

NOTICE OF LIS PENDENS

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

STATE OF ALABAMA,

Plaintiff,

v.

CASE NO. PR-2023-001059

**LAWRENCE G. NEWMAN; VICTOR L.
MILLER, JR.; WHITECAP
INVESTMENT CORP.;
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
names will be added by amendment when
ascertained,**

Defendants.

Comes now the State of Alabama, by its attorney, and files herewith notice to all persons concerned that on the 8th day of November, 2023, 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):

Lawrence G. Newman, owner of interest in fee; Victor L. Miller, Jr., owner of interest in fee; Whitecap Investment Corp., judgment lienholder; Donald Armstrong, Property Tax Commissioner

Property description:



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A part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 36, Township 19 South, Range 3 West, identified as Tract No. 48 on Project No. RP-7112(003) in Shelby County, Alabama, and being more fully described as follows:

Parcel 1 of 1:

Commence at a found PK nail marking the Northeast corner of the Southeast one-quarter of the Northwest one-quarter of Section 36, Township 19 South, Range 3 West; thence run South along said section line for a distance of 366.95 feet, more or less, to a point on the east acquired R/W line of SR 261, (said line offset 60.00 feet RT and parallel to centerline of project); thence run Southwesterly along the acquired R/W line for a distance of 182.22 feet, more or less, to a point on the acquired R/W line and being the POINT OF BEGINNING, (said point on the grantor's property line); thence run South 77 degrees 59 minutes 10 seconds West along the acquired R/W line for a distance of 17.02 feet to a point on the acquired R/W line, (said point offset 50.00 feet RT and perpendicular to centerline of project at station 252+24.19); thence run along the acquired R/W line and the arc of a curve, said curve being a counterclockwise curve having radius of 6660.00 feet, a delta angle of 01 Degree 46 Minutes 10 Seconds, a chord bearing of South 41 degrees 03 minutes 49 seconds West, a chord length of 205.67 feet, for a distance of 205.67 feet to a point on the grantor's property line, (said point offset 50.00 feet RT and perpendicular to centerline of project); thence run North 48 degrees 14 minutes 16 seconds West along the grantor's property line for a distance of 23.59 feet to a point on the east present R/W line of SR 261; thence run along said present R/W line and the arc of a curve, said curve being a clockwise curve having a radius of 2445.38 feet, a delta angle of 05 degrees 10 minutes 19 seconds, a chord bearing of North 40 degrees 29 minutes 28 seconds East, and a chord length of 220.66 feet, for a distance of 220.74 feet to a point on the grantor's North property line; thence run South 46 degrees 17 minutes 27 seconds East along the grantor's North property line for a distance of 36.06 feet to the POINT OF BEGINNING; said parcel contains 0.132 acre(s), more or less.

Also a temporary construction easement and right of way for the following purposes: to enter upon the hereinafter described land and grade, level, fill, drain, pave and build a public road or highway, together with such bridges, culverts, ramps, and cuts as may be necessary, until completion of the project at which time all rights, title and interest to the temporary construction easement shall revert to the property owner, on, over, and across the following described property as shown on the right-of way map of Project No. RP-7112(003) Tract No. 48:

Temporary Construction Easement 1 of 1:

BEGIN at a point on the east acquired R/W line of SR 261 and the required easement line, (said point offset 60.00 feet RT and perpendicular to centerline of project at station 252+38.08); thence run South 46 degrees 17 minutes 27 seconds East along the required easement line for a distance of 5.00 feet to a point on the required easement line; thence run South 42 degrees 00 minutes 26 seconds West along the




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required easement line for a distance of 13.61 feet to a point on the required easement line, (said point offset 65.00 feet RT and perpendicular to centerline of project at station 252+24.19); thence run North 48 degrees 03 minutes 06 seconds West along the required easement line for a distance of 15.00 feet to a point on the acquired R/W line, (said point offset 50.00 feet RT and perpendicular to centerline of project at station 252+24.19); thence run North 77 degrees 59 minutes 10 seconds East along the acquired R/W line for a distance of 17 .02 feet to the POINT OF BEGINNING; said easement contains 0.003 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: 

J. Bentley Owens, III (OWE004)

Attorney for said Plaintiff

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