

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

STATE OF ALABAMA,

Plaintiff,

vs.

MICHAEL E. STEPHENS, et al.,

Defendants.

CASE NO. PR-2006-443

NOTICE OF LIS PENDENS PURSUANT TO
§ 18-1A-75, CODE OF ALABAMA, 1975 AS AMENDED

TAKE NOTICE that:

1. The State of Alabama as Plaintiff has filed a Complaint for Condemnation in the Probate Court of Shelby County, Alabama in Case # PR-2006-443 said Complaint being filed on 8/2/06. The style of the case is as follows: State of Alabama vs. Michael E. Stephens, et al.

2. The legal description sought in the Complaint is as follows:

A part of the NE 1/4 of NE 1/4, Section 28, Township 19 South, Range 2 West, identified as Tract No. 7 on Project No. STPBH-7136(600) in Shelby County, Alabama and being more fully described as follows:

TEMPORARY CONSTRUCTION EASEMENT;

Commencing, at the SE corner of the NE 1/4 of NE 1/4, Section 28, Township 19 South, Range 2 West, thence N 31°1'12" W a distance of 335.46 feet to a point on the present R/W line (said point 40.00 feet and perpendicular to the center line of project at station 313+03.00) is the point of BEGINNING;

thence N 69°3'15" E and along the present R/W line a distance of 20.00 feet to a point on the required easement line (said point offset 40.00 feet and perpendicular to centerline of project at station 313+23.00);

thence S 20°56'45" E and along the required easement line a distance of 5.00 feet to a point on

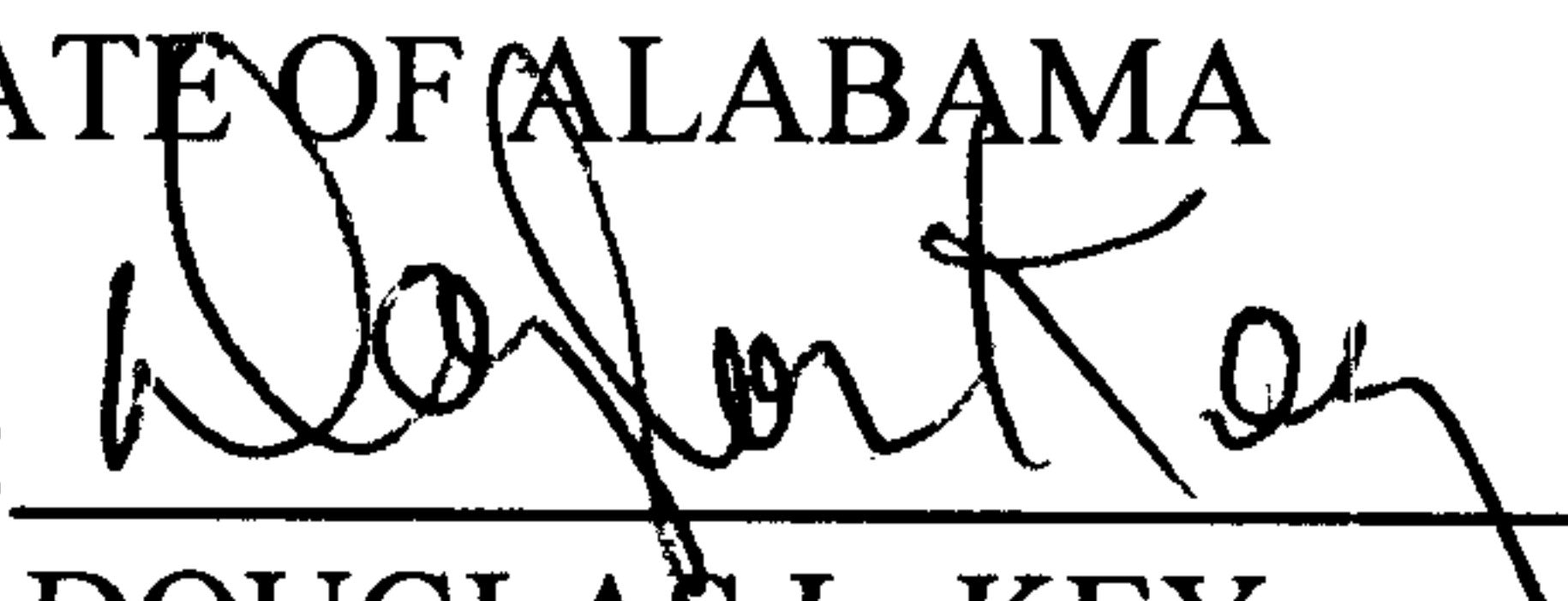
the required easement line (said point offset 45.00 feet and perpendicular to centerline of project at station 313+23.00);
thence S 69°3'15" W and along the required easement line a distance of 20.00 feet to a point on the required easement line (said point offset 45.00 feet and perpendicular to centerline of project at station 313+03.00);
thence N 20°56'45" W and along the required easement line a distance of 5.00 feet; to the point and place of BEGINNING, containing 0.002 acres, more or less.

As a part of the consideration hereinabove stated there is also bargained, sold, conveyed and relinquished to the Plaintiff all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified as Project No. STPBH-7136(600), County of Shelby, and all of the Defendant's remaining property consisting of all parcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which parcels either adjoin the property conveyed by this instrument or are connected thereto by other parcels owned by the Defendant.

3. The name of the Plaintiff is the State of Alabama. The names of the Defendants are as follows:

MICHAEL E. STEPHENS
ESTATE OF IDA M. BISHOP
DON ARMSTRONG, SHELBY COUNTY PROPERTY TAX
COMMISSIONER

STATE OF ALABAMA

BY: 
DOUGLAS L. KEY
DEPUTY ATTORNEY GENERAL

Of Counsel:
KEY, GREER, FRAWLEY, KEY & HARRISON
2163 Highway 31 South, Suite 102
Pelham, Alabama 35124
(205) 987-2211