

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 2004-000351

**BEVERLY A. BRANTLEY SWANGER;
TERRY G. SWANGER; SOUTHTRUST
BANK**; 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): Beverly A. Brantley Swanger; Terry G. Swanger; SouthTrust Bank.

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

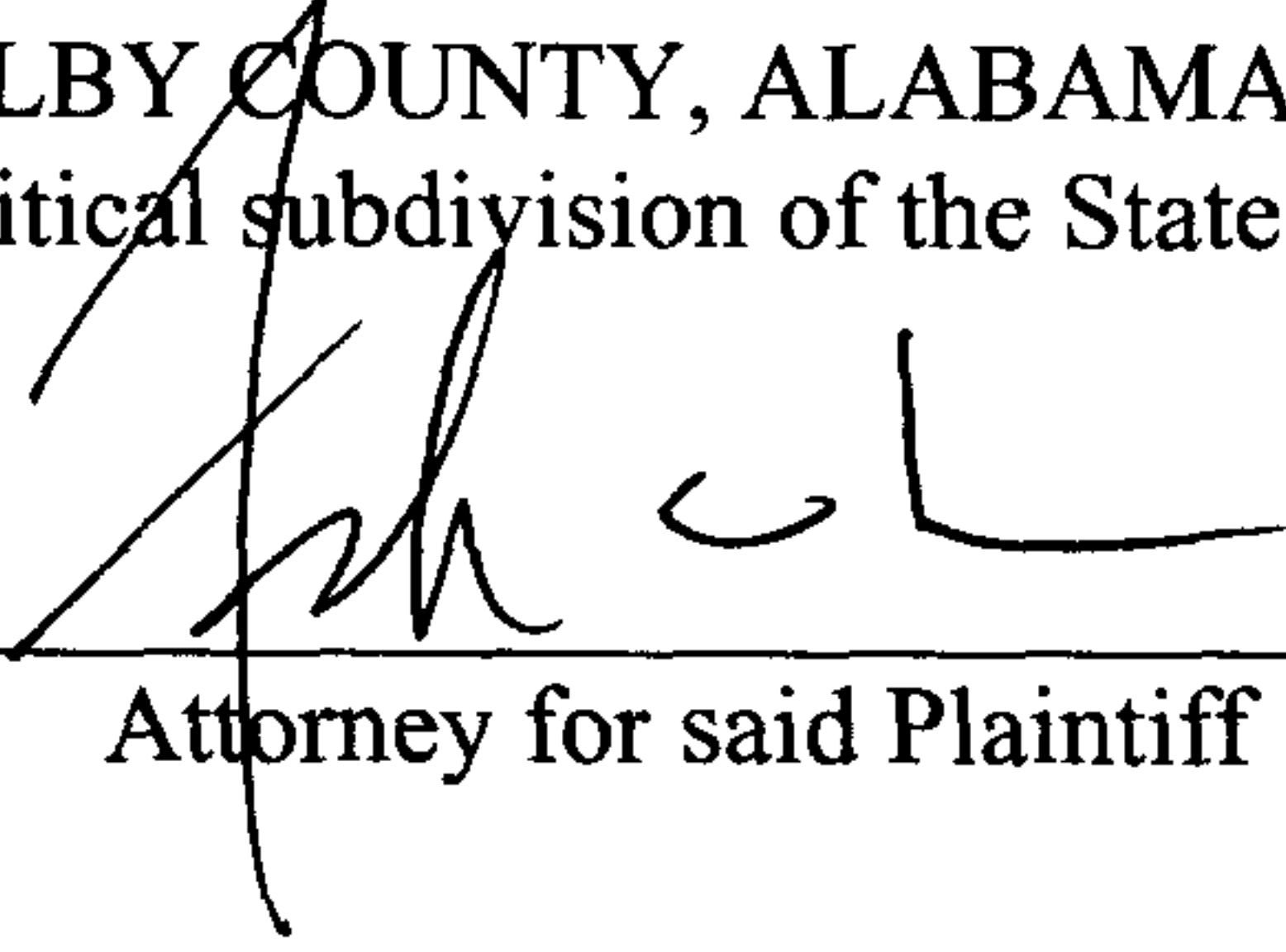
Description of above property is taken from right of way map of said project on file in the office of Shelby County Highway Department in Columbiana, Alabama, and in the Office of the

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 Acquisition

A part of the NE¼ of SW¼, Section 19, Township 20 South, Range 2 West identified as Tract No. 17 on Project No. STPBH-7132(003), Shelby County, Alabama and being more fully described as follows;

