

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

GREYSTONE REALTY
INVESTORS, INC.,
Petitioner,

v.

CONSTRUCTION MATERIALS
LTD., INC.,
Respondent.

CASE NO. 33-309

Inst # 1995-15555

CERTIFICATE OF TRANSFER OF LIEN FROM REAL PROPERTY TO BONDS

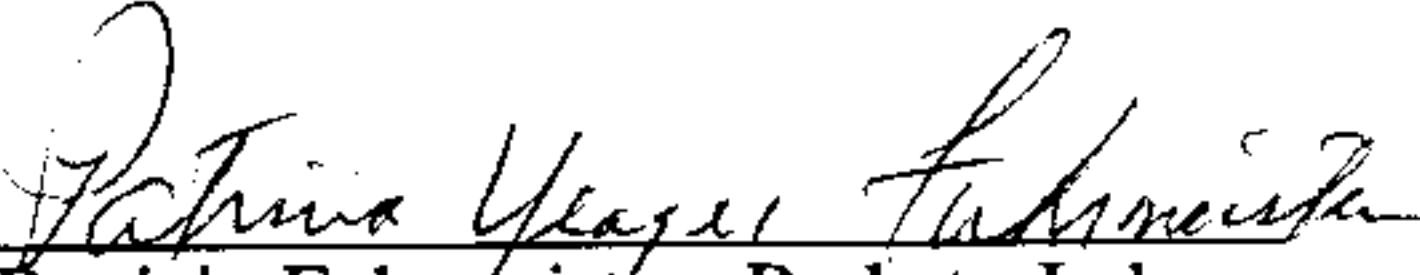
The Petitioner, Greystone Realty Investors, Inc., has filed in this Court its petition requesting that this Court certify to the lien Claimant, that its lien claim, recorded in Instrument No. 1995-13473, in this Court, has been transferred from the real property upon which the lien is sought to be imposed to the Bond for Transfer of Lien which was filed by the Petitioner, pursuant to Section 35-11-233, of the Alabama Code of 1975, as amended, in Instrument No. _____, in this Court.

It appears to the Court, and it is so ordered, that the bond has been properly prepared, executed, and filed, and that the lien claim is hereby transferred from the real property to the bond.

NOW THEREFORE, the Court does hereby accordingly certify to Construction Materials Ltd., Inc., the Respondent herein, that the bond filed by the Petitioner has been properly prepared, executed, and filed, and that the Court has accordingly transferred said lien claim from said real estate to said bond.

The Clerk of this Court is hereby ordered to (1) send, by certified mail, a copy of this certificate, together with a copy of the petition filed by Greystone Realty Investors, Inc., to Construction Materials Ltd., Inc., at each address shown in the petition and (2) record a copy of this certificate in the recording division of this Court.

DONE AND ORDERED, this the 14th day of June