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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,**

**Plaintiff,**

**v.**

**CASE NO. PR-2025- 002941**

**HOWARD E. WHEELER; CALEB R.  
WHEELER; JOAN ABERNATHY;  
JACOB TIDMORE, 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 22nd day of August, 2025, condemnation proceedings were commenced in the Probate Court of Shelby County, Alabama, whereby 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): Howard E. Wheeler, Owner of fee; Caleb R. Wheeler, Owner of fee; Joan Abernathy, Judgment lienholder; Jacob Tidmore, as Property Tax Commissioner of Shelby County, Alabama

Property description:

A part of the SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 30, Township 19 South, Range 2 West,



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identified as Tract No. 2 on Project No. IMD-STPBH-7112(602) in Shelby County, Alabama, and being more fully described as follows:

Parcel 1 of 1:

Commencing at the Southeast corner of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 30, Township 19 South, Range 2 West; thence northerly and along the quarter section line for a distance of 532.22 feet, more or less, to a point on the acquired right of way line (said line between a point offset 95.00 feet right and perpendicular to the project centerline at Station 97+70.00 and a point offset 65.00 feet right and perpendicular to the project centerline at Station 98+40.00) also being the point of beginning; thence S 34 deg. 54 min. 08 sec. W along the acquired right-of-way line, a distance of 9.16 feet, more or less, to a point (said point offset 95.00 feet right and perpendicular to the project centerline at Station 97+70.00); thence S 50 deg. 31 min. 34 sec. W along the acquired right-of-way line a distance of 63.83 feet to the point on the acquired right-of-way line (said point offset 105.00 feet right and perpendicular to the project centerline at Station 97+10.00); thence along the acquired right-of-way line and along the arc of said curve a distance of 84.28 feet (a curve to the right having a chord bearing S 61 deg. 37 min. 59 sec. W, a distance of 84.27 feet and a radius of 2073.14 feet) to a point on the acquired right-of-way line (said point offset 105.00 feet right and perpendicular to the project centerline at Station 96+30.00); thence N 72 deg. 41 min. 41 sec. W along the acquired right-of-way line a distance of 76.77 feet to a point on the present south right-of-way line of Valleydale Road; thence along said right-of-way line and along the arc of said curve a distance of 232.27 feet (a curve to the left having a chord bearing N 60 deg. 21 min. 38 sec. E, a distance of 232.09 feet and a radius of 1705.05 feet) to a point on the grantor's easterly property line; thence S 00 deg. 16 min. 03 sec. E along the grantor's said property line a distance of 49.49 feet to a point on the acquired right-of-way line (said line between a point offset 95.00 feet right and perpendicular to the project centerline at Station 97+70.00 and a point offset 65.00 feet right and perpendicular to the project centerline at Station 98+40.00); and the place of beginning, containing 0.23 acre(s), more or less.

Temporary Construction Easement 1 of 1:

Beginning at a point on the required easement line (said point offset 100.00 feet right and perpendicular to the project centerline at Station 97+40.4) (point also on the acquired right-of-way line); thence N 50 deg. 31 min. 34 sec. E along the required easement line a distance of 33.53 feet to a point on the required easement line (said point offset 95.00 feet right and perpendicular to the project centerline at Station 97+70.00); thence N 34 deg. 54 min. 08 sec. E along the required easement line a distance of 9.16 feet to a point on the grantor's east property line (said line between a point offset 95.00 feet right and perpendicular to the project centerline at Station 97+70.00 and a point offset 65.00 feet right and perpendicular to the project centerline at Station 98+40.00); thence S 00 deg. 15 min. 44 sec. E along the



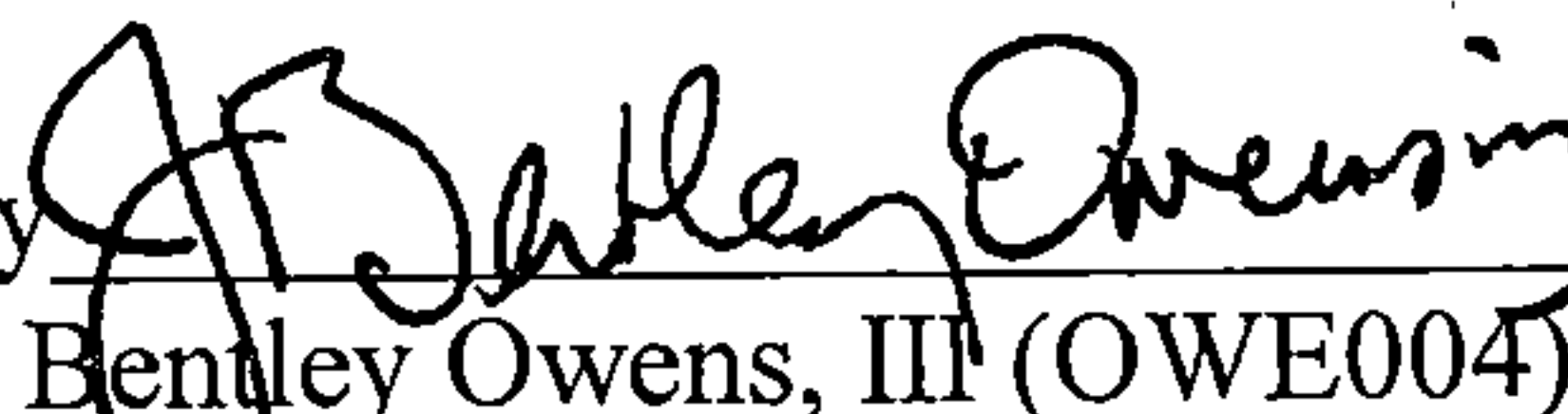


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grantor's said property line a distance of 41.36 feet to a point on the grantor's said property line (said line between a point offset 100.00 feet right and perpendicular to the project centerline at Station 97+40.4 and a point offset 130.00 feet right and perpendicular to the project centerline at Station 97+60.00); thence N 68 deg. 10 min. 59 sec. W along the required easement line a distance of 33.73 feet to the point and place of beginning, containing 0.014 acre(s), 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.

SHELBY COUNTY, ALABAMA

By   
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