

AMENDED NOTICE OF LIS PENDENS

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

STATE OF ALABAMA,

Plaintiff,

v.

**HATTIE O'NEAL; heirs or devisees of
JOHN S. HERNDON, deceased, unknown;
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 POWELL; JOYCE SMITHERMAN;
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
names will be added by amendment when
ascertained,**

Defendants.

CASE NO. PR-2016-000861



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Shelby Cnty Judge of Probate, AL
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Comes now the State of Alabama, by its attorney, and files herewith amended notice to all persons concerned that on the 15th day of December, 2016, condemnation proceedings were commenced in the Probate Court of Shelby County, Alabama, whereby said State of Alabama seeks to obtain certain ownership to real property and said proceedings are now pending.

The names of the property owners concerned, together with the property sought to be condemned, are as set forth below:

Property Owner(s):

Hattie O'Neal; John Powell; Joyce Smitherman; and heirs or devisees of John S. Herndon, deceased, unknown, owners of fee; Donald Armstrong, as Property Tax Commissioner of Shelby County, Alabama

Property description:

A part of the SW 1/4 of SE 1/4, Section 4, Township 22 South, Range 2 West, identified as Tract No. 22 on Project No. STPBH-I065(404) in Shelby County, Alabama and being more fully described as follows:

Parcel #1 of #2:

COMMENCE at the Alabama Department of Transportation Right-of-Way Monument on Interstate I-65 found left of and at right angle to the Ramp B centerline at approximately 269+57.00, in the Southwest Quarter of the Southeast Quarter of Section 4, Township 22 South, Range 2 West, Shelby County, Alabama; thence westward along the said present Right-of-Way line of Interstate I-65 for a distance of approximately 152 feet to the point of intersection with the acquired Right-of-Way line of SR-3, said point is left of and at right angle to the Ramp B centerline at 271+15.00; thence southward along acquired Right-of-Way line of SR-3 for a distance of approximately 259 feet to the point of intersection with the south side present Right-of-Way line of Gaiters Drive, said point being 110.00 feet right of the SR-3 centerline and being the POINT OF BEGINNING of the following described Right-of-Way taking; thence S 12 deg. 03 min. 01 sec. W along the acquired Right-of-Way line of SR-3 for a distance of 115.27 feet to a south property line of Grantor's property; thence N 88 deg. 05 min. 42 sec. W along the south property line of Grantor's property for a distance of 60.67 feet to a point on the present Right-of-Way line of SR-3; thence N 12 deg. 05 min. 27 sec. E along the present Right-of-Way line of SR-3 for a distance of 172.22 feet to the south side present Right-of-Way line of Gaiters Drive; thence S 71 deg. 56 min. 39 sec. E along the present Right-of-Way line of Gaiters Drive for a distance of 4.41 feet; thence southeastward along the present Right-of-Way line of Gaiters Drive, which has a curvature to the right of radius 169.63 feet, a chord bearing of S 40 deg. 07 min. 52 sec. E and a chord distance of 71.74 feet to the POINT OF BEGINNING; said Parcel No. 1 Right-of Way containing 0.203 acres more or less.

Parcel #2 of #2:

COMMENCE at the Alabama Department of Transportation Right-of-Way Monument on Interstate I-65 found left of and at right angle to the Ramp B centerline at approximately 269+57.00, in the Southwest Quarter of the Southeast Quarter of Section 4, Township 22 South, Range 2 West, Shelby County, Alabama; thence westward along the said present Right-of-Way line of Interstate I-65 for a distance of approximately 152 feet to the point of intersection with the Acquired Right-of-Way line of SR-3, said point is left of and at right angle to the Ramp B centerline at 271+15.00; thence southward along acquired Right-of-Way line of SR-3 for a distance of approximately 161 feet to the point of intersection with the north property line of Grantor's property, said point being 110.00 feet right of the SR-3 centerline and being the POINT OF BEGINNING of the following described Right-of-Way taking; thence run S 12 deg. 03 min. 01 sec. W along the acquired Right-of-Way of SR-3 for a distance of 28.52 feet to the point of intersection with the north side present Right-of-Way line of Gaiters Drive, said point being 110.00 feet right of the SR-3 centerline; thence run N 71 deg. 56 min. 39 sec. W along the north side of present Right-of-Way line of Gaiters Drive for a distance of 59.91 feet to the present Right-of-Way line of SR-3; thence run N 12 deg. 05 min. 27 sec. E along the



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present Right-of-Way line of SR-3 for a distance of 15.13 feet to the north property line of Grantor's property; thence run S 84 deg. 46 min. 33 sec. E along the north property line of Grantor's property for a distance of 59.99 feet to the POINT OF BEGINNING; said Parcel No. 2 Right-of Way containing 0.030 acres more or less.

Description of above property is taken from right of way map of said project on file in the office of State of Alabama Department of Transportation 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.

STATE OF ALABAMA

By



William R. Justice (JUS001)

Attorney for said Plaintiff

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