

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 2006- 390

KENT UPTON; DONALD ARMSTRONG,
in his official capacity as Property Tax
Commissioner of Shelby County, Alabama;
BLANK COMPANY, a corporation, the
owner of the property described in the
Complaint; **JOHN DOE** and **MARY DOE**, the
persons who own the property described in the
Complaint, or some interest therein; **BLANK
COMPANY**, the entity which is the
mortgagee in a mortgage on the above-
described property or claims some lien or
encumbrance against the same, 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 7 day of **July, 2006**, 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 ownership to real property, easements, 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): Kent Upton; Donald Armstrong, in his official capacity as Property Tax Commissioner of Shelby County, Alabama.

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 Water Services, 200 West College Street, 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 July, 2006, at _____ o'clock _____ m. and duly recorded as Instrument No. _____, and examined.

Judge of Probate

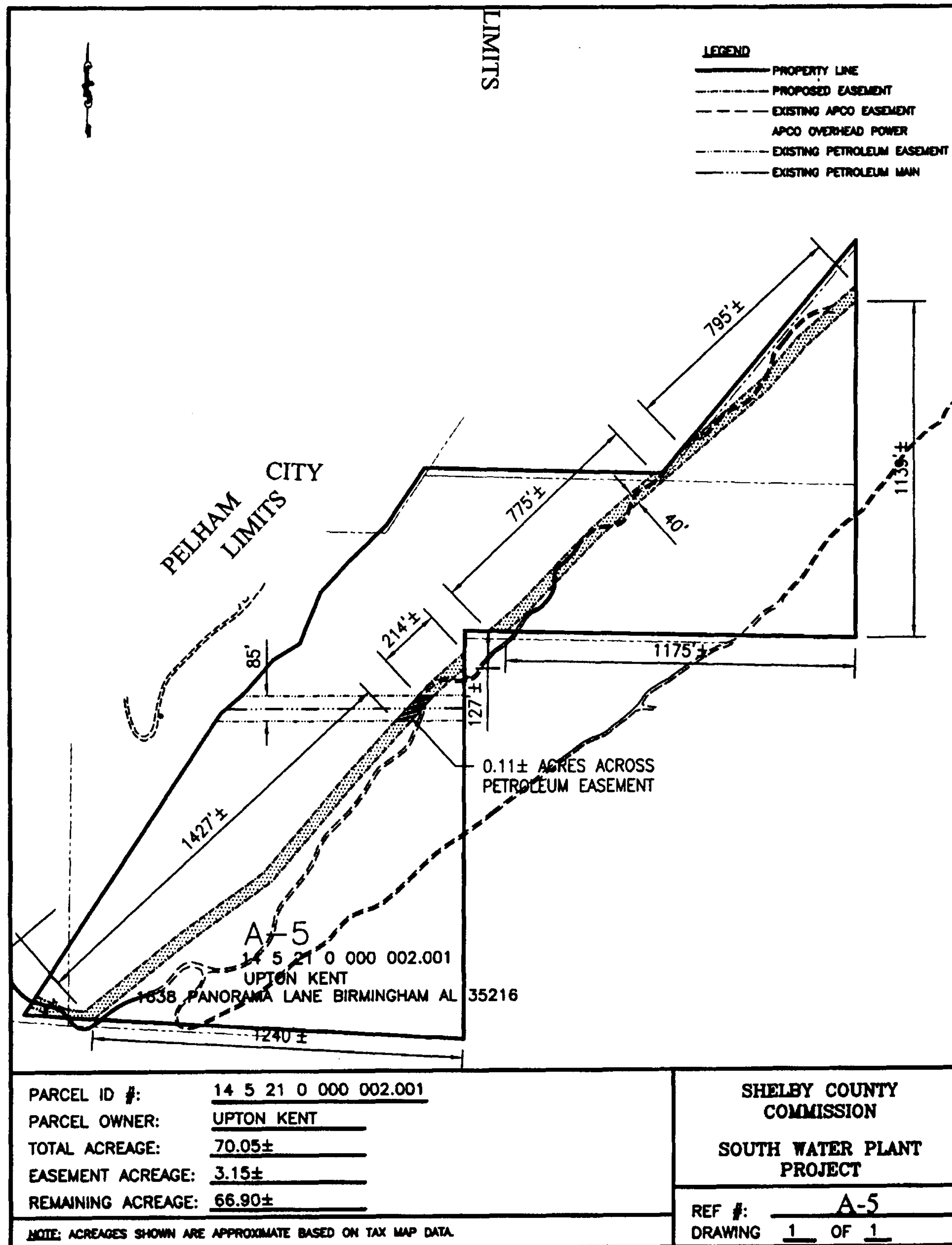


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Shelby Cnty Judge of Probate, AL
07/07/2006 10:09:35AM FILED/CERT


Exhibit "A"

page 1 of 2

Tract Sketch A-5 (not to scale):



Project Easement Reference: A5
Owner of Record To Be Determined By County Attorney
Description:


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Shelby Cnty Judge of Probate, AL
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A 40 foot utility easement to be used for the construction, installation, protection, and maintenance of a water line, water lines, pipe lines, structures, facilities, appurtenances, utilities, and other public purposes related thereto, situated in the Section 21, Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at North East corner of said Section 21; thence run in a southerly direction along the section line for a distance of 140 feet more or less to a point on said section line and the point of beginning; thence run at azimuth 228degrees, 11 minutes, 4 seconds in a Southwesterly only direction for a distance of 253' more or less to a point; thence run at azimuth 220 degrees, 57 minutes, 44 seconds in a Southwesterly direction and along Double Mountain Branch for a distance of 198' more or less to a point; thence run at azimuth 228 degrees, 48 minutes, 58 seconds in a Southwesterly direction and along Double Mountain Branch for a distance of 226' more or less to a point; thence run at azimuth 228 degrees, 37 minutes, 57 seconds in a Southwesterly direct and along Double Mountain Branch for a distance of 525' more or less to a point; thence run at azimuth 223 degrees, 52 minutes, 6 seconds in a Southwesterly direction and along Double Mountain Branch for a distance of 379' more or less to a point; thence run at azimuth 228 degrees, 43 minutes, 17 seconds in a Southwesterly direction and along Double Mountain Branch for a distance of 378' more or less to a point; thence run at azimuth 222 degrees, 32 minutes, 44 seconds in a Southwesterly direction and along Double Mountain Branch for a distance of 138' more or less to a point of the centerline of an 85' wide Colonial Petroleum Gas Pipe Line Right-Of-Way; Continue along last stated course and along Double Mountain Branch for a distance of 263' more or less to a point; thence run at azimuth 220 degrees, 08 minutes, 23 seconds in a Southwesterly direction and along Double Mountain Branch for a distance of 447' more or less to a point; thence run at azimuth 233 degrees, 48 minutes, 23 seconds in a Southwesterly direction and along Double Mountain Branch for a distance of 336' more or less to a point; thence run at azimuth 230 degrees, 39 minutes, 07 seconds in a Southwesterly direction and along Double Mountain Branch for a distance of 498' more or less to a point; thence run in a Westerly direction and along Double Mountain Branch to an existing 40' easement, which already has an active City of Pelham water line and inactive Shelby County water line installed within the easement, said installed Shelby County water line being the water line which will be connected to from water line within this easement, for a distance of 60' more or less to a point on the West property line and the end at said easement. Said route laying 10' from the Northwest edge and 30' the southeast edge of said 40' easement.