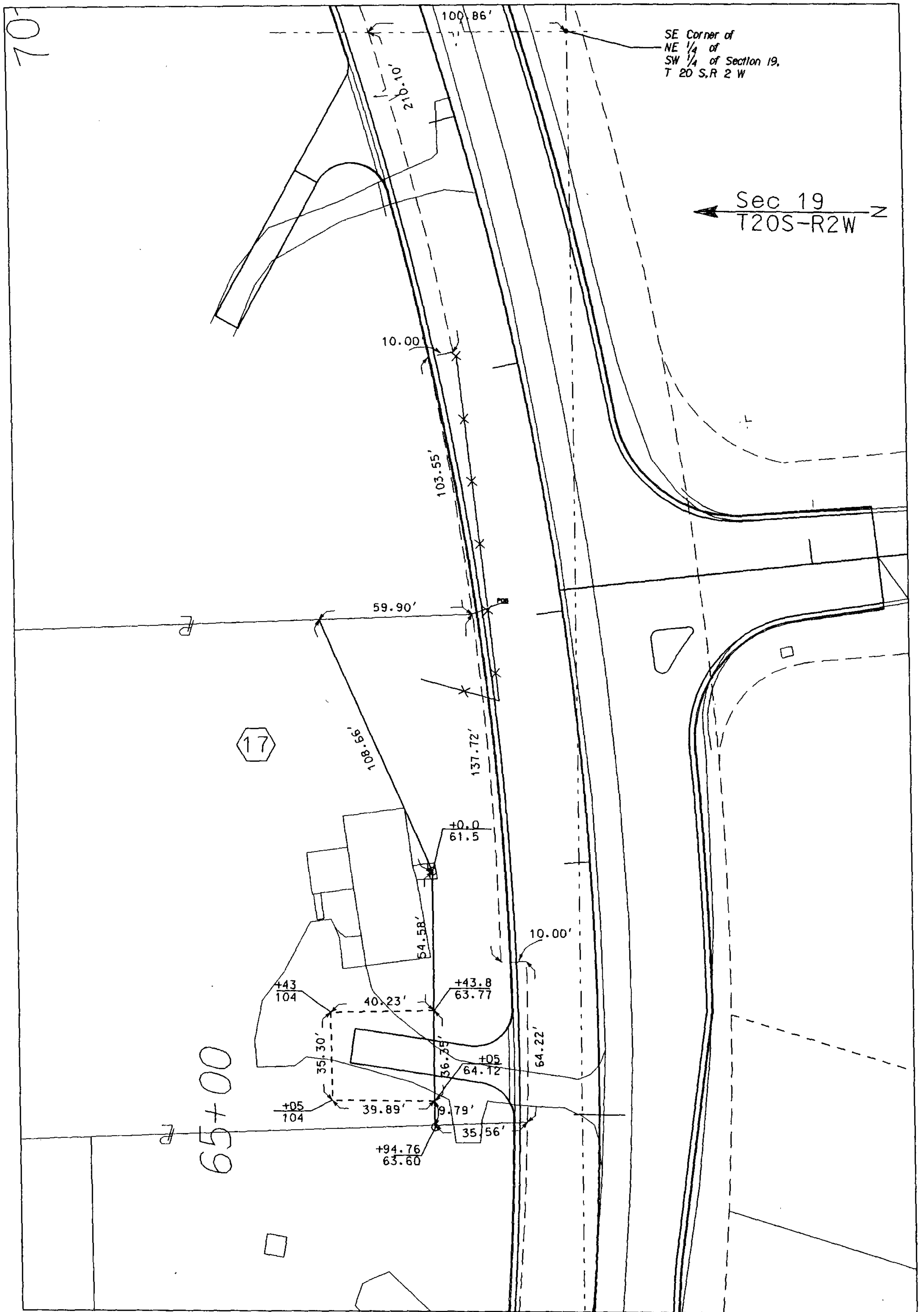
Commencing at the southeast corner of said NE¼ of SW¼; thence north along the east line of said NE¼ of SW¼ a distance of 100.86 feet to the point of intersection with the present northern right-of-way line of CR 52; thence S74°41'05"W along the present right-of-way line for a distance of 210.10 feet; thence N11°01'27"W along the present right-of-way line for a distance of 10.00 feet; thence S83°58'34"W for a distance of 241.27 feet; thence S01°01'27"E for a distance of 10.00 feet; thence N89°42'10"W for a distance of 64.22 feet to the point of intersection with the Grantor's western property line; thence N02°06'37"W along said property line for a distance of 35.56 feet to the point of intersection with the required right-of-way line 63.60 feet left of the CR 52 centerline of Project No. STPBH – 7132(003) station 64+94.76; thence N89°50'25"E for a distance of 100.72 feet to a point 61.50 feet left of said centerline station 66+00.00; thence N66°40'46"E for a distance of 108.66 feet to the point of intersection with the Grantor's eastern property line; thence S02°06'40"E along said property line for a distance of 59.90 feet to the point of intersection with the present northern right-of-way line of CR 52; thence S86°07'19"W along the present right-of-way line for a distance of 137.72 feet; thence S01°01'26"E for a distance of 10.00 feet; thence N89°42'10"W for a distance of 64.22 feet to the point of beginning. Containing 0.18 acre, more or less.

Parcel Two: Temporary Construction Easement

A temporary easement by Plaintiff to access upon the remaining property of Defendants for the purpose of moving any structure or structures which are located partly or wholly on or within Parcel One or which structure or structures are touched or divided by the line of division separating parcel One above from the remaining property of Defendants, more particularly described as follows:

Beginning at a point 64.12 feet left of the CR 52 centerline of Project No. STPBH-7132(003) station 65+05.00; thence N00°19'14"E for a distance of 39.88 feet to a point 104.00 feet left of said centerline station 65+05.00; thence N89°32'44"E for a distance of 35.30 feet to a point 104.00 feet left of said centerline station 65+43.00; thence S01°10'55"E for a distance of 40.23 feet to the point of intersection with the required right-of-way line station 65+43.80; thence N89°54'36"W along the required right-of-way line for a distance of 36.35 feet to the point of beginning. Containing 0.03 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 17
OWNER: BEVERLY A.
BRATNLEY SWANGER
TOTAL ACREAGE: 0.96
R/W REQ'D: 0.18
REMAINDER: 0.78
TEMP. CONST. ESMT: 0.03

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