

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF

**LOLA M. BENSON,
an alleged incapacitated person
needing protection,**

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CASE NO. PR 07-000073

NOTICE OF LIS PENDENS

NOTICE IS HEREBY GIVEN that Vicki N. Smith, Guardian Ad Litem for Lola M. Benson commenced an Emergency Motion To Set Aside Transfer of Real Estate in the above styled cause, in which Guardian Ad Litem moves that the Court set aside the February 26, 2007 transfer of the following real estate:

That part of the NW 1/4 of the NE 1/4 of Section 16, Township 22 South, Range 1 East, Shelby County, Alabama, described as follows: To find the point of beginning start at the Northwest corner of said 1/4-1/4 Section and run in an Easterly direction and along the North boundary of said 1/4-1/4 Section for a distance of 721.34 feet to the point of beginning of the property described herein, thence continue in an Easterly direction and along the North boundary of said 1/4-1/4 Section for a distance of 169.13 feet to its intersection with the West right-of-way margin of Alabama Highway #145, 120 feet from centerline; thence with a deflection angle of 110 deg. 06 min. 54 sec. Right run in a Southwesterly direction and along said West right-of-way margin for a distance of 3.69 feet to a concrete right-of-way monument at Station 337+00; thence with a deflection angle of 2 deg., 13 min., 18 sec. left, continue in a Southwesterly direction and along said West right-of-way margin for a distance of 136.32 feet to the P.T. Station 335+64.13. Said point being 115 feet from centerline; thence with a deflection angle of 2 deg., 32 min., 01 sec. Right, continue in a Southwesterly direction and along said west right-of-way margin for an arc or chord distance of 310.87 feet to Station 332.52, 115 feet from centerline; thence with a deflection angle of 40 deg., 18 min., 10 sec., right, continue in a Southwesterly direction for a distance of 129.27 feet to Station 144+77 on the North right-of-way margin of Shelby County Road #42, 40 feet from centerline; thence with a deflection angle of 52 deg., 40 min., 44 sec., right, run in a Northwesterly direction and along said North right-of-way margin for a distance of 106.32 feet to a point; thence with a deflection angle of 90 deg., 00 min., 00 sec., right, run in a Northwesterly direction for a distance of 485.43 feet to the point of beginning. Said parcel being 2.00 acres, more or less. LESS AND EXCEPT all oil, gas, mineral and mining rights reserved to Gulf States Paper Corporation by that certain deed dated April 20, 1982 and recorded in Deed Book 339, Page 327, in the Office of the Judge of Probate



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Shelby Cnty Judge of Probate, AL
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of Shelby County, Alabama.

Subject only to the following encumbrances, limitations and easements:

1. Ad Valorem taxes for 2007 and subsequent years.
2. All oil, gas, mineral and mining rights reserved to Gulf States Paper Corporation by that certain deed dated April 20, 1982 and recorded in Deed Book 339, at page 327, in the Probate Office of Shelby County, Alabama.
3. Right-of-way to Shelby County, as shown by instrument recorded in Deed Book 234, Page 634, in said Probate Records.
4. Right-of-way to State of Alabama, as shown by instrument recorded in Deed Book 242, at Page 262; in Deed Book 252, at Page 135; and, in Deed Book 255, at Page 563, in said Probate Records.

BY: Vicki N. Smith
VICKI N. SMITH,
Guardian Ad Litem for
Lola M. Benson

STATE OF ALABAMA)
SHELBY COUNTY)

Before me, the undersigned authority in and for said county in said State, personally appeared Vicki N. Smith, who is known to me and who, being by me first duly sworn, deposes and says that she is the appointed Guardian Ad Litem in the above matter, and as such is authorized to make this affidavit, that she has read the above, and that the averments of fact contained therein are true and correct.

Pamela D. Johnson
Notary Public 11/14/08

Of Counsel:
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