

## **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- 391**

**DOUBLE MOUNTAIN, LLC**, an Alabama  
Limited Liability Company; **PAUL SHAW**;  
**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): Double Mountain, LLC, an Alabama Limited Liability Company; Paul Shaw; and Donald Armstrong, in his official capacity as Property Tax Commissioner of Shelby County, Alabama.

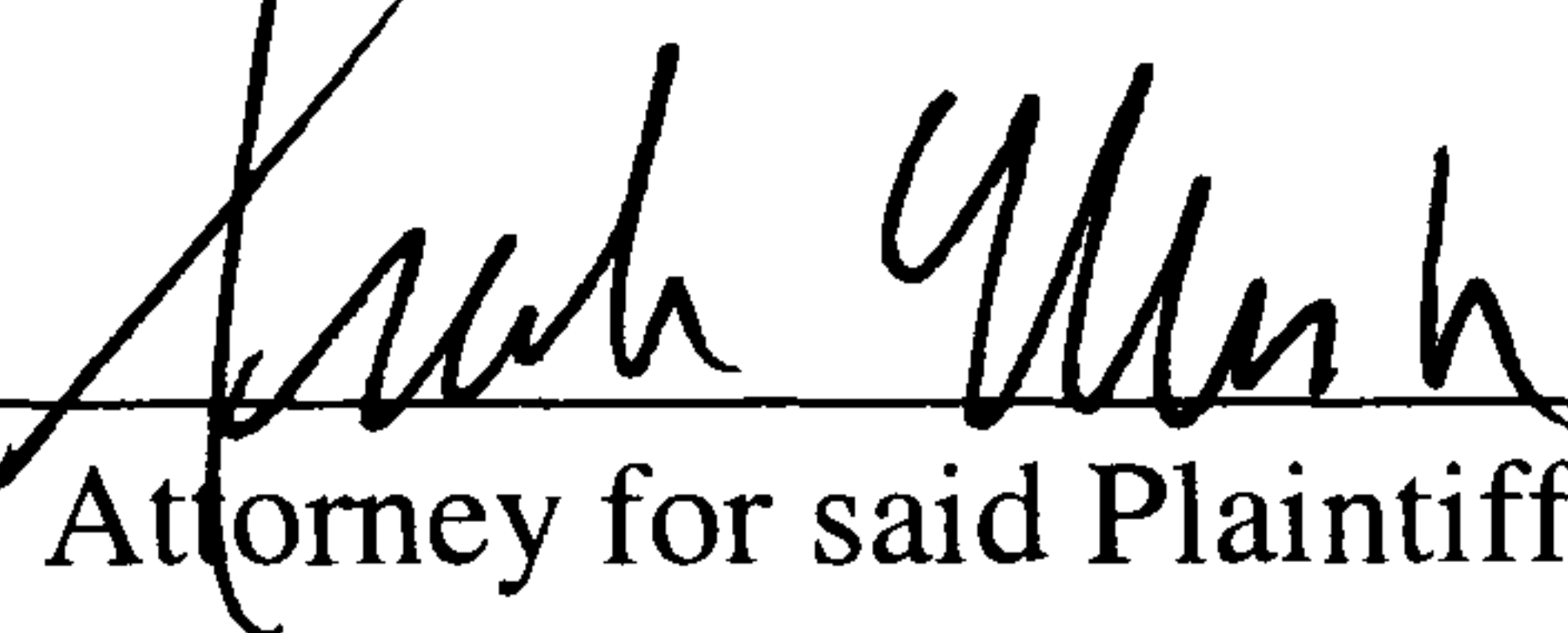
Property described on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein.

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

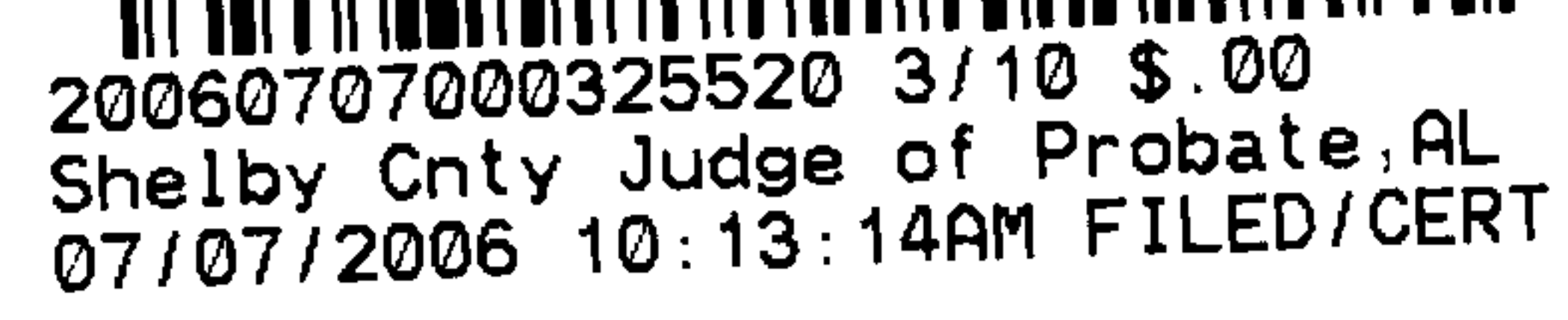
STATE OF ALABAMA  
SHELBY COUNTY

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

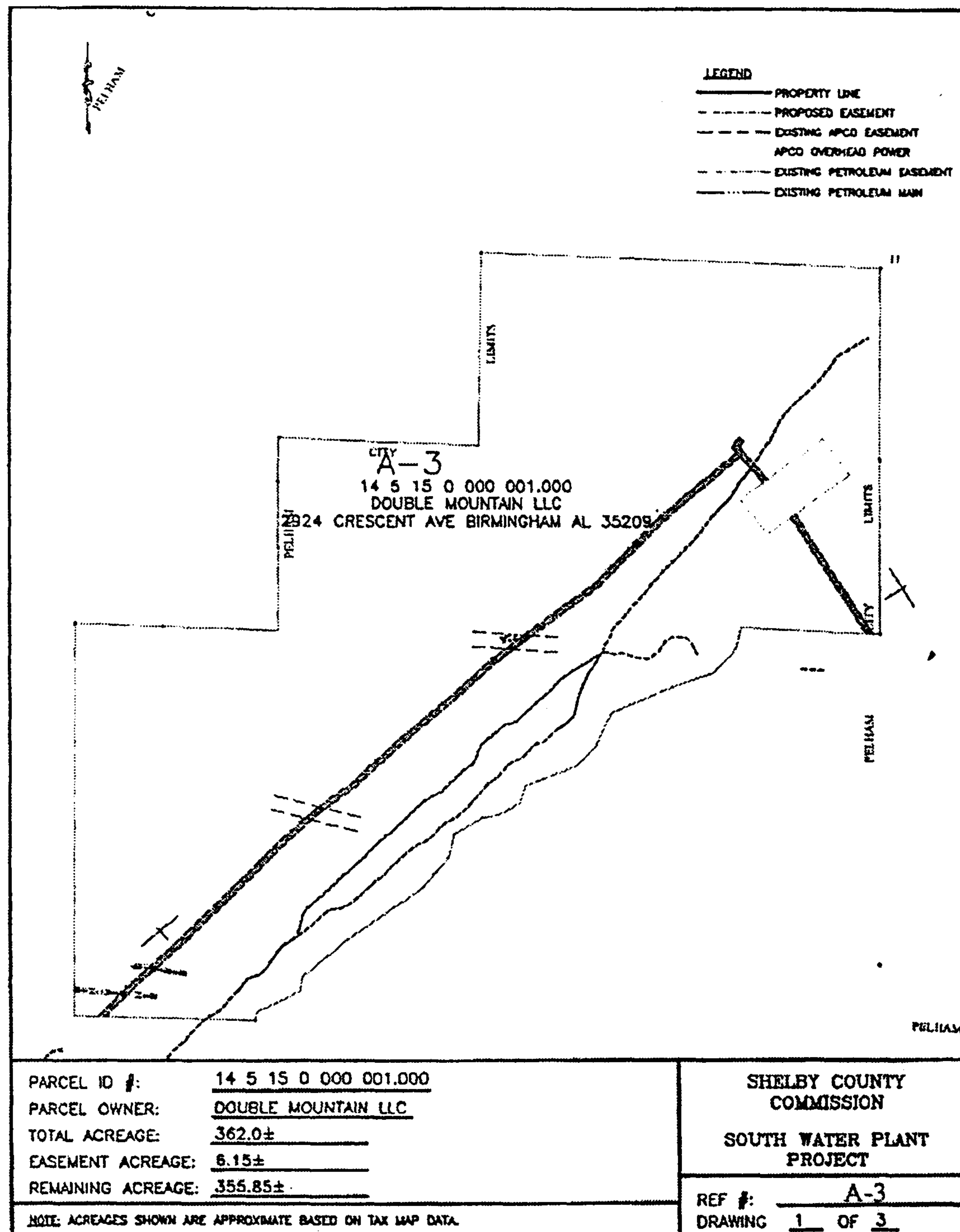
I hereby certify that the within Lis Pendens was filed in this office for record on the \_\_\_\_\_ day of July, 2006, at \_\_\_\_\_ o'clock \_\_\_\_\_ .m. and duly recorded as Instrument No. \_\_\_\_\_, and examined.

\_\_\_\_\_  
Judge of Probate



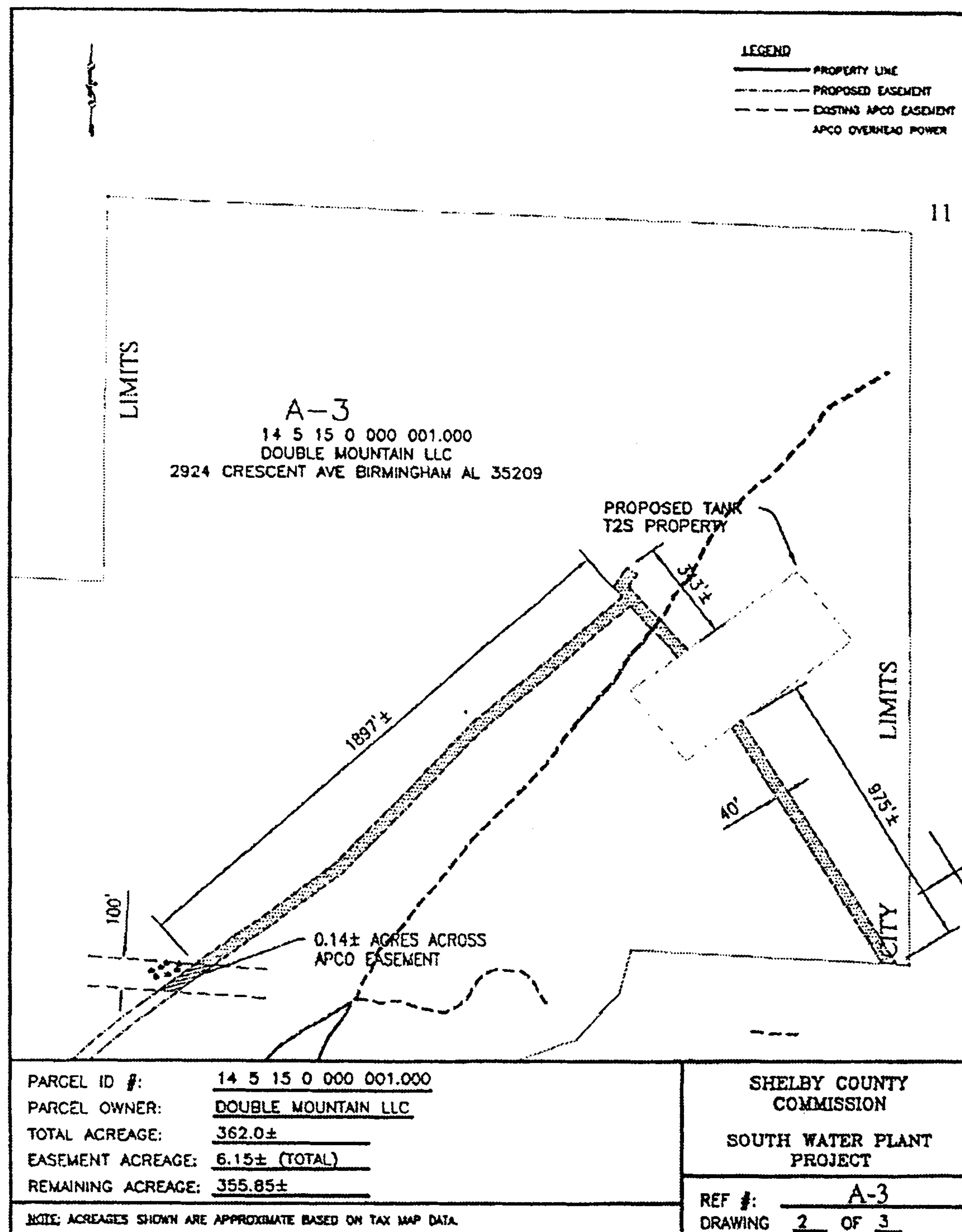


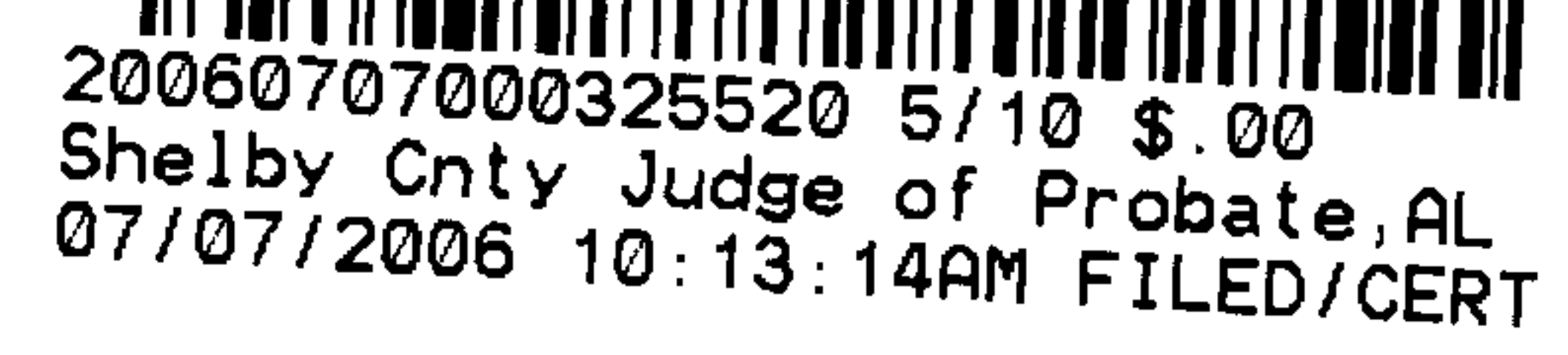
**Tract Sketches A-3 (not to scale):**



Tract Sketches A-3 (not to scale):

20060707000325520 4/10 \$.00  
Shelby Cnty Judge of Probate, AL  
07/07/2006 10:13:14AM FILED/CERT





**A-3**

14 5 15 0 000 001.000  
DOUBLE MOUNTAIN LLC  
2924 CRESCENT AVE BIRMINGHAM AL 35209

**LEGEND**

- PROPERTY LINE
- - - PROPOSED EASEMENT
- . - EXISTING APCO EASEMENT
- - - APCO OVERHEAD POWER
- . - EXISTING PETROLEUM EASEMENT
- EXISTING PETROLEUM MAIN

100'

165'±

100'

0.11± ACRES ACROSS APCO EASEMENT

145'±

0.04± ACRES ACROSS PETROLEUM EASEMENT

212'±

100'±

0.04± ACRES ACROSS PETROLEUM EASEMENT

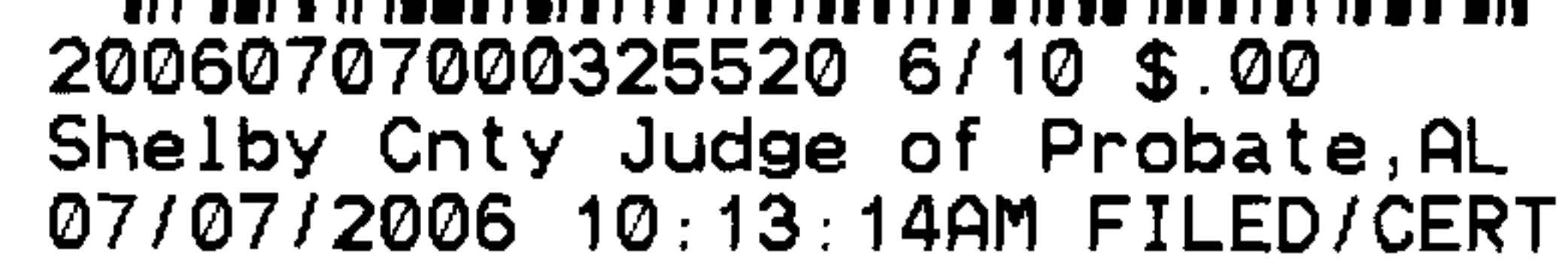
PARCEL ID #:	14 5 15 0 000 001.000
PARCEL OWNER:	DOUBLE MOUNTAIN LLC
TOTAL ACREAGE:	382.0±
EASEMENT ACREAGE:	6.15± (TOTAL)
REMAINING ACREAGE:	355.85±

NOTE: ACREAGES SHOWN ARE APPROXIMATE BASED ON TAX MAP DATA.

SHELBY COUNTY COMMISSION  
SOUTH WATER PLANT PROJECT

REF #: A-3  
DRAWING 3 OF 3





**LEGEND**

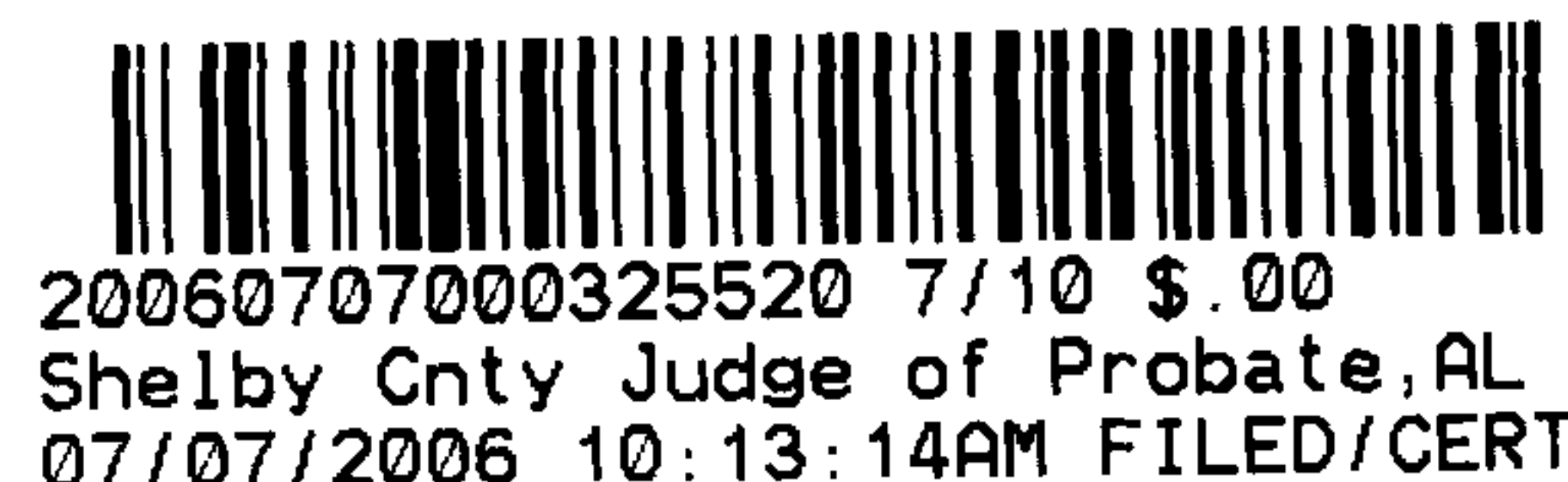
- PROPERTY LINE
- PROPOSED EASEMENT
- EXISTING APCO EASEMENT
- APCO OVERHEAD POWER
- EXISTING PETROLEUM EASEMENT
- EXISTING PETROLEUM MAIN

**PROPOSED TANK T2S PROPERTY 4.72 Acres ±**

**CITY A-3**  
**14 5 15 0 000 001.000**  
**DOUBLE MOUNTAIN LLC**  
**24 CRESCENT AVE BIRMINGHAM AL 35209**

**CITY LIMITS**

**PELHAM**



**Project Easement Reference:** A3  
**Owner of Record To Be Determined By County Attorney**  
**Description:**

A 40 foot utility easement 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 15, Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

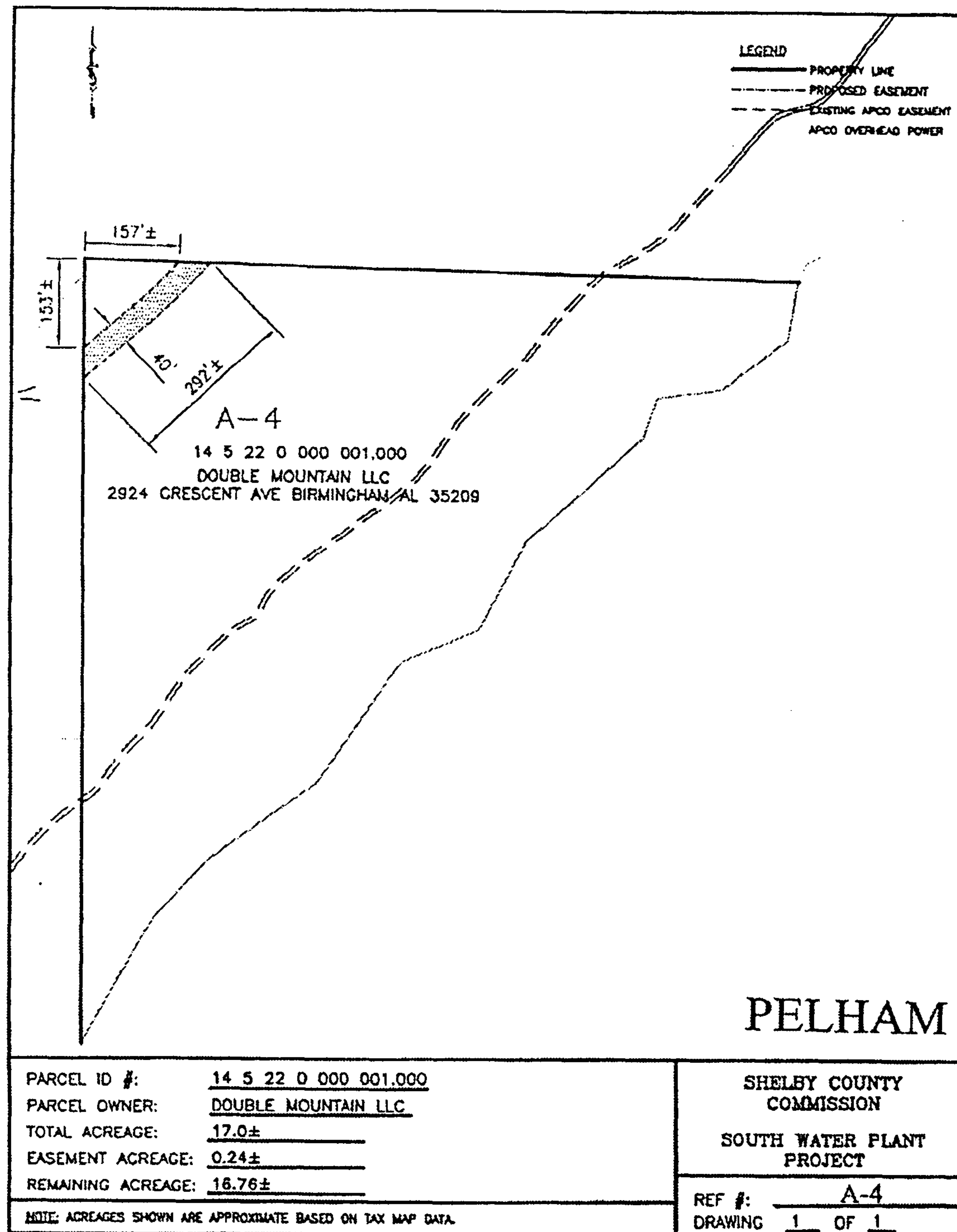
Commence at a 3 inch iron pipe, locally accepted Northeast corner of said Section 15; thence run in a southerly direction along the East line of said Section 15 for a distance of 1024.86' to a point; thence turn an angle to the right of  $53^{\circ} 23' 44''$  and run in a southeasterly direction for a distance of 422.09' to a iron pin found being the North most corner of a Shelby County Tank (T2S) property; continue thence along last stated course for a distance of 484' more or less to the point of beginning; run thence at azimuth  $319^{\circ} 07' 38''$  in a northwesterly direction for a distance of 264' more or less to a point; run thence at azimuth  $229^{\circ} 07' 38''$  in a southwesterly direction for a distance of 776' more or less to a point; run thence at azimuth  $224^{\circ} 14' 26''$  in a southwesterly direction for a distance of 673', more or less to a point; run thence at azimuth  $232^{\circ} 58' 47''$  in a southwesterly direction for a distance of 729' more or less to the intersection of an Alabama Power Transmission Line, continue thence along last stated course for a distance of 143' more or less to a point; run thence at azimuth  $227^{\circ} 51' 00''$  in a southwesterly direction for a distance of 1,265' more or less to a point; run thence at azimuth  $232^{\circ} 41' 31''$  in a southwesterly direction for a distance of 277' more or less to a point; run thence at azimuth  $226^{\circ} 37' 35''$  in a southwesternly direction for a distance of 89' more or less to the intersection of an Alabama Power Company Transmission Line, continue thence along last stated course for a distance of 238' more or less to a point; run thence at azimuth  $224^{\circ} 34' 16''$  in a southwesterly direction for a distance of 960' more or less to a point; run thence at azimuth  $227^{\circ} 51' 02''$  in a southwesterly direction for a distance of 253' to the intersection of Plantation Petroleum Gas Pipeline, continue thence along last stated course for a distance of 194' more or less to a point; run thence at azimuth  $223^{\circ} 43' 11''$  for a distance of 61' to the intersection of two (2) Plantation Petroleum Gas Pipelines; continue thence along last stated course for a distance of 240' more or less to a point on the south line of said property line and end of said easement. Said route lying 10' from the West and North edge and 30' from the East and South edge of said 40' easement.





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Tract Sketch A-4 (not to scale):







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07/07/2006 10:13:14AM FILED/CERT


**Project Easement Reference: A4**

**Owner of Record To Be Determined By County Attorney**

**Description:**

A 40 foot utility easement 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 Section 22, Township 20 South, Range 2 West, Shelby County, Alabama being more particularly described as follows:

Commence at the Northwest corner of said Section 22; run thence in a easterly direction along the North Section Line of said Section for a distance of 146' more or less to point of beginning; run thence at azimuth  $223^{\circ}43'11''$  in a southwesterly direction for 54' more or less to a point; run thence at azimuth  $228^{\circ}11'04''$  in a southwesterly direction for 146' more or less to a point on the West property line and the end of said easement. Said route lying 10' from the Northwest edge and 30' from the Southeast edge of said 40' easement.

**(FEE SIMPLE)**  
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**Project Real Property Reference: T2S Tank Site**  
**Owner of Record To Be Determined By County Attorney**

**Description:**

Fee simple ownership acquisition of the following described property: For the construction, operation, and maintenance of a water tank, water tanks, the construction, installation, protection, and maintenance of a water line, water lines, pipe lines, structures, facilities, appurtenances, utilities, and other public purposes related thereto. A parcel of land situated in the Northeast quarter of Section 15, Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: Commence at a 3-inch iron pipe, locally accepted to be the Northeast corner of said Section 15; thence run in a Southerly direction along the East line of said Section 15 for a distance of 1,024.86 feet to a point; thence turn an angle to the right of 53 degrees, 23 minutes, 44 seconds and run in a Southwesterly direction for a distance of 422.09 feet to the point of beginning; thence continue along last stated course for a distance of 685.00 feet to a point; thence turn an angle to the left of 90 degrees, 00 minutes, 00 seconds and run in a Southeasterly direction for a distance of 300.00 feet to a point; thence turn an angle to the left of 90 degrees, 00 minutes, 00 seconds and run in a Northeasterly direction for a distance of 685.00 feet to a point; thence turn an angle to the left of 90 degrees, 00 minutes, 00 seconds and run in a Northwesterly direction for a distance of 300.00 feet to the point of beginning; said parcel of land containing 4.72 acres more or less.