

P/ds
re P. Green

IN THE CIRCUIT COURT FOR SHELBY COUNTY, ALABAMA

HARBERT INTERNATIONAL, INC.,

Plaintiff,

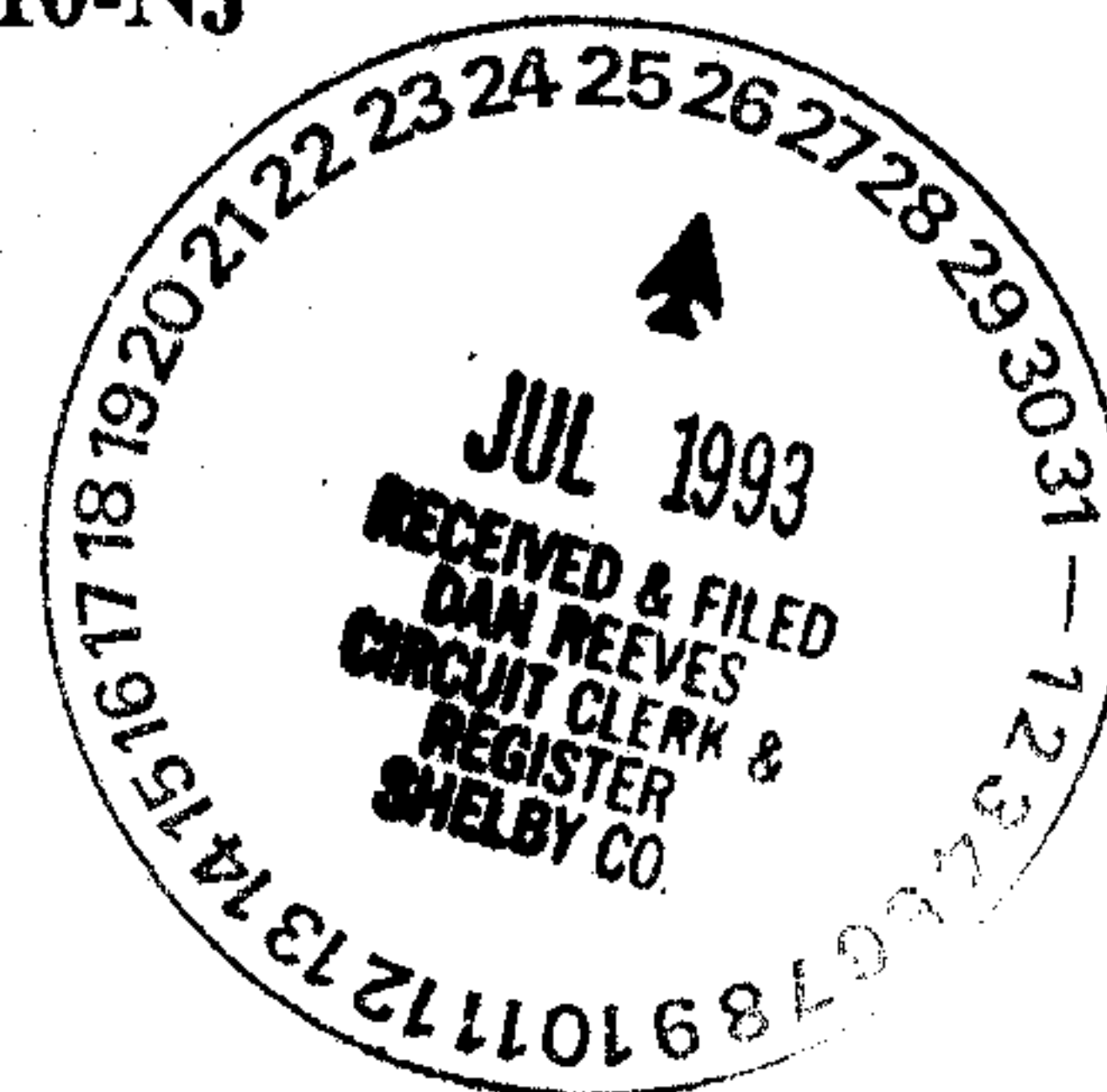
v.

PCA LAND DEVELOPMENT, LTD.,
et al.,

Defendants.

CIVIL ACTION NO.

CV-92-910-NJ



**CONSENT JUDGMENT AND PERFECTION
OF MECHANIC'S LIEN RIGHTS**

This matter, having come before this Court for a trial on the merits, and this Court having been advised by the parties that defendant PCA Land Development, Ltd. ("PCA") is the owner of the real property made the basis of this lawsuit, and that PCA consents to judgment and the perfection of mechanic's lien rights on the real property made the subject of this lawsuit, it is hereby

ORDERED, ADJUDGED and DECREED that plaintiff have and recover from defendant, PCA Land Development, Ltd., judgment in the amount of FOUR HUNDRED EIGHTY-EIGHT THOUSAND, FOUR HUNDRED NINETY and NO/100 DOLLARS (\$488,490.00), and it is hereby further

ORDERED, ADJUDGED and DECREED that the mechanic's lien heretofore filed by the Plaintiff against the subject real property, to wit:

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SHELBY COUNTY JUDGE OF PROBATE
003 MCD 13.50
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BRADLEY, ARANT, ROSE & WHITE
DATE 7-29-93 M. M. R.

A parcel of land in the Northwest $\frac{1}{4}$ of Section 29, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Begin at the Southwest corner of said Northwest $\frac{1}{4}$ of Section 29 and run North along the West line of same 712.51 feet to a point on the Southeasterly right-of-way of Shelby County Highway No. 17 (also known as Valleydale Road), said point also being on a curve having a radius of 5845.0 feet and central angle of 4 deg. 23 min. 38 sec.; thence right 51 deg. 28 min. 38 sec. to tangent and run Northeasterly along said right-of-way and the arc of said curve 448.24 feet to the point of tangency; thence continue Northeasterly along said right-of-way 534.64 feet; thence right 90 deg. and run Southeasterly 75.0 feet along an offset of said right-of-way; thence left 89 deg. 04 min. and continue Northeasterly along said right-of-way 564.03 feet to a point of curve of a curve to the right having a radius of 5329.58 feet and a central angle of 1 deg. 45 min. 24 sec.; thence left 0 deg. 58 min. 42 sec. to the tangent of said curve and run Northeasterly and along said right-of-way and the arc of said curve 163.40 feet to point on said curve; thence right 131 deg. 08 min. 18 sec. from tangent of line of said NW $\frac{1}{4}$ of Section 29, Township 19 South, Range 2 West, that point also being on the Northerly line of Quail Run Subdivision; thence right 91 deg. 18 min. and run Westerly along said South line of said $\frac{1}{4}$ Section 1325.05 feet to the Southwest corner of said $\frac{1}{4}$ Section and the point of beginning; situated in Shelby County, Alabama.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

A parcel of land in the NW $\frac{1}{4}$ of Section 29, Township 19 South, Range 2 West, more particularly described as follows:

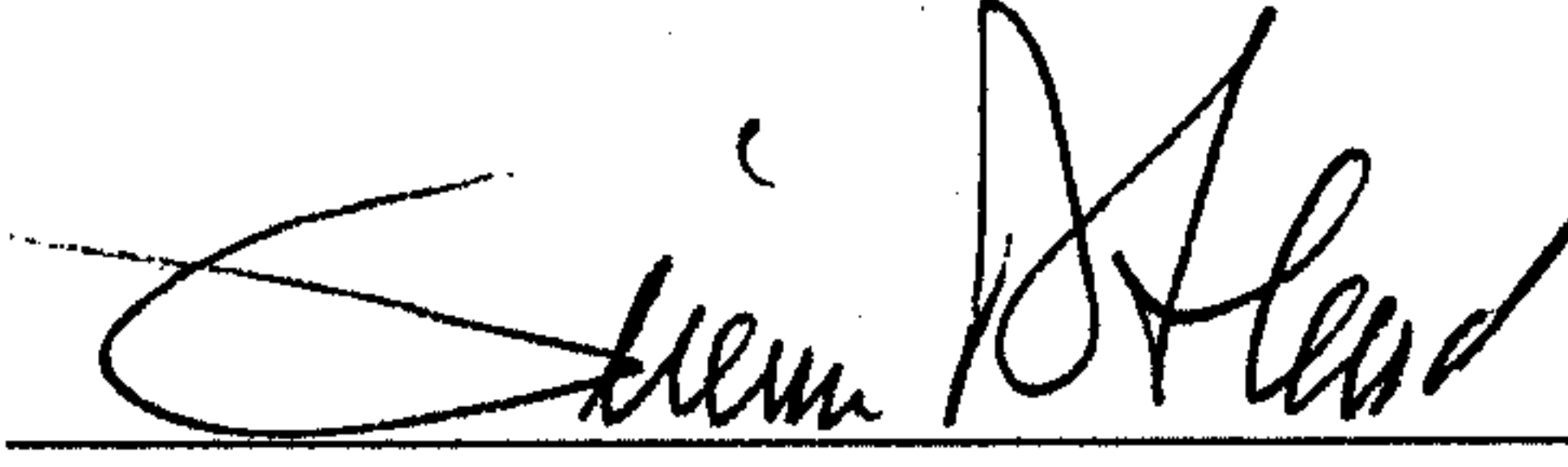
From the SW corner of said $\frac{1}{4}$ section, run North along the West line of said $\frac{1}{4}$ section 250.00 feet to the point of beginning of the property herein described; thence continue on the same course 462.51 feet to a point on the southeasterly right of way of Shelby County Highway No. 17, said point being on a curve to the left, said curve having a radius of 5,845.00 feet and a central angle of 4 deg. 23 min. 38 sec.; thence turn an angle to the right of 51 deg. 28 min. 38 sec. to tangent and run Northeasterly along said right of way and the arc of said curve 448.24 feet to the point of tangency; thence continue northeasterly along said right of way 534.64 feet to a point; thence turn an angle to the right of 90 deg. and run southeasterly 75 feet along an offset of said right-of-way; thence turn an angle to the left of 89 deg. 04 min. and continue Northeasterly along said right-of-way 496.81 feet to a point on a curve to the right, said curve having a radius of 2500.02 feet and a central

angle of 6 deg. 40 min. 20 sec.; thence turn an angle to the right of 154 deg. 00 min. 37 sec. to tangent and continue Southwesterly along the arc of said curve 291.13 feet to the point of tangency; thence continue Southwesterly 285.65 feet to the point of beginning of a curve to the right, said curve having a radius of 932.58 feet and a central angle of 10 deg. 40 min. 59 sec.; thence continue Southwesterly along the arc of said curve 173.88 feet to the point of tangency; thence continue Southwesterly 233.48 feet to the point of beginning of a curve to the left, said curve having a radius of 330.00 feet and a central angle of 44 deg. 44 min. 38 sec.; thence continue Southerly along the arc of said curve 257.71 feet; thence turn an angle to the right of 72 deg. 55 min. 19 sec. from tangent and continue Southwesterly 143.28 feet; thence turn an angle to the left of 8 deg. 28 min. and continue Southwesterly 512.00 feet to the point of beginning of the property herein described, being situated in Shelby County, Alabama.

is hereby perfected, enforced and imposed upon the subject property in the amount of the aforesaid judgment plus any post judgment interest which may become due and owing Plaintiff under the Settlement Agreement of the Parties.

Each party to bear their own costs.

DONE and ORDERED this 26th day of July, 1993.


CIRCUIT JUDGE

cc: Axel Bolvig, III, Esquire
Donna K. Bowling, Esquire

Inst # 1993-23521

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