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Shelby Cnty Judge of Probate, AL
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ALABAMA POWER COMPANY,
a corporation,

Plaintiff,

v.

SRC INVERNESS CLIFFS, LLC; FANNIE
MAE; MKL, L.L.C.; REGIONS BANK; and
DON ARMSTRONG, PROPERTY TAX
COMMISSIONER,

Defendants.

) IN THE PROBATE COURT OF
) SHELBY COUNTY, ALABAMA

) CASE NO. PR-2023-000696

NOTICE OF PENDING ACTION

TO THE HONORABLE JUDGE OF PROBATE OF
SHELBY COUNTY, ALABAMA

You are hereby notified that on the 10th day of July, 2023, suit was filed by Alabama Power Company, a corporation, in the Probate Court of Shelby County, Alabama, styled *Alabama Power Company v. SRC Inverness Cliffs, LLC, et al.*, Docket Number PR-2023-000696, and that the following are the names of the parties to said suit:

Name of Plaintiff:

Alabama Power Company, a corporation

Name of Defendants:

	<u>NAME</u>	<u>ADDRESS</u>	<u>INTEREST</u>
1.	SRC Inverness Cliffs, LLC	c/o Colin G. Moorhouse, its Registered Agent 2151 Highland Avenue S, Suite 200 Birmingham, AL 35205	Owner (Parcel 1)



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2.	Fannie Mae	Midtown Center 1100 15th Street NW Washington, DC 20005 c/o KeyBank National Association c/o KeyBank Real Estate Capital – Servicing Dept. 11501 Outlook St., Suite 300 Overland Park, KS 66211 Mailcode: KS-01-11-0501 ATTN: Servicing Manager	Mortgagee (Parcel 1)
3.	MKL, L.L.C.	c/o Jon C. Moore, its Registered Agent 5100 Cyrus Circle Birmingham, AL 35243	Owner (Parcel 2)
4.	Regions Bank	c/o Corporation Service Company Inc., its Registered Agent 641 South Lawrence Street Montgomery, AL 36104	Mortgagee (Parcel 2)

The following defendant is named in his capacity as Property Tax Commissioner of Shelby County, Alabama:

5.	Don Armstrong, Property Tax Commissioner	102 Depot Street Columbiana, AL 35051	Tax Lien (Parcels 1 and 2)
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In said suit the following described lands situated in Shelby County, Alabama, are involved, to-wit:



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PARCEL 1

Two strips of land, varying in width, lying within a portion of the Southwest Quarter of Southwest Quarter (SW $\frac{1}{4}$ of the SW $\frac{1}{4}$) and a portion of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$) all in Section 1, Township 19 South, Range 02 West, Shelby County, Alabama, such strips being more particularly described as follows:

To reach the point of beginning of the **first strip**, commence at a found capped iron stamped Weygand marking the Southeast corner of Lot 31, Inverness Green Subdivision as recorded in Map Book 21, Page 6 in the Office of Judge of Probate of Shelby County, Alabama and run S40°21'06"W a distance of 102.35 feet to a set 5/8 inch rebar with yellow APCO cap; thence run S26°03'10"W a distance of 304.06 feet to a set 5/8 inch rebar with yellow APCO cap, said point being called **Reference Point A**, for reference hereinafter; thence run S47°24'24"W a distance of 264.86 feet to a set 5/8 inch rebar with yellow APCO cap; thence run S41°42'47"W a distance of 303.13 feet to a point; thence deflect 180°00'00" to the right and run N41°42'47"E a distance of 55.32 feet to the South boundary of Defendants' property, said point being the Point of Beginning of the first strip of land for right of way herein described; therefrom said strip is varying in width and lies left of the following described survey centerline and up to the Southeast right of way of Valleydale Road and up to 15 feet right of said survey centerline and the continuations thereof, which begins at such Point of Beginning and continues along the last described course a distance of 247.81 feet to a set 5/8 inch rebar with yellow APCO cap, said point being the POINT OF ENDING of the first strip of land for right of way.

To reach the point of beginning of the second strip, commence at a found capped iron stamped Weygand marking the Southeast corner of Lot 31, Inverness Green Subdivision as recorded in Map Book 21, Page 6 in the Office of Judge of Probate of Shelby County, Alabama and run S40°21'06"W a distance of 102.35 feet to a set 5/8 inch rebar with yellow APCO cap, thence run N58°34'25"E a distance of 284.84 feet to a point, said point being the Point of Beginning of the second strip of land for right of way herein described; therefrom said strip is varying in width and lies left of the following described survey centerline and up to the Southeast right of way of Valleydale Road and up to 15 feet right of said survey centerline and the continuations thereof, which begins at such Point of Beginning and continues along the last described course a distance of 46.30 feet to a set 5/8 inch rebar with yellow APCO cap, said point being called **Reference Point B**, for reference hereinafter, said point being the POINT OF ENDING of the second strip of land for right of way.

Plaintiff also seeks the right and authority to place and maintain such guy wires and anchors for a distance not to exceed 95 feet outside of and in a southeasterly direction from such ways and rights of way at **Reference Point A** indicated above as may be necessary in the erection, construction, or maintenance of said wire lines and appliances.

Plaintiff also seeks the right and authority to place and maintain such guy wires and anchors for a distance not to exceed 78 feet outside of and in a southeasterly direction from such ways and rights of way at **Reference Point B** indicated above as may be necessary in the erection, construction, or maintenance of said wire lines and appliances.

All bearings based on Alabama State Plane West Zone Grid North.



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Defendants SRC Inverness Cliffs, LLC, Fannie Mae, and Don Armstrong, Property Tax Commissioner, are the owners of, or owners of an interest in, the above-described land.

APCO Property #72268432 / GIS #3 and #16



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PARCEL 2

A strip of land, varying in width, lying within a portion of the Southeast Quarter of Northwest Quarter (SE 1/4 of the NW 1/4), of Section 11, Township 19 South, Range 02 West, Shelby County, Alabama, such strips being more particularly described as follows:

To reach the point of beginning of said strip, commence at the Southwest corner of Lot 4, Meadow Brook Professional and Medical Centre- 1st Sector, as recorded in Map Book 17, Page 21 in the Office of Judge of Probate of Shelby County, Alabama, said point being marked by a found capped iron stamped GSA; thence run N39°36'53"E a distance of 74.21 feet to a point of the centerline of survey used to describe said strip of land for right of way, said point being marked by a set 5/8 inch rebar with yellow APCO cap; thence continue along said centerline of survey a bearing of N37°40'27"E a distance of 470.34 feet to the Southwest boundary of Defendants' property; such point being the Point of Beginning of the right of way herein described; therefrom said strip is varying in width and lies from 15 feet right of said survey centerline and up to the Southeast right of way of Valleydale Road and the continuations thereof, which begins at such Point of Beginning and runs N37°40'27"E a distance of 17.38 feet to a set 5/8 inch rebar with yellow APCO cap; thence continue along said centerline of survey a bearing of N46°49'57"E a distance of 149.62 feet to the Northeast boundary of Defendants' property; such point being the POINT OF ENDING of the strip of right of way herein described.

All bearings based on Alabama State Plane West Zone Grid North.

Defendants MKL, L.L.C., Regions Bank, and Don Armstrong. Property Tax Commissioner, are the owners of, or owners of an interest in, the above-described land.

APCO Property # 72268159 / GIS #48

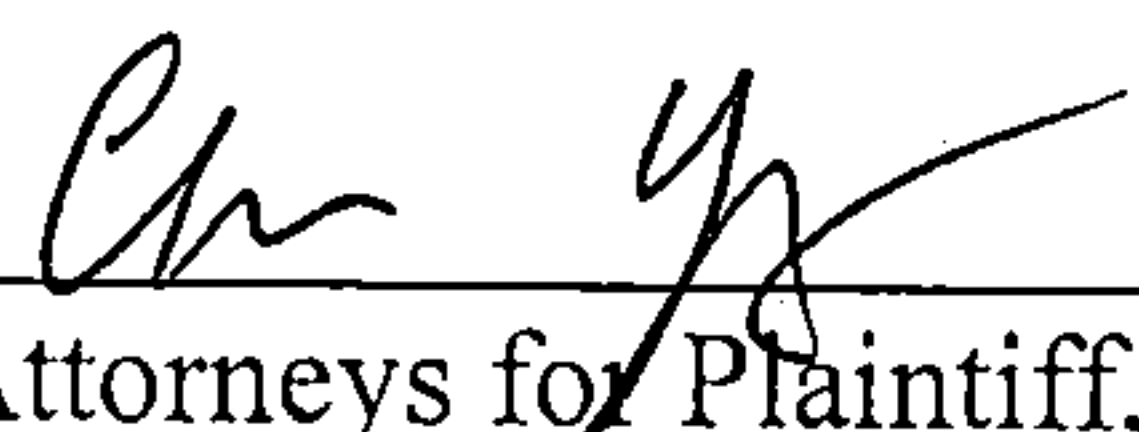


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The kind of suit brought as above stated is to condemn and acquire easements, interests, ways, and rights-of-way in connection with the erection, construction, and maintenance of towers, poles, wire lines, guy wires, anchors, and other appliances for the transmission, distribution, supply, and sale to the public of electric power and advanced communications.

IN WITNESS WHEREOF, the said Alabama Power Company, a corporation, has caused this notice to be executed on this the 10th day of July, 2023.

ALABAMA POWER COMPANY

By 
One of the Attorneys for Plaintiff,
Alabama Power Company

OF COUNSEL:

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