

**Please index as grantors/grantees in the name of the original title holders  
D. J Bates and Margaret Bates**

**IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA**

CAROL LOUISE BATES SIMMONS,	)	
as personal representative of the	)	
ESTATE OF MARGARET K. BATES,	)	
CAROL LOUISE BATES SIMMONS,	)	
RICHARD WINSLETT BATES, and	)	CIVIL ACTION NO.:
TIMOTHY JOEL BATES	)	
	)	CV-08-116
Plaintiff,	)	
	)	
v.	)	
	)	
KAREN BATES; CHRIS BATES;	)	
CARI REBECCA BATES DANIELS;	)	
STEPHANIE LYNN BATES GUY;	)	
JASON STEPHEN BATES;	)	
JAMES MARCUS PRICE;	)	
BOBBY BATES; BRENDA BATES,	)	
et al.;	)	
	)	
Defendants.	)	

**NOTICE OF LIS PENDENS**

Notice is hereby given that Carol Louise Bates Simmons, as personal representative of the Estate of Margaret K. Bates, Carol Louise Bates Simmons, individually, Richard Winslett Bates, and Timothy Joel Bates ("Plaintiffs"), commenced a civil action against Karen Bates, Chris Bates, Cari Rebecca Bates Daniels, Stephanie Lynn Bates Guy, Jason Stephen Bates, James Marcus Price, Bobby Bates, Bobby Bates, and Brenda Bates ("Defendants"), on the 30<sup>th</sup> day of January, 2008, in which Plaintiffs claim all rights, title, interest, and claim in and to the following described property:

In the aforesaid civil action Plaintiffs allege, among other things, the following:

On October 31, 1958, H.M. and Birsie Winslett, parents of Margaret Bates, conveyed via warranty deed Parcel I described above to Dock John Bates and Margaret Bates as joint tenants with right of survivorship. On August 1, 1964, a quitclaim deed was executed by the heirs of H.M. Winslett and the Bateses as Grantors in an attempt to correct an erroneous legal description contained in the original deed. However, the Property was conveyed only to D.J. Bates, the sole Grantee. Simultaneous with the conveyance of the Property via the 1964 Quitclaim Deed, the heirs of H.M. Winslett and the Bateses as Grantors conveyed via warranty deed Parcel II described above to D. J. Bates as Grantee. Both the 1964 Quitclaim and the 1964 Warranty Deed erroneously failed to include Margaret Bates as a Grantee. It was the intent of D.J. Bates for Margaret Bates to continue to own the Property and the Adjoining Parcel should she survive him. Margaret Bates remained in actual, peaceable possession of said property since 1958, including a period in excess of eighteen (18) years from the death of D.J. Bates on May 5, 1989, to her own death on October 16, 2007. Plaintiffs in their own right claim to own the Property and the Adjoining Parcel as all title and interest was properly intended to have been vested in Margaret Bates and now her heirs. Plaintiffs claim to own the Property and the Adjoining Parcel in an absolute an entire fee simple interest. The defendants listed above, who are the known heirs, or issues of heirs, of D.J. Bates have asserted no interest in the said property.



PARCEL I:

Begin at the Southwest corner of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 16, Township 19 South, Range 2 West; thence run southerly along the West boundary line of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 16, Township 19 South, Range 2 West for 114.16 feet, more or less, to a point on the North Right of Way line of Shelby County Road No. 17 (Valley Dale Road); thence turn an angle of 124 Degrees, 42 minutes to the left and run Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 04 Degrees, 29 Minutes to the left and continue Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 04 Degrees, 45 minutes to the left and continue Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 05 Degrees, 20 minutes to the left and continue Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 75 degrees, 12 minutes, 15 seconds to the left and run Northwesterly 524.62 feet, more or less, to a point on the West boundary line of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 16, Township 19 South, Range 2 West; thence run Southerly along the West boundary line of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 16, Township 19 South, Range 2 West for 583.69 feet to the point of beginning.

This land being a part of the West half of the SE $\frac{1}{4}$  of Section 16, Township 19 South, Range 2 West, and being 2.4752 acres, more or less.

PARCEL II:

Commencing at the Southwest corner of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 16, Township 19 South, Range 2 West, run Northerly along the West Boundary line of the said NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 16, Township 19 South, Range 2 West, for 583.69 feet to the point of beginning of the land herein described and conveyed; from the point of beginning continue Northerly along the said West boundary line for a distance of 124.2 feet; thence turn an angle of 141 degrees 51 minutes to the right and run Southeasterly for a distance of 324.4 feet; thence turn an angle of 39 degrees 31 minutes to the right and run Southerly for a distance of 62.1 feet; thence turn an angle of 43 degrees 35 minutes to the left and run Southeasterly for a distance of 225.65 feet to a point on the Northwest Right of Way line of County Road No. 17; Thence turn an angle of 78 degrees 38 minutes to the right and run Southwesterly along the Northwest Right of Way line of said County Road for a distance of 90.1 feet; thence turn an angle of 109 degrees 06 minutes 45 seconds to the right and run for a distance in a Northwesterly direction for 524.62 feet, more or less, to the point of beginning .

This land being a part of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 16, Township 19 South, Range 2 West and containing 0.99 acres, more or less.



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Shelby Cnty Judge of Probate, AL  
04/04/2008 03:49:57PM FILED/CERT

Dated this the 3rd day of April, 2008.

J. Todd Miner  
Attorney for Plaintiffs Estate of Margaret K.  
Bates, Carol Louise Bates Simmons, Richard  
Winslett Bates, and Timothy Joel Bates