

NOTICE OF LIS PENDENS

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

SHELBY COUNTY, ALABAMA, a
political subdivision of the State of
Alabama,

Plaintiff,

vs.

CASE NO. PR 2004-000350

HENRY O. NATION, III; RUSSELL L. NATION; FIRST NATIONAL BANK OF SHELBY COUNTY; AIG BAKER SHOPPING CENTER PROPERTIES, LLC; NOLAND COMPANY; UNITED STATES OF AMERICA; AUTOMASTER ENTERPRISES, INC.; A, B, C, D, E, and F, the owners of the real property described in the complaint herein, 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 Shelby County, Alabama, a political subdivision of the State of Alabama, by its attorney, and files herewith notice to all persons concerned that on the 24th day of June, 2004, condemnation proceedings were commenced in the Probate Court of Shelby County, Alabama, whereby said Shelby County, Alabama, a political subdivision of the State of Alabama, seeks to obtain certain fee simple ownership to real property and 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(s): Henry O. Nation, III; Russell L. Nation; First National Bank of Shelby County; AIG Baker Shopping Center Properties, LLC; Noland Company; United States of America; Automaster Enterprises, Inc.

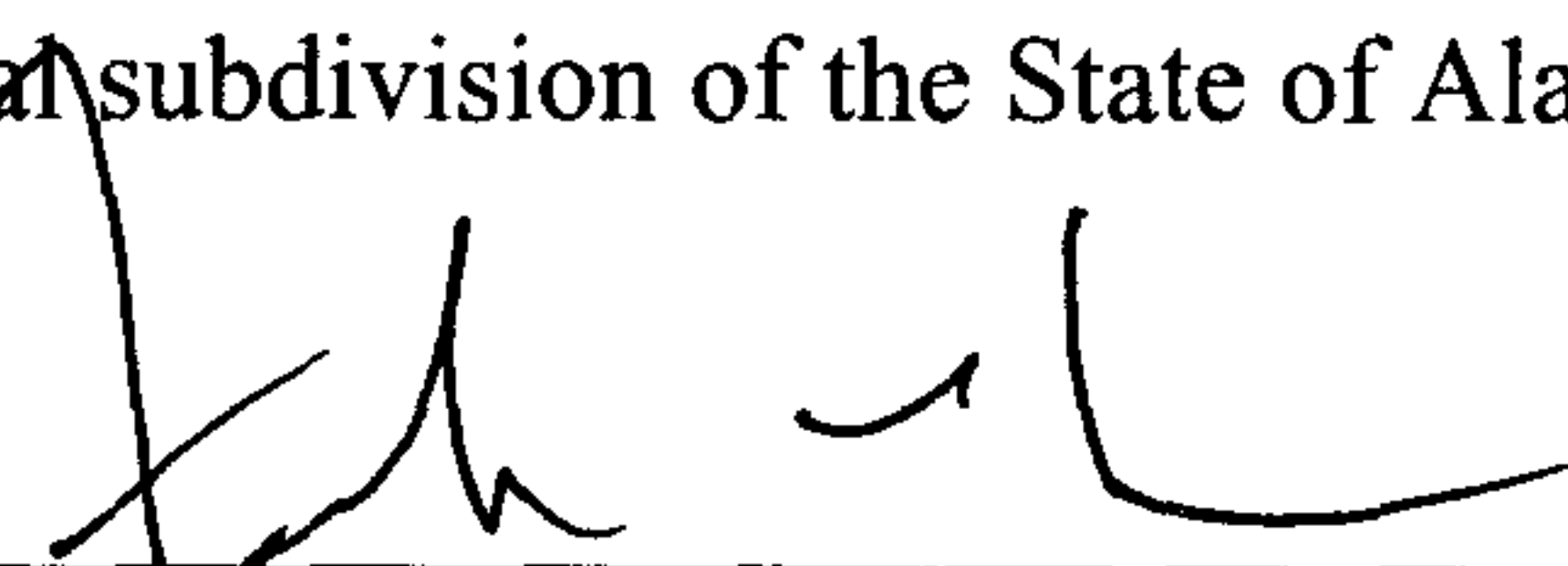
Property described on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein.

Description of above property is taken from right of way map of said project on file in the office of Shelby County Highway Department in Columbiana, Alabama, 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.

SHELBY COUNTY, ALABAMA,
a political subdivision of the State of Alabama

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 _____ day of June, 2004, at _____ o'clock _____ .m. and duly recorded as Instrument No. 2004-_____, and examined.

Judge of Probate

EXHIBIT "A"

Parcel One: Fee Simple Title

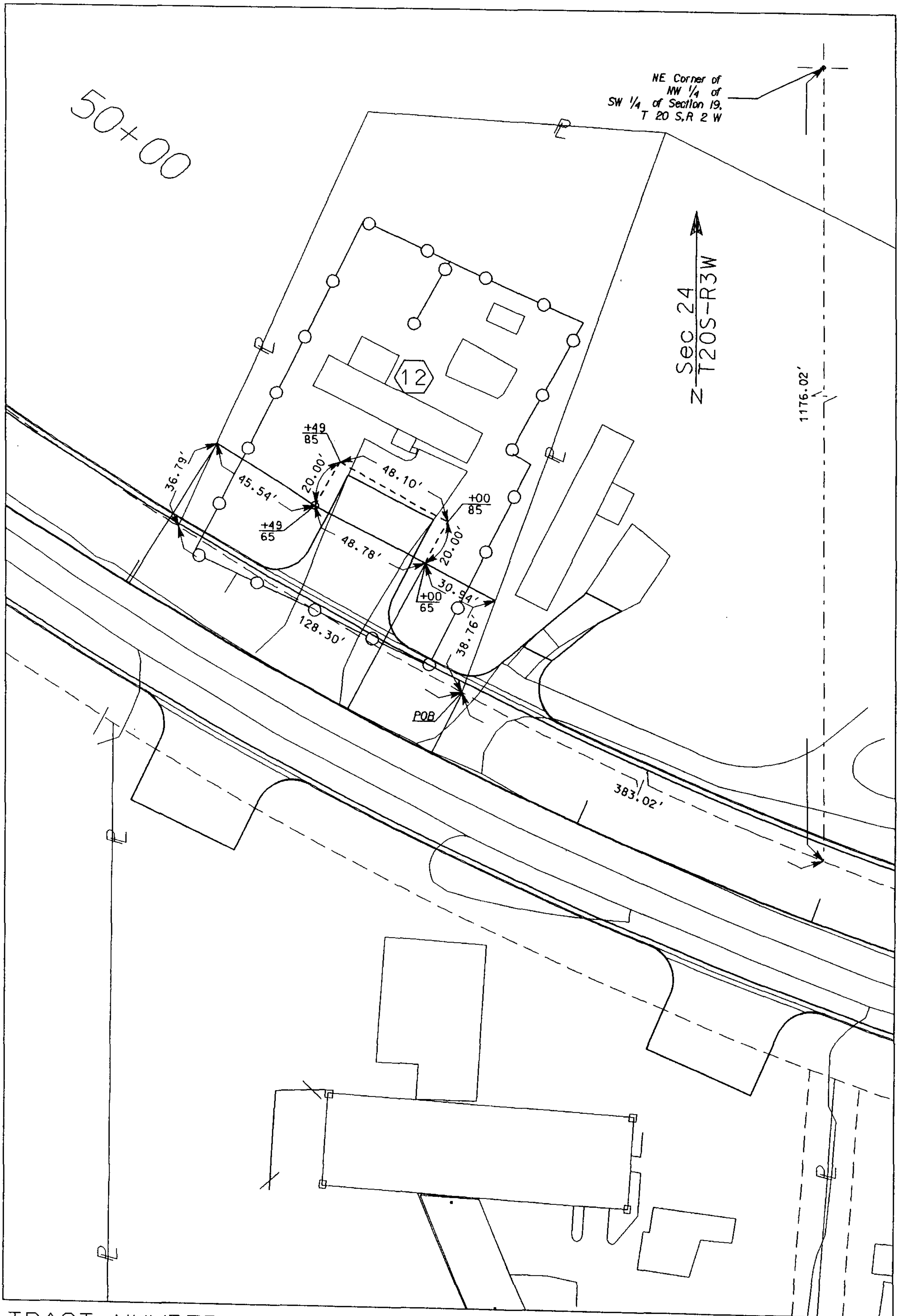
A part of the NW¼ of SW¼, Section 19, Township 20 South, Range 2 West identified as Tract No. 12 on Project No. STPBH-7132(003), Shelby County, Alabama and being more fully described as follows;

Commencing at the northeast corner of said NW¼ of SW¼; thence southerly along the east line of said NW¼ of SW¼ a distance of 1176.02 feet; thence N60°03'31"W along the present northern right-of-way line of CR 52 for a distance of 383.02 feet to a point 27.05 feet left of the CR 52 centerline of Project No. STPBH-7132(003) station 52+36.91; thence N60°03'31"W along said present right-of-way line for a distance of 128.30 feet to the point of intersection with the Grantor's western property line; thence N24°05'17"E along the said property line for a distance of 36.79 feet to point of intersection with the required right-of-way line 66.37 feet left of said centerline station 51+01.44; thence S57°48'35"E along the required right-of-way line for a distance of 45.54 feet to a point 65.00 feet left of said centerline station 51+49.00; thence S62°27'00"E for a distance of 79.32 feet to the point of intersection with the Grantor's eastern property line; thence S19°40'58"W along the grantor's eastern property for a distance of 38.76 feet to the point of beginning. Containing 0.11 acre, more or less.

Parcel Two: Temporary Construction Easement

ALSO: A temporary easement, necessary for construction, and being more fully described as follows: Beginning at a point that is 65.00 feet left of the CR 52 centerline of Project No. STPBH-7132(003) station 51+49.00; thence N29°32'10"E for a distance of 20.00 feet to a point 85.00 feet left of said centerline station 51+49.00; thence S61°26'16"E for a distance of 48.10 feet to a point 85.00 feet left of said centerline station 51+00.00; thence S27°35'18"W for a distance of 20.00 feet to the point of intersection with the required right-of-way line 65.00 feet left of said centerline station 51+00.00; thence N57°48'35"W along the required right-of-way line for a distance of 48.78 feet to the point of beginning. Containing 0.02 acre, more or less.

Upon completion of said project, all right, title and interest to said temporary easement shall cease and the grantee hereby relinquishes same.



TRACT NUMBER 12
OWNER: HENRY O.
NATION & RUSSELL L.
NATION
TOTAL ACREAGE: 0.58
R/W REQ'D: 0.11
REMAINDER: 0.47
TEMP. CONST. ESMT: 0.02

ALABAMA DEPT. OF TRANSPORTATION
PROJ. NO. STPBH-7132(003)
COUNTY: SHELBY
SCALE: 1" = 50'
DATE: 2-4-03
REVISED: