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Shelby Cnty Judge of Probate, AL
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NOTICE OF LIS PENDENS

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

**SHELBY COUNTY, ALABAMA, a
political subdivision of the State of Alabama,**

Plaintiff,

v.

CASE NO. PR-2025- 000302

**THE KENZIE RE, LLC; U.S. BANK TRUST
COMPANY NATIONAL ASSOCIATION,
AS TRUSTEE FOR THE REGISTERED
HOLDERS OF MORGAN STANLEY
CAPITAL I INC., MULTIFAMILY
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2024-K527;
DONALD ARMSTRONG, in his official
capacity as Property Tax Commissioner of
Shelby County, Alabama; BLANK
COMPANY, an entity, the owner of the
property described in the Complaint; A, B, C,
D and E, 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 Shelby County, Alabama, by its attorney, and files herewith notice to all persons concerned that on the 28th day of January, 2025, condemnation proceedings were commenced in the Probate Court of Shelby County, Alabama, whereby said Shelby County, 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): The Kenzie RE, LLC, Owner of fee; U.S. Bank Trust Company National Association, as Trustee for the Registered Holders of Morgan Stanley Capital I Inc., Multifamily Mortgage Pass-Through



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Certificates, Series 2024-K527, Mortgagee; Don Armstrong, Shelby
County Property Tax Commissioner, ad valorem property taxes

Property description: Project No. STPBH-5939(200) Tract No. 51:

Commence at the Northwest corner of Section 3, Township 19 South, Range 2 West; thence run easterly along the north line of said section for a distance of 1316.12 feet to a point on the proposed centerline of Caldwell Mill Road; thence turn an angle right 124 deg. 16 min. 39 sec. and run southwesterly for a distance of 166.01 feet; thence deflect an angle left 26 deg. 01 min. 47.18 sec. and run southwesterly for a distance of 333.91 feet to the Point of Beginning of a Right-of-Way of variable widths being bounded on the northwesterly side by Grantor's Northerly property line, and being bounded on the southeasterly side by a line being 152.23 feet southeasterly of and perpendicular to at this point, and decreasing to 95.01 feet southeasterly of and perpendicular to a point 244.23 feet ahead along the following described line; thence continue southwesterly along the previously described course for a distance of 43.77 feet. At this point the Right of Way is bounded on the northwesterly side by the present southeasterly right-of-way of Caldwell Mill Road; thence continue southwesterly along the previously described course for a distance of 200.46 feet. At this point the Right-of-Way is bounded on the southeasterly side by a line being 95.01 feet southeasterly of and perpendicular to at this point and decreasing to 60 feet southeasterly of and perpendicular to a point 81.70 feet ahead along the following described line; thence continue southwesterly along the previously described course for a distance of 81.70 feet to said point, also being Point "A" for future reference. At this point the Right of Way is bounded on the southeasterly side by a line being 60.00 feet southeasterly of and perpendicular to at this point and increasing to 61.02 feet southeasterly of and perpendicular to a point 176.67 feet ahead along the following described line; thence continue southwesterly along the previously described course for a distance of 126.35 feet to the point of beginning of a curve to the right having a central angle of 02 deg. 41 min. 30 sec., a radius of 1300.00 feet, and an arc length of 61.07 feet; thence run southwesterly along the arc of said curve for a distance of 34.16 feet, at this point the Right-of-Way is bounded on the northwesterly side by the present northeasterly right-of-way of Old Caldwell Mill Road; thence continue southwesterly along the arc of said curve for a distance of 16.16 feet to the end of said Right-of-Way. The outer boundaries of said Right-of-Way being extended or trimmed to terminate at the property lines of the Grantor.

Also, a permanent easement described as follows:

Commence at Point "A" as described in the Right of Way above for the Point of Beginning of a Permanent Easement of variable widths being bounded on the northwesterly side by the Right of Way described above and being bounded on the southeasterly side by a line being 79.00 feet southeasterly of and perpendicular to at this point and increasing to 80.34 feet southeasterly of and perpendicular to a point 183.71 feet ahead along the following described line; thence run southwesterly along



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the aforescribed course for a distance of 126.35 feet to the point of beginning of a curve to the right having a central angle of 02 deg. 41 min. 30 sec., a radius of 1300.00 feet, and an arc length of 61.07 feet; thence run southwesterly along the arc of said curve for a distance of 50.32 feet, at this point the Permanent Easement is bounded on the northwesterly side by the present northeasterly right-of-way of Old Caldwell Mill Road; thence continue southwesterly along the arc of said curve for a distance of 7.04 feet to the end of said Permanent Easement. All of said Right-of-Way and Permanent Easement are located in the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3, Township 19 South, Range 2 West, Shelby County, Alabama, the Right of Way contains 1.101 acres more or less and the Permanent Easement contains 0.080 acres more or less.

Description of above property is taken from right of way map of said project on file in the office of engineer for Shelby County, Alabama, 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.

SHELBY COUNTY, ALABAMA

By *J. Bentley Queen*
Attorney for said Plaintiff