

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

**STATE OF ALABAMA,
PLAINTIFF.**

V.

PR-2004-000172

**TAMMY CUTHBERT, TOM CUTHBERT
Owners of the fee, B. C. CROCKER AND LARRY CROCKER,
MORTGAGEES, and ANNETTE D. SKINNER,
SHELBY COUNTY TAX COLLECTOR, ET AL,
DEFENDANTS.**

NOTICE of LIS PENDENS

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

COMES NOW, the State of Alabama, by and through its Deputy Attorney General, and files herewith notice to all persons concerned that on the 23 day of March, 2004, condemnation proceedings were commenced in the Probate Court of Shelby County, Alabama, whereby said State of Alabama seeks to obtain public rights-of-way and other rights, and said proceedings are now pending.

The names of the property owners concerned together with the property sought to be condemned are set forth below:

Property Owners:	Tammy Cuthbert Tom Cuthbert
Mortgagees:	B. C. Crocker Larry Crocker
Tax Collector:	Annette D. Skinner

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

Jim Coleman

Description of above described; property is taken from the right-of-way Map of Project BR-458 (6) 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

BY: _____


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 _____, 2004, at _____ o'clock ____ m. and duly recorded as Instrument No. _____, and examined.

JUDGE OF PROBATE

Exhibit A

FORM ROW-4

THIS INSTRUMENT PREPARED BY:

OR

ALABAMA DEPARTMENT OF TRANSPORTATION
THIRD DIVISION
BIRMINGHAM, ALABAMA 35203

STATE OF ALABAMA)

COUNTY OF SHELBY)

TRACT NO. 7

FEE SIMPLE

WARRANTY DEED

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, we (I) the undersigned grantor(s), _____ have (has) this day bargained and sold, and by these presents do hereby grant, bargain, sell and convey unto the State of Alabama the following described property, lying and being in SHELBY County, and being more particularly described as follows:

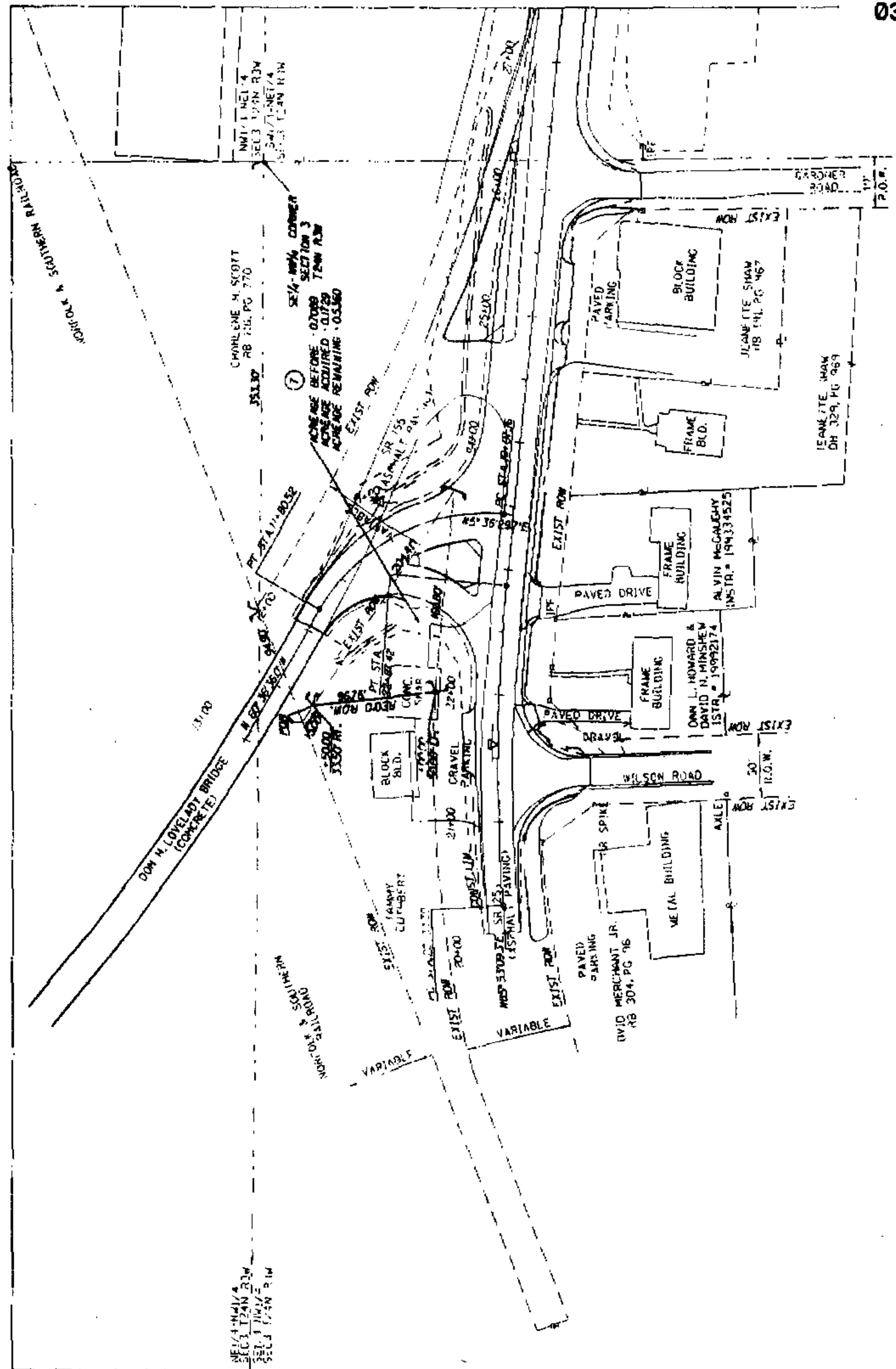
And as shown on the right of way map of Project No. BR-458(6) of record in the Alabama Department of Transportation, a copy of which is also deposited in the Office of the Judge of Probate of Shelby County, Alabama as an aid to persons and entities interested therein and as shown on the property plat attached hereto and made a part hereof:

A part of the SE ¼ of the NW 1/4, Section 3, Township 24 North, Range 3 West, Shelby County Alabama, identified as Tract No. 7, Project No. BR-458(6), more particularly described as follows:

Commencing at the northeast corner of said SE ¼ of NW ¼;
thence westerly along the north boundary of said SE ¼ of NW ¼ a distance of 353.37 feet to the northwest right of way line of the Norfolk & Southern Railroad;
thence southwesterly along said northwest right of way line a distance of 94.90 feet to the present southwest right of way line of State Road No. 155;
thence southeasterly along said present southwest right of way line a distance of 15.00 feet to a point (said point offset 33.50 feet and perpendicular to the Relocated centerline of State Road No. 155 at Station 12+50, the point of beginning;
thence continue southeasterly along said present southwest right of way line a distance of 204.47 feet to the present northerly right of way line of Alabama Highway No. 25;
thence westerly along said present northerly right of way line a distance of 160.37 feet to a point (said point offset 50.00 feet and perpendicular to the Project centerline at Station 22+00;
thence northwesterly along the required right of way line a distance of 96.76 feet to the point of beginning.
Containing 0.1729 acre, more or less.

TO HAVE AND TO HOLD, unto the State of Alabama, its successors and assigns in fee simple forever.

Exhibit A



ALABAMA DEPT. OF TRANSPORTATION

TRACT NUMBER Z...	PROJ. NO. BR-458(6)
OWNER: TAMMY CUTHBERT	COUNTY: SHELBY
TOTAL ACREAGE: 0.7089	SCALE: 1" = 100'
R/W REQUIRED: 0.1729	DATE: 3/13/02
REMAINDER: 0.5360	REVISED: 2/24/04