

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

STATE OF ALABAMA,

Plaintiff,

vs.

THE CORPORATION OF THE
PRESIDING BISHOP OF THE CHURCH
OF JESUS CHRIST OF LATTER-DAY
SAINTS, a Utah Corporation and
DON ARMSTRONG, SHELBY COUNTY
PROPERTY TAX COMMISSIONER;

Defendants.

CASE NO. PR-2006-472

**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-2006-472, said Complaint being filed on 8/15/06. The style of the case is as follows: State of Alabama vs. The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation, et.al.

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

A part of the SE ¼ of NW ¼, Section 28, Township 19 South, Range 2 West, identified as Tract No. 6 on Project No. STPBH-7136(600) in Shelby County, Alabama and being more fully described as follows:



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Shelby Cnty Judge of Probate, AL
08/16/2006 10:51:57AM FILED/CERT

Parcel 1 of 1:

Commencing at the SE corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 28, Township 19 South, Range 2 West, thence N $38^{\circ}30'10''$ W a distance of 315.51 feet to a point on the required R/W line (said point offset 53.62' and perpendicular to centerline of project at station 151+34.30), which is the point of BEGINNING;

thence N $32^{\circ}29'19''$ W and along the required R/W line a distance of 13.90 feet (said point offset 39.72' and perpendicular to the centerline of project station 151+34.30);

thence N $56^{\circ}48'12''$ E and along the present R/W line a distance of 18.05 feet to a point on the present R/W line (said point offset 39.48' and perpendicular to the centerline of project station 151+52.36);

thence S $32^{\circ}29'17''$ E and along the required R/W line a distance of 13.90 feet to a point on the required R/W line (said point offset 53.39' and perpendicular to centerline of project at station 151+52.36);


thence S $56^{\circ}48'16''$ W and along the required R/W line a distance of 18.05 feet; to the point and place of BEGINNING, containing 0.006 acres, more or less;

And as shown on the right of way map of record in the Alabama Department of Transportation a copy of which is also deposited in the office of the Judge of Probate as an aid to persons and entities interested therein and as shown on the Property Sketch attached hereto and made a part hereof.

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:

THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF
JESUS CHRIST OF LATTER-DAY SAINTS, a Utah Corporation
DON ARMSTRONG, SHELBY COUNTY PROPERTY TAX
COMMISSIONER


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STATE OF ALABAMA

BY: 

DOUGLAS L. KEY

DEPUTY ATTORNEY GENERAL

Of Counsel:

KEY, GREER, FRAWLEY, KEY & HARRISON

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