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FEB 24 2010

James W. Fuhrmeister  
Judge of Probate

**NOTICE OF LIS PENDENS**

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

**CITY OF HELENA, ALABAMA**, a  
municipal corporation and municipal  
political subdivision of the State of Alabama,

Plaintiff,

vs.

**CASE NO. PR-2010- 000115**

**CSX TRANSPORTATION, INC.**, a  
corporation; **UNITED STATES STEEL  
CORPORATION**, a corporation; **DONALD  
ARMSTRONG** in his official capacity as  
Property Tax Commissioner of Shelby  
County, Alabama; A, B, C, D, E, F, and G, the  
owners of the real property described in the  
complaint herein, all of whose names are  
otherwise unknown, but whose true names  
will be added by amendment when  
ascertained,

Defendants.

**TO THE HON. JAMES W. FUHRMEISTER, JUDGE OF PROBATE OF SHELBY COUNTY,  
ALABAMA:**

Comes now the City of Helena, Alabama, a municipal corporation and municipal political subdivision of the State of Alabama, by its attorney, and files herewith notice to all persons concerned that on the 24 day of **February, 2010**, condemnation proceedings were commenced in the Probate Court of Shelby County, Alabama, whereby said City of Helena, Alabama, a municipal corporation, seeks to obtain certain easements to real property and public rights of way and other rights, and said proceedings are now pending in said Court.

The name of the property owner(s) concerned, together with the property sought to be condemned, is as set forth below:

Property Owner(s): CSX Transportation, Inc., United States Steel Corporation, and Donald Armstrong, in his official capacity as Property Tax Commissioner of Shelby County, Alabama.



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Shelby Cnty Judge of Probate, AL  
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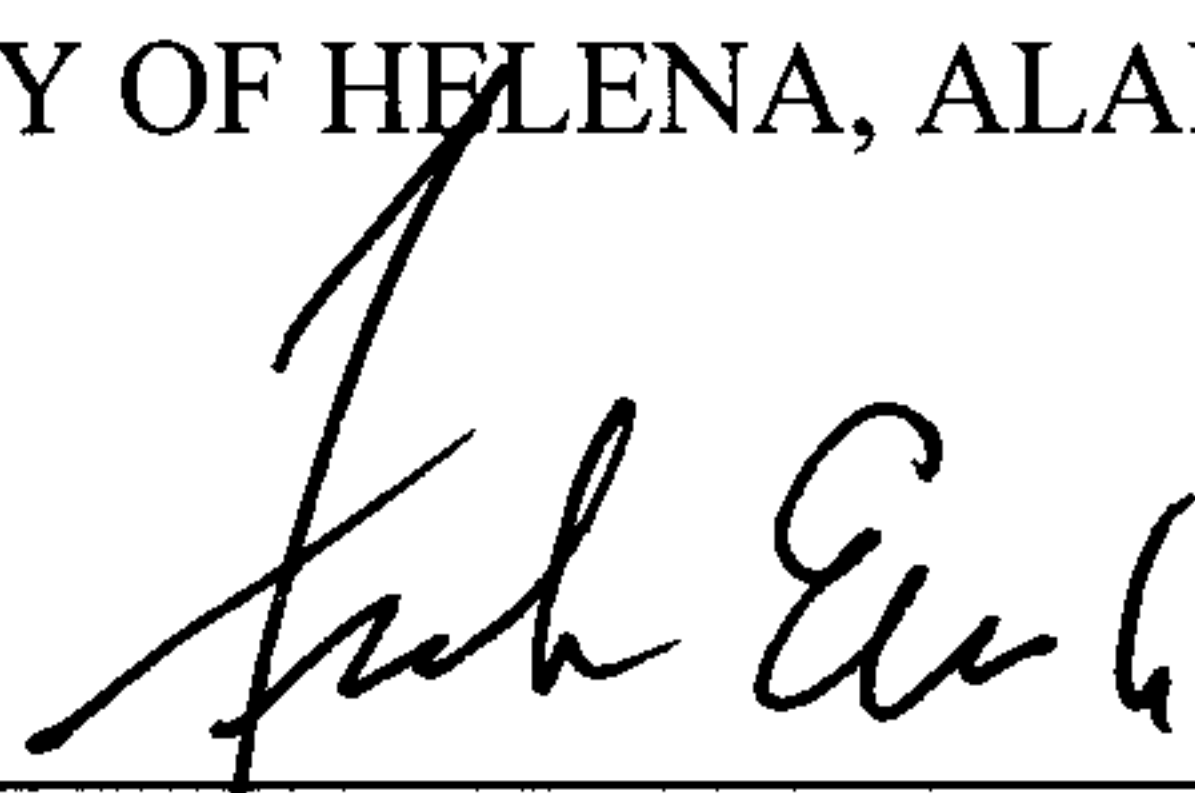
Property described on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein, said Exhibit "A" consisting of four pages.

Description of above property is taken from right of way map of said project on file in the Office of the Probate Judge of Shelby County, Alabama, and on file in the Office of the City Clerk of the City of Helena at City Hall, 816 Highway 52 East, Helena, Alabama 35080.

The title of the action and the case number thereof are as hereinabove designated.

CITY OF HELENA, ALABAMA,

By

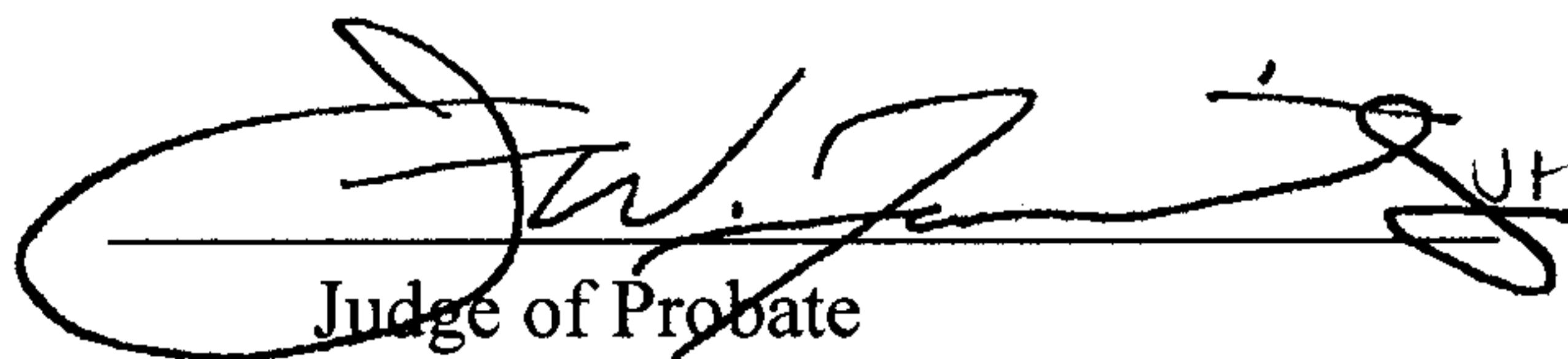


Attorney for said Plaintiff

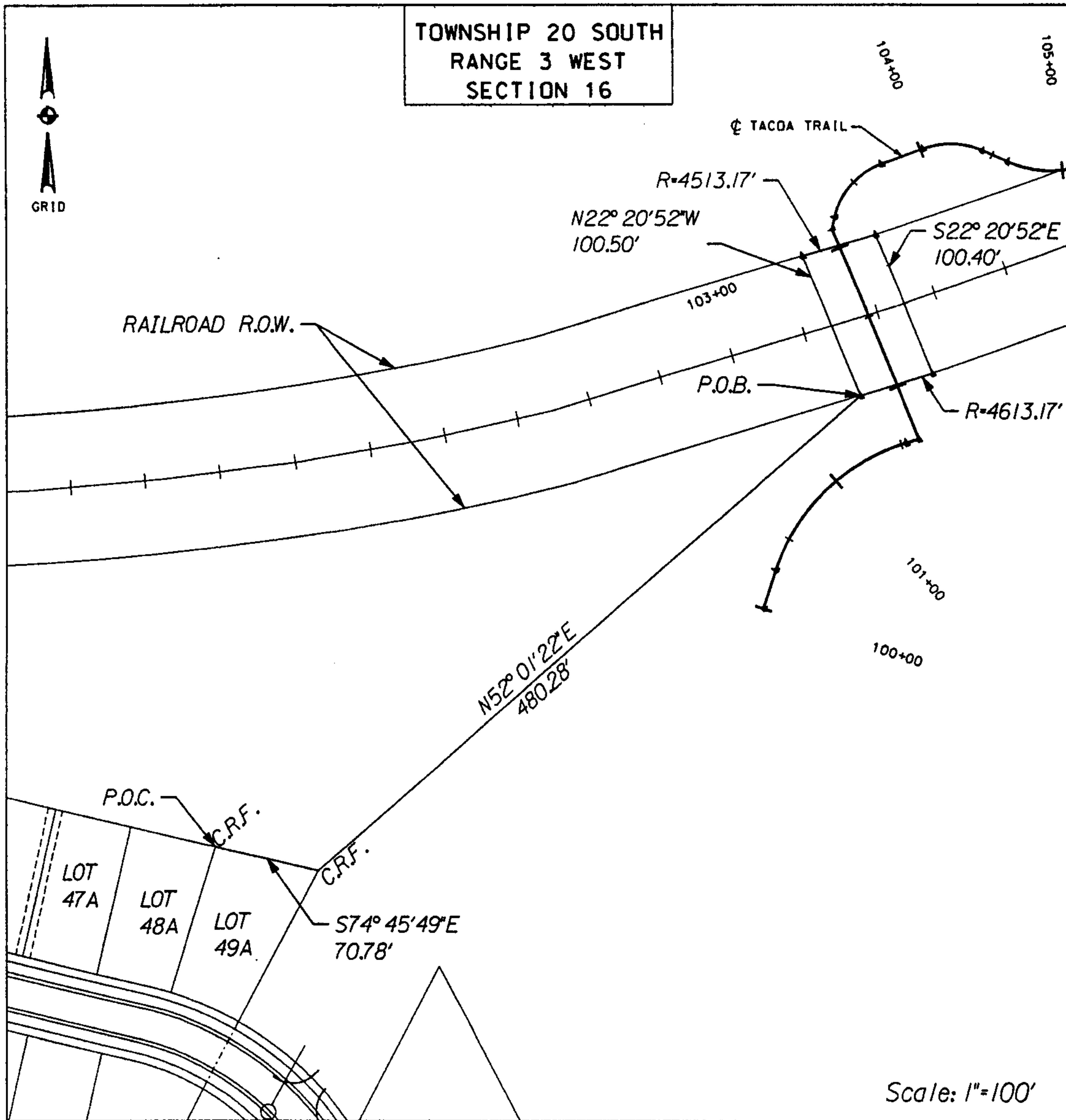
STATE OF ALABAMA  
SHELBY COUNTY

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 24<sup>th</sup> day of February, 2010, at 4 o'clock 16 .m. and duly recorded as Instrument No. 20100224000056010, and examined.

  
Judge of Probate

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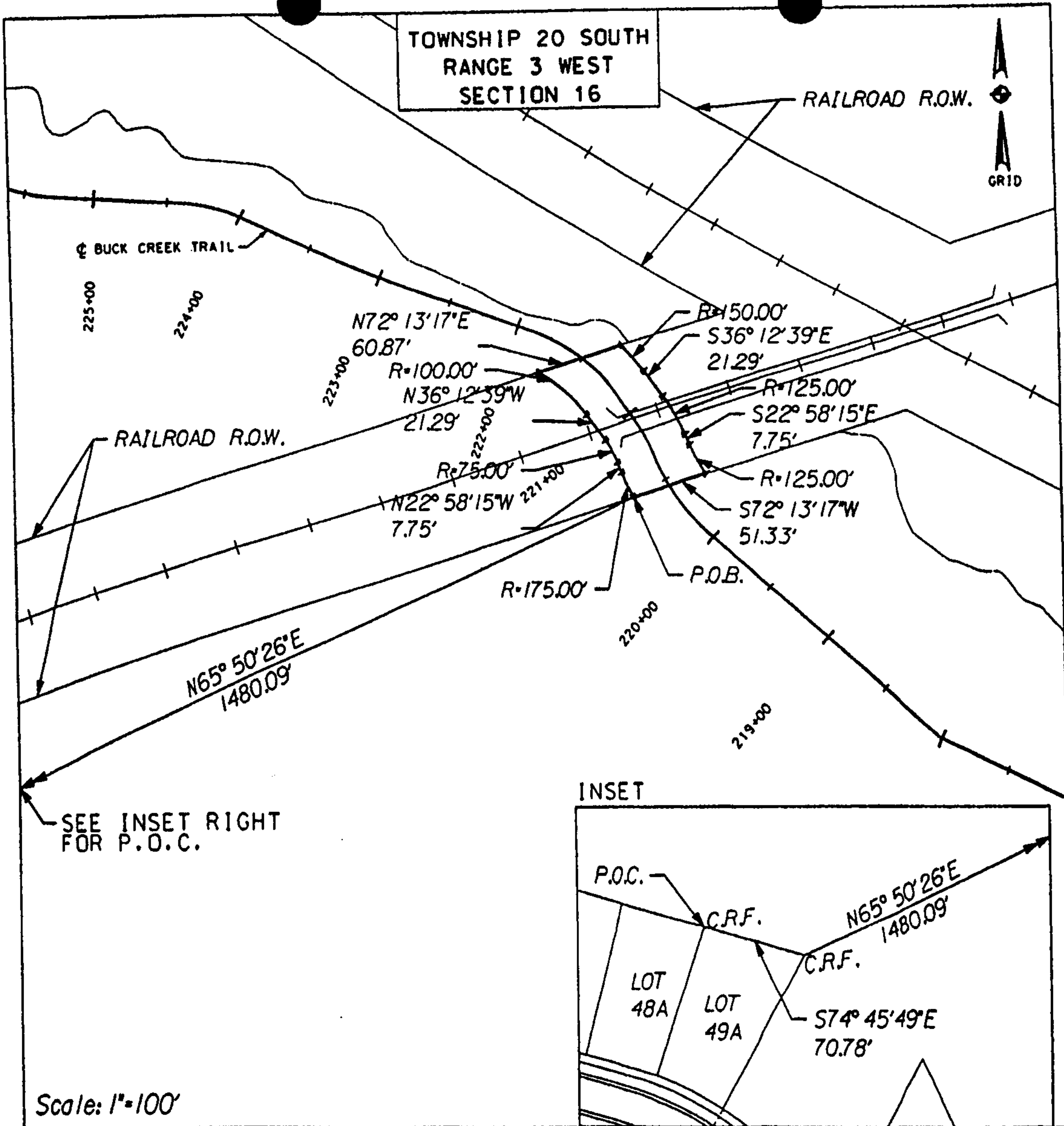


Commencing at a found capped rebar at the NW corner of Lot 49A, according to the Hillsboro Phase I Amended Subdivision, as recorded in Map Book 39, Page 140C, in the Probate Office of Shelby County, Alabama; run thence S  $74^{\circ}45'49''$  E along the north line of said Lot 49A a distance of 70.78 feet to a found capped rebar at the NE corner of said Lot 49A, run thence N  $52^{\circ}01'22''$  E a distance of 480.28 feet to a point on the south railroad right-of-way and the Point of Beginning; run thence N  $22^{\circ}20'52''$  W a distance of 100.50 feet to a point on the north railroad right-of-way, run thence along the north railroad right-of-way to a point on a non-radial curve to the left having a radius of 4513.17 feet, a central angle of  $0^{\circ}38'16''$ , an arc distance of 50.23 feet, and a chord bearing N  $73^{\circ}06'46''$  E at a distance of 50.23 feet, run thence S  $22^{\circ}20'52''$  E a distance of 100.40 feet to a point on the south railroad right-of-way, run thence along the south railroad right-of-way to a point on a non-radial curve to the right having a radius of 4613.17 feet, a central angle of  $0^{\circ}37'25''$ , an arc distance of 50.22 feet, and a chord bearing of S  $72^{\circ}59'39''$  W at a distance of 50.22 feet to the Point of Beginning; Containing 0.115 acre, more or less.



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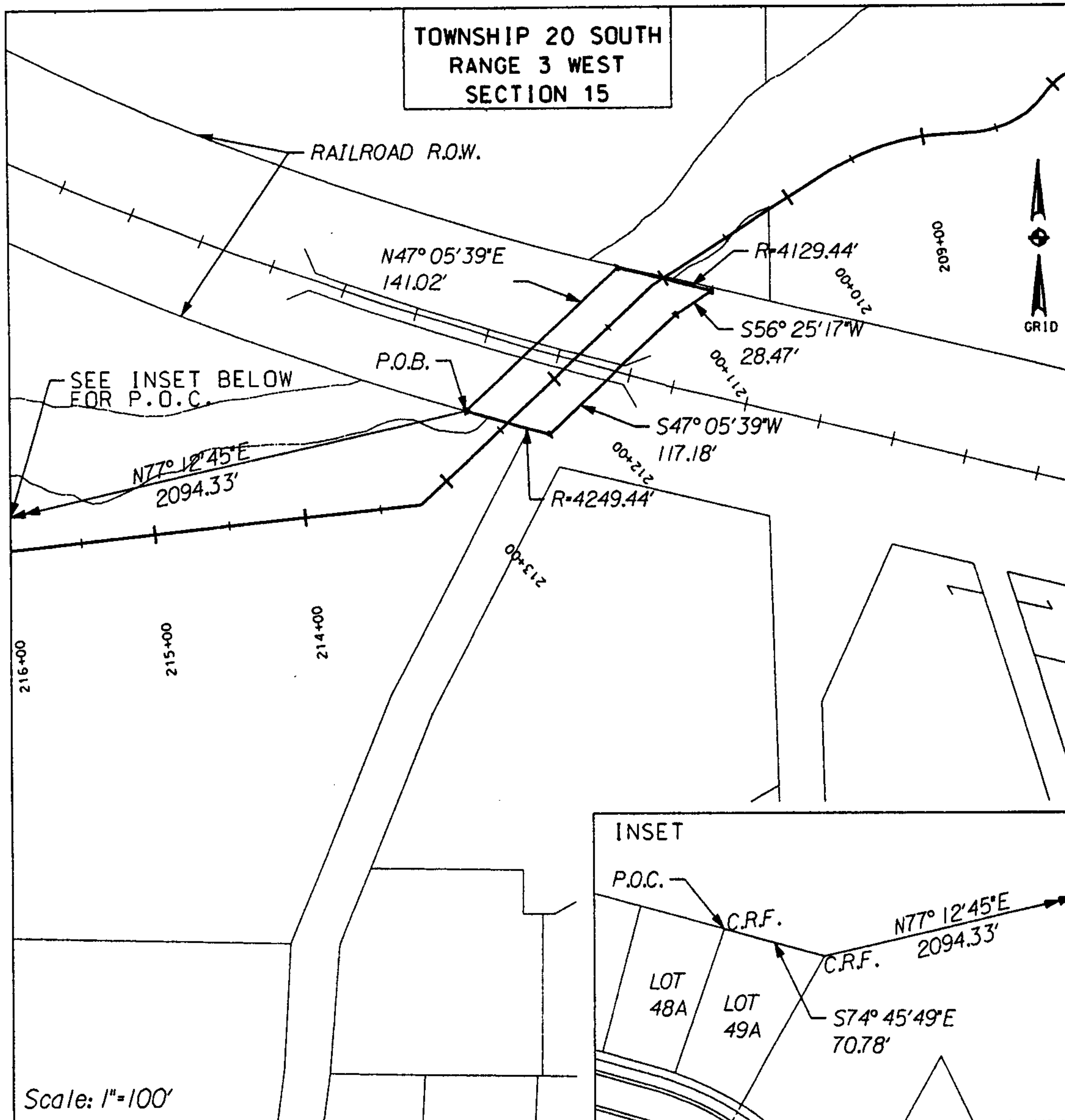




Commencing at a found capped rebar at the NW corner of Lot 49A, according to the Hillsboro Phase I Amended Subdivision, as recorded in Map Book 39, Page 140C, in the Probate Office of Shelby County, Alabama; run thence S 74° 45' 49" E along the north line of said Lot 49A a distance of 70.78 feet to a found capped rebar at the NE corner of said Lot 49A, run thence N 65° 50' 26" E a distance of 1480.09 feet to a point on the south railroad right-of-way and the Point of Beginning; run thence to a point on a non-radial curve to the right having a radius of 175.00 feet, central angle of 5° 49' 53", an arc distance of 17.81 feet, and a chord bearing of N 25° 53' 11" W at a distance of 17.80 feet, run thence N 22° 58' 15" W a distance of 7.75 feet, run thence to a point on a radial curve to the left having a radius of 75.00 feet, a central angle of 13° 14' 25", and an arc distance of 17.33 feet, run thence N 36° 12' 39" W a distance of 21.29 feet, run thence to a point on the north railroad right-of-way and a radial curve to the left having a radius of 100.00 feet, a central angle of 25° 18' 51", and an arc distance of 44.18 feet, run thence N 72° 13' 17" E a distance of 60.87 feet, run thence to a point on a non-radial curve to the right having a radius of 150.00 feet, a central angle of 9° 01' 05", an arc distance of 23.61 feet, and a chord bearing of S 40° 43' 11" E at a distance of 23.58 feet, run thence S 36° 12' 39" E a distance of 21.29 feet, run thence to a point on a radial curve to the right having a radius of 125.00 feet, a central angle of 13° 14' 25", and an arc distance of 28.89 feet, run thence S 22° 58' 15" E a distance of 7.75 feet, run thence to a point on the south railroad right-of-way and a radial curve to the left having a radius of 125.00 feet, a central angle of 10° 20' 07", and an arc distance of 22.55 feet, run thence S 72° 13' 17" W along the south railroad right-of-way a distance of 51.33 feet to the Point of Beginning; Containing 0.121 acre, more or less.

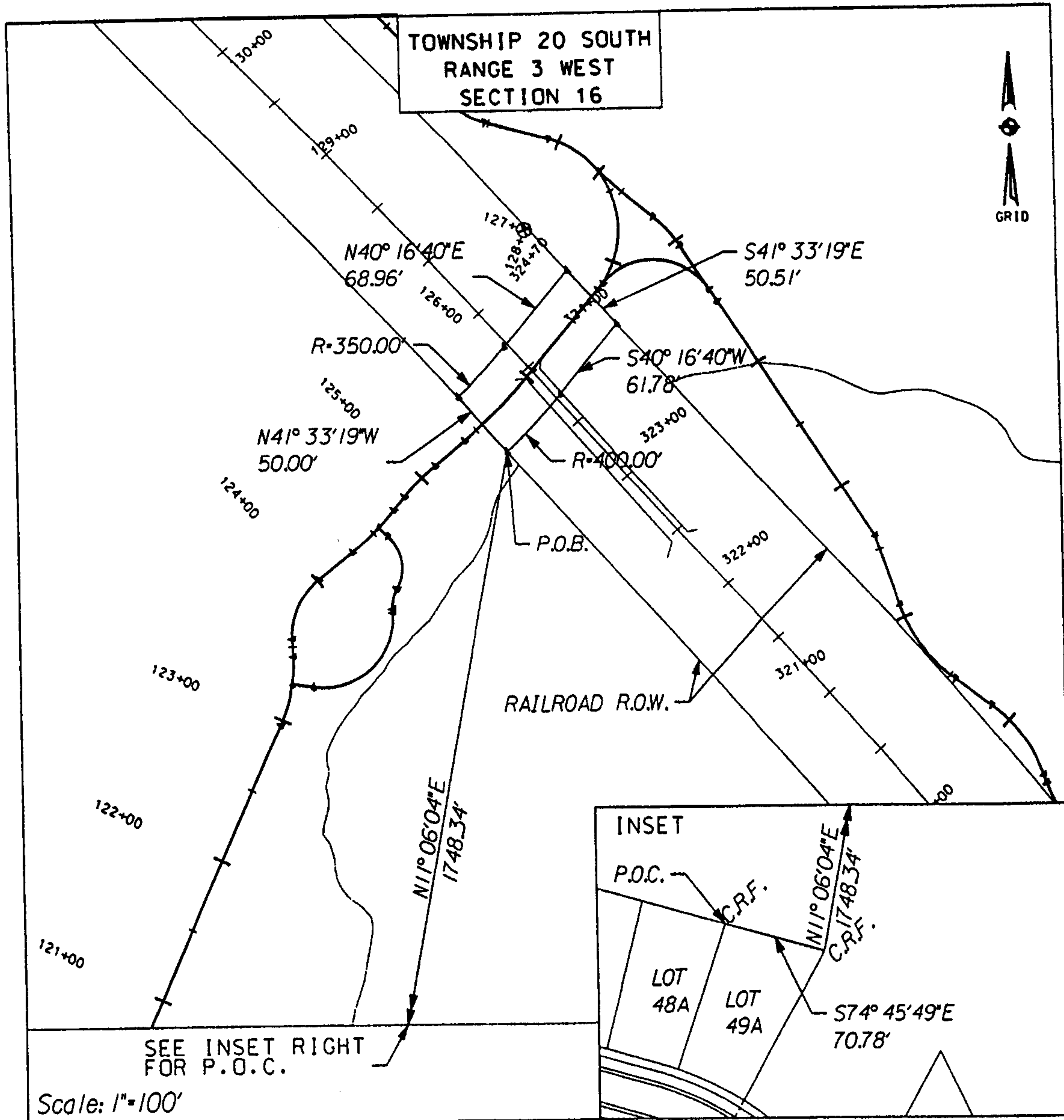






Commencing at a found capped rebar at the NW corner of Lot 49A, according to the Hillsboro Phase I Amended Subdivision, as recorded in Map Book 39, Page 140C, in the Probate Office of Shelby County, Alabama; run thence S 74° 45' 49" E along the north line of said Lot 49A a distance of 70.78 feet to a found capped rebar at the NE corner of said Lot 49A, run thence N 77° 12' 45" E a distance of 2094.33 feet to a point on the south railroad right-of-way and the Point of Beginning; run thence N 47° 05' 39" E a distance of 141.02 feet to a point on the north railroad right-of-way, run thence along the north railroad right-of-way to a point on a non-radial curve to the left having a radius of 4129.44 feet, a central angle of 0° 53' 60", an arc distance of 64.86 feet, and a chord bearing of S 75° 33' 04" E at a distance of 64.86 feet, run thence S 56° 25' 17" W a distance of 28.47 feet, run thence S 47° 05' 39" W a distance of 117.18 feet, run thence to a point on the south railroad right-of-way and on a non-radial curve to the right having a radius of 4249.44 feet, a central angle of 0° 47' 29", an arc distance of 58.69 feet, and a chord bearing of N 74° 29' 01" W at a distance of 58.69 feet to the Point of Beginning; Containing 0.164 acre, more or less.

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Commencing at a found capped rebar the NW corner of Lot 49A, according to the Hillsboro Phase I Amended Subdivision, as recorded in Map Book 39, Page 140C, in the Probate Office of Shelby County, Alabama; run thence S 74° 45' 49" E along the north line of said Lot 49A a distance of 70.78 feet to a found capped rebar at the NE corner of said Lot 49A, run thence N 11° 06' 04" E a distance of 1748.34 feet to a point on the south railroad right-of-way and the Point of Beginning; run thence N 41° 33' 19" W along the south railroad right-of-way a distance of 50.00 feet, run thence to a point on a non-radial curve to the left having a radius of 350.00 feet, a central angle of 7° 40' 44", an arc distance of 46.91 feet, a chord bearing of N 44° 07' 01" E at a distance of 46.87 feet, run thence N 40° 16' 40" E a distance of 68.96 feet to a point on the north railroad right-of-way, run thence S 41° 33' 19" E along the north railroad right-of-way a distance of 50.51 feet, run thence S 40° 16' 40" W a distance of 61.78 feet, run thence to a point on the south railroad right-of-way on a radial curve to the right having a radius of 400.00 feet, a central angle of 7° 44' 24", an arc distance of 54.03 feet to the Point of Beginning; Containing 0.133 acre, more or less.

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