2/96

IN THE CIRCUIT COURT IN OF JEFFERSON COUNTY, ALABAMA
(IN EQUITY)

'87 JAN 28 A9:32

D.L. COCKRELL
REGISTER

E.O.D.

JOHN YELVINGTON and
MARIE YELVINGTON,

        Plaintiffs,

    -vs-

SMYER CONSTRUCTION CO.,
a corporation; SID
SMYER, III, and CENTRAL
BANK OF THE SOUTH,

        Defendants.

CASE ACTION NO. CV87 500-375 MC

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LIS PENDENS

    Please take notice that the Plaintiffs, John Yelvington
and Marie Yelvington, have this day commenced an action
against Sidney W. Smyer, III., Smyer Construction Co. and
Central Bank of the South, in which Plaintiffs claim, among
other things, that they have an equitable mortgage on the
following described property:

    Lot 27-A, according to a resurvey of Lots 21, 22,
23, 24, 25, 26 & 27, Heatherwood, 2nd Sector, as
recorded in Map Book 9, Page 26, in the Office of the
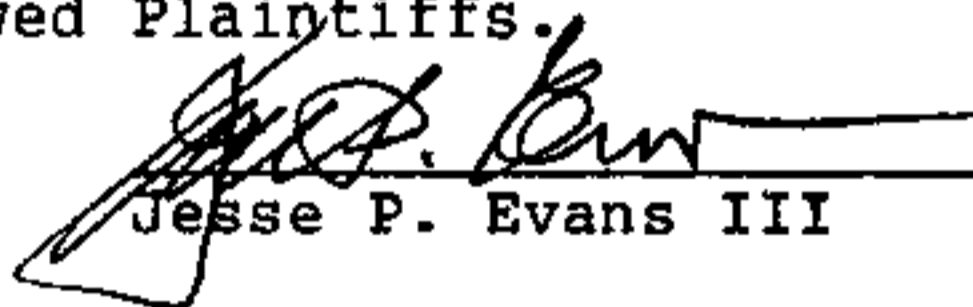Judge of Probate of Shelby County, Alabama.

    This action is pending in the Circuit Court of
Jefferson County and is styled as set out above.

    Plaintiffs request in said action that an equitable
mortgage be imposed upon the aforesaid property, that such
equitable mortgage be enforced against the property and that

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CORRETTI & NEWSOM
ATTORNEYS AT LAW
1904 7TH AVENUE NORTH
BIRMINGHAM, ALABAMA 352

the property be foreclosed and sold at public sale to

satisfy the indebtedness owed Plaintiffs.

Jesse P. Evans III

OF COUNSEL:
CORRETTI & NEWSOM
1804 Seventh Avenue, North
Birmingham, Alabama 35203
(205) 251-1164

The State of Alabama
JEFFERSON COUNTY

CIRCUIT COURT,
TENTH JUDICIAL CIRCUIT OF ALABAMA
IN EQUITY

I, the undersigned, as Register of the Circuit Court, Tenth Judicial Circuit of Alabama, do hereby certify that

the foregoing contains a full, true and correct copy of the instrument herewith set out as appears of record in said Court.

Witness my hand and seal of said Court, this the ___28th___ day of ___January___, 19 __87__

_____, Register.

By: _____

Deputy Register.

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

1987 JAN 29 PM 12: 48

_____
JUDGE OF PROBATE

1. _____ 7.50
2. _____ 2.00
Total _____ 9.50