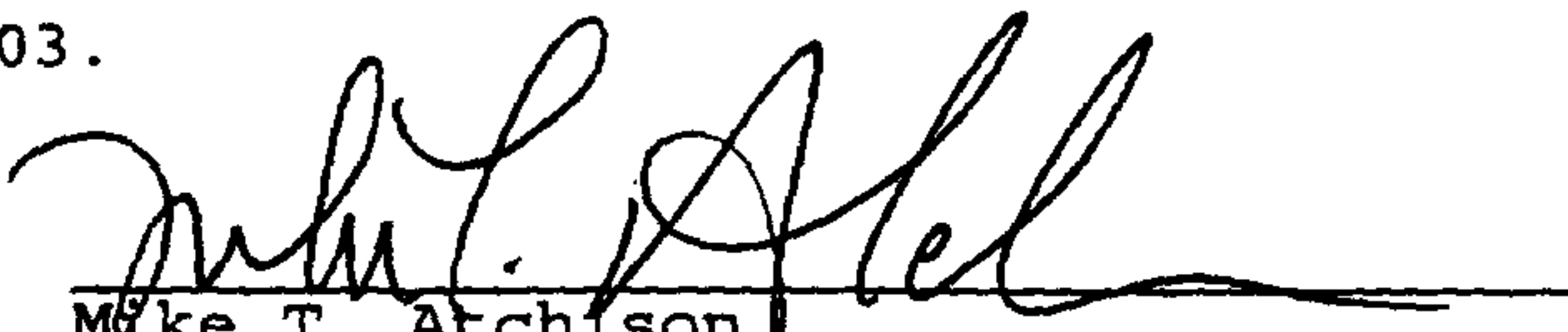
PLEASE TAKE NOTICE; that an action has been commenced in the Probate Court of Shelby County by the above named Condemnor against the above named Condemnees applying to the Probate Court of Shelby County, Alabama to condemn a private right of way as contemplated by Code of Alabama, Section 18-3-1, et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

A 30-foot easement for ingress, egress and utilities, being in the East 1/2 of the SW 1/4 of Section 8, and in the E 1/2 of the NW 1/4 of Section 17, all in Township 19 South, Range 2 East, being more particularly described as follows:

Commence at the NW corner of the NE 1/4 of the SW 1/4 of Section 8, Township 19 South, Range 2 East; thence run South along the West line thereof for 15.00 feet to the point of beginning; thence 90 degrees 59 minutes 56 seconds left run Easterly parallel with the North line of said 1/4-1/4 Section for 882.16 feet to an existing dirt road; thence (along said dirt road the following described courses) 119 degrees 57 minutes 27 seconds right run Southwesterly 875.86 feet; thence 2 degrees 54 minutes 58 seconds left for 409.70 feet; thence 32 degrees 36 minutes 27 seconds right for 199.10 feet; thence 59 degrees 26 minutes 46 seconds left for 698.66 feet; thence 8 degrees 32 minutes 27 seconds left for 522.35 feet; thence 33 degrees 00 minutes 15 seconds left run Southeasterly 329.79 feet; thence 11 degrees 27 minutes 55 seconds right for 309.93 feet; thence 14 degrees 58 minutes 07 seconds left for 208.63 feet; thence 17 degrees 47 minutes 38 seconds right for 301.97 feet; thence 27 degrees 29 minutes 20 seconds left for 221.38 feet; thence 21 degrees 37 minutes 26 seconds right for 428.77 feet; thence 7 degrees 09 minutes 50 seconds left for 186.55 feet to the Westerly right of way of Shelby County Highway #83 and the point of ending.

According to survey of Thomas E. Simmons, RLS #12945, dated December 3, 2002.

Done this 16th day of April, 2003.


Mike T. Atchison,
Attorney for Condemnor
P.O. Box 822
Columbiana, Alabama 35051
Telephone: (205) 669-9268
Facsimile: (205) 669-3130

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PROBATE JUDGE'S OFFICE

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SECURITY FOR COSTS IN PROBATE COURT

THE STATE OF ALABAMA
SHELBY COUNTY

PROBATE COURT
SHELBY COUNTY, ALABAMA

Linda Gail Kelley Kirkpatrick Lanzaotta,)
Condemnor)

Case No.: _____

vs.)

James D. Kincaid, Terry D. Kincaid,)
Robert E. Kincaid, Terry L. Kincaid)
Gem Mac Taylor, Frances Holmes)
Taylor, Jack Blankenship, and)
Eloise Blankenship)
Condemnees)

SECURITY FOR COSTS IN PROBATE COURT

I hereby acknowledge myself security for all costs in the Probate Court in the above case, returnable to the present term thereof. And for the payment of the above bond, I hereby waive my right of exemption to personal property under the Constitution and Laws of the State of Alabama.



Greg Franklin

Taken and approved this the _____ day of April, 2003.

CLERK OF PROBATE COURT