

TERRY SIMPSON, individually, and
d/b/a SAND MOUNTAIN BRICK CO.,

Claimant,

vs.

JUNIOR H. BARTON and ELISABETH M.
BARTON, Owners; PATHWAY HOMES, INC.,
Former Owner; LIGHTHOUSE
DEVELOPMENT, INC., an Alabama
corporation, Former Owner;
GUARANTY FEDERAL SAVINGS & LOAN
ASSOCIATION, Mortgagee; and, UNION
BANK & TRUST COMPANY, Montgomery,
Alabama, as Trustee, Mortgage Holder.)

This instrument prepared by
Wade H. Morton, Jr., Attorney at Law
South Main Street, P O Box 1227
Columbiana, Alabama 35051

STATE OF ALABAMA

SHELBY COUNTY

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1986 FEB 28 PM 3:57

Rec. 250
400
650
JUDGE

VERIFIED STATEMENT OF LIEN

TERRY SIMPSON, individually, and d/b/a SAND MOUNTAIN BRICK CO.,
hereby files this statement in writing, verified by the oath of Terry
Simpson, who has personal knowledge of the facts herein set forth:

That said TERRY SIMPSON, individually, and d/b/a SAND MOUNTAIN BRICK
CO., claims a lien upon the following described building, the land upon
which said building is situated, and the remaining portion of the following
described lot or parcel of land located in the City of Alabaster, Shelby
County, Alabama, to-wit:

Lot 14, Block 9, according to the Map and Survey of Bermuda Lake
Estates, First Sector, as recorded in Map Book 9, at Page 98,
in the Office of the Judge of Probate of Shelby County, Alabama.

This lien is claimed, separately and severally, as to both the new residential
dwelling house thereon and the said land.

That said lien is claimed to secure an indebtedness of \$1,501.50,
with interest from, to-wit: November 10, 1985, for brick delivered by
TERRY SIMPSON, individually, and d/b/a SAND MOUNTAIN BRICK CO., for con-
struction of a new residential dwelling house situated upon the above
described real property under a direct contractual agreement with either
LIGHTHOUSE DEVELOPMENT, INC. or PATHWAY HOMES, INC. or both, but if not
with both then at the time of delivery Pathway Homes, Inc. was acting as
agent for the record title holder Lighthouse Development, Inc. or, alter-
natively, Pathway Homes, Inc. was the actual cestuis que trust or equitable
owner at the time of such delivery, which materials were so furnished and
delivered on, to-wit: October 29, 1985 and were used in construction of
said residential dwelling house on said land.

The names of the owners or proprietors of said real property are:
JUNIOR H. BARTON and ELISABETH M. BARTON, who obtained title under that
certain deed of conveyance from Pathway Homes, Inc., an Alabama corporation,
as Grantor, dated November 22, 1985 and recorded on December 6, 1985 in
Real Book 51, at Page 969, in the Office of the Judge of Probate of Shelby
County, Alabama, which title Claimant contends is subject to this
lien; PATHWAY HOMES, INC., an Alabama corporation, Former Owner
under that certain deed of conveyance from LIGHTHOUSE DEVELOPMENT, INC.,
a corporation, as Grantor, dated September 20, 1985 and recorded on December
6, 1985 in Real Book 51, at Page 968, in said Probate Records; GUARANTY
FEDERAL SAVINGS & LOAN ASSOCIATION is the Mortgagee under that certain
mortgage of said real property from Junior H. Barton and wife, Elisabeth M.
Barton, dated November 22, 1985 and recorded on December 6, 1985 in Real Book
51, at Pages 970-975, in said Probate Records, which mortgage Claimant
contends is subordinate to its lien; and, UNION BANK & TRUST COMPANY,
Montgomery, Alabama, as Trustee, is Mortgage Holder under that certain
assignment of mortgage dated December 26, 1985 and recorded on January
23, 1986 in Real Book 58, at Page 376, in said Probate Records, which
mortgage and the assignment thereof Claimant contends is subordinate to
its lien.

STATE OF ALABAMA)
SHELBY COUNTY)

Terry Simpson

Before me, the undersigned, a Notary Public in and for said County and
State, personally appeared Terry Simpson, who being duly sworn does depose
and say: That he is the sole proprietor of Sand Mountain Brick Co. and
has personal knowledge of the facts set forth in the foregoing statement
of lien, and that the same are true and correct to the best of his
knowledge and belief.

Sworn to and subscribed to
before me this 28th day of
February, 1986.

Terry Simpson, Affiant

Notary Public

My Commission Expires August