

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 2007-000153

JUDITH L. WHORTON, individually and as Personal Representative of the Estate of Robert J. Whorton, deceased; **JUDITH L. WHORTON**, individually and as Trustee of the Robert J. Whorton Management Trust; **NANCY W. CLARK**, individually and as Personal Representative of the Estate of Ruby W. Wooley, deceased; **NANCY W. CLARK**, individually and as Personal Representative of the Estate of Leah W. Fuller, deceased; **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 19 day of **March, 2007**, 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): JUDITH L. WHORTON, individually and as Personal Representative of the Estate of Robert J. Whorton, deceased; JUDITH L. WHORTON, individually and as Trustee of the Robert J. Whorton Management Trust; NANCY W. CLARK, individually and as Personal Representative of the Estate of Ruby W. Wooley, deceased; NANCY W. CLARK, individually and as Personal Representative of the Estate of Leah W. Fuller, deceased; 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 March, 2007, at _____ o'clock _____ .m. and duly recorded as Instrument No. _____, and examined.

Judge of Probate

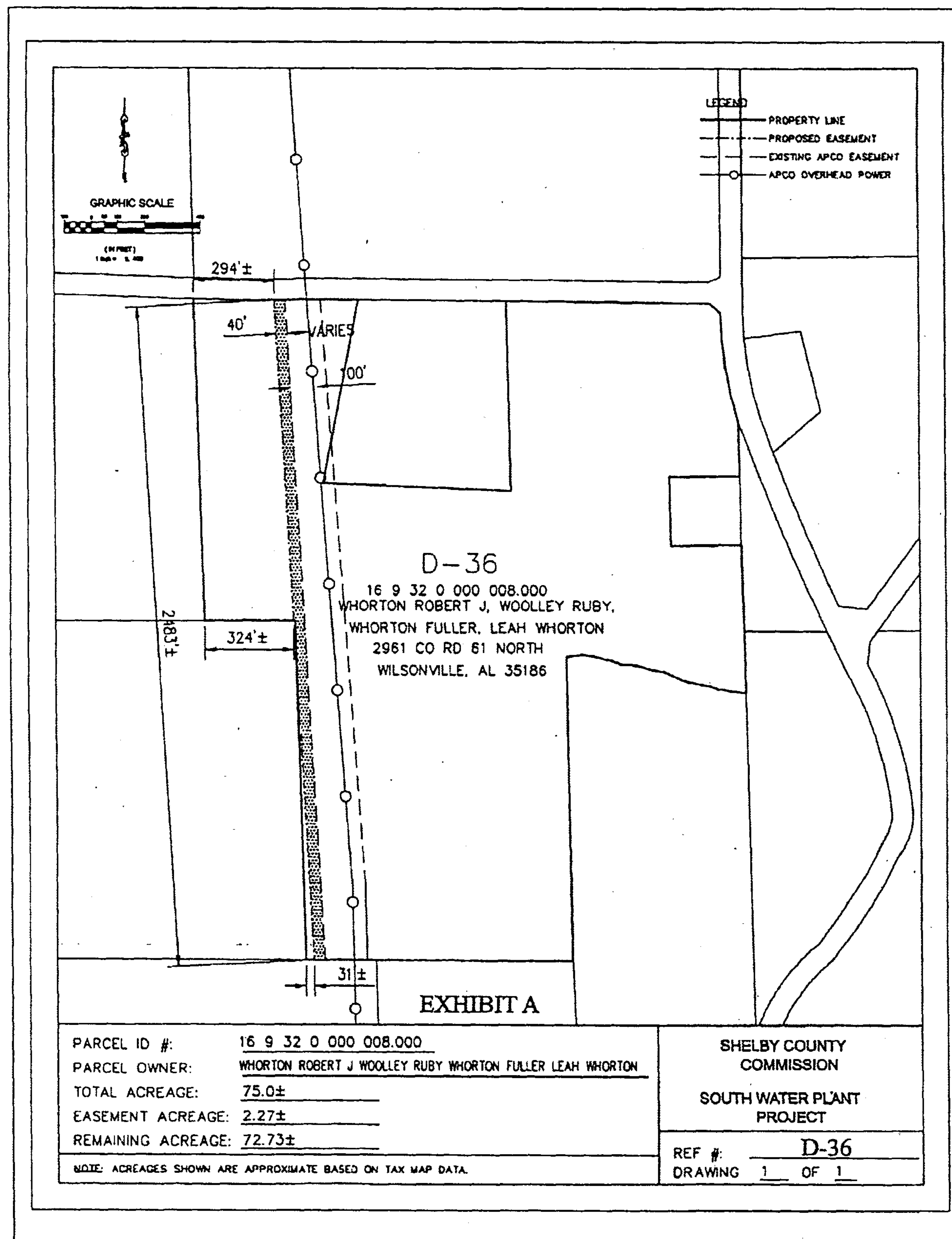


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Shelby Cnty Judge of Probate, AL
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Exhibit "A"

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Tract Sketch (not to scale):



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Shelby Cnty Judge of Probate, AL
03/19/2007 03:02:11PM FILED/CERT

Project Easement Reference: D36

Shelby County Parcel ID 16-9-32-0-000-008.000

Owner of Record To Be Determined By County Attorney

Description:

A 40 foot utility easement for a water line situated in the Southwest of the Northeast quarter and the Northwest of the Southeast quarter of Section 32, Township 20 South, Range 1 East, Shelby County, Alabama, Lying West of also parallel with and adjacent to a 100 foot Alabama Power Company Transmission Line Easement, and within the property recorded in Deed Book 229, Page 758 in the Office of the Probate Judge of Shelby County, Alabama, containing 2.28 acres more or less.