

Notice is hereby given that on the 11<sup>th</sup> day of February, 2019, plaintiff Joseph E. Walden (“Plaintiff”) filed a complaint in the Eighteenth Judicial Circuit Court of Alabama, Shelby County (the “Complaint”). Plaintiff’s Complaint was subsequently amended by the filing of a First Amended Complaint on March 7, 2025 (the “Lawsuit”). The named defendants are Randall W. Walden, Rocio Walden, Walden General Contractors, Inc., Rueda and Associates, Inc. and Jo

Anne Walden, and the fictitious defendants are denominated as Fictitious Defendants A, B, C, D, E, F, G, H, I and J. The Plaintiff alleges the following in the Lawsuit:

1. The real property that is the subject of the First Amended Complaint is located in the Birmingham Division of Jefferson County, Alabama, has a street address of 3579 Highway 61, Columbiana, Alabama 35051, and a legal description of:

The South half of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 29, Township 21, Range 1 East, containing 120 acres, more or less.

All that part of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 28, Township 21, Range 1 East, lying West of the Old Montgomery Public Road. ALSO, commence at the Northwest corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 33, Township 21, Range 1 East, the point of beginning of the property herein conveyed; thence run South along the West  $\frac{1}{4}$  -  $\frac{1}{4}$  line of said forty a distance of 150 feet, more or less, to the South bank of a branch; thence run in an Easterly direction along the meanderings of the South bank of said branch a distance of 580 feet, more or less, to the point of intersection with the center line of Shelby County Highway 61; Thence run in a Northeasterly direction along the center line of said highway a distance of 45 feet, more or less, to the North line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section; thence run West along the North line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section a distance of 600 feet, more or less, to the Northwest corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section.

LESS AND EXCEPT right-of-way of Shelby County Highway 61.

(the "Property").

2. Plaintiff alleges that Jo Anne Walden conveyed the Property to her three sons, Harold E. Walden, Jr., Joseph E. Walden (Plaintiff), and Randall W. Walden as equal one-third ( $\frac{1}{3}$ ) co-tenants, and there is language in such deed dated April 29, 2004 that the conveyance is subject to a reservation of a life estate **to the grantee**. Such deed is recorded in the Office of the Judge of Probate of Shelby County, Alabama (the "Probate Office") in Instrument 20040503000228430.

3. Plaintiff alleges that to the extent Defendant, Jo Anne Walden, has a life estate in the Property, she has actually and/or equitably abandoned such interest and any possessory interest in the Property.

4. Plaintiff alleges that Defendants Randall W. Walden, Rocio Walden, WGC, and Rueda and Fictitious Defendants F, G, H, I and J have dumped on the surface of the Property and buried in pits thereon and thereunder numerous items, including, but not limited to, building material waste, garbage, trash, pipes, garden hoses, cans of paint, petroleum products, metal and other foreign materials and waste.

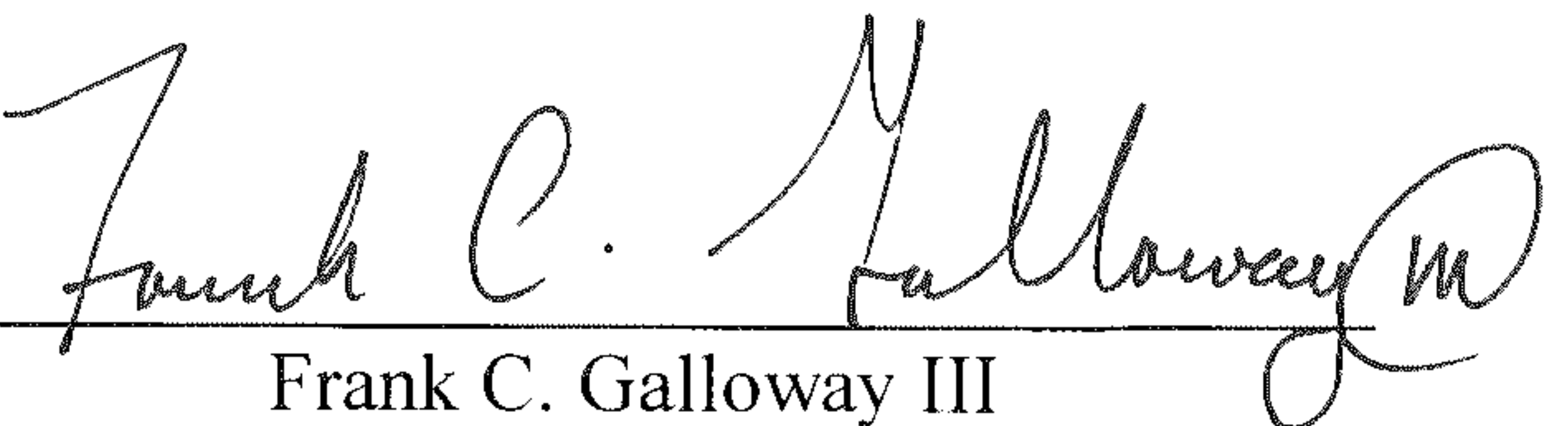
5. Plaintiff alleges that Defendants have allowed the four-bedroom residence on the Property (the "House") to fall into disrepair such that the House has leaks in the roof that have allowed water (and resultantly, mold) to accumulate within the House.

6. Plaintiff alleges that five barns, exterior fencing and cattle fences are also located on the Property, and all of these improvements have fallen into disrepair and are subject to waste.

7. Plaintiff further alleges that on or about September 24, 2024, Harold E. Walden, Jr. passed away, and that Fictitious Defendants A, B, C, D and E are those parties who are unknown, but who may have an interest in the Property (as defined hereinafter), some of whom may have such an interest as a successor to the remainder interest of Harold E. Walden, Jr.

8. Plaintiff has asserted the following causes of action against the Defendants: (1) request for declaratory judgment, petition for relief *in quia timet* and permanent injunction; (2) waste, negligence and trespass; (3) request for appointment of a receiver, and (4) bill for sale and division. Principally for alerting third parties as to the pendency of the aforesaid claim for bill for sale and division, Plaintiff files this Notice.

Done this 19<sup>th</sup> day of March, 2025.

  
Frank C. Galloway III

STATE OF ALABAMA     )  
  :  
JEFFERSON COUNTY     )

I, the undersigned notary for said County and in said State, hereby certify that Frank C. Galloway III, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my official hand and seal this 19<sup>th</sup> day of March, 2025.

  
Notary Public

My Commission Expires: 11-5-2028



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
03/19/2025 01:02:01 PM  
\$32.00 PAYGE  
20250319000081590

*Allie S. Boyd*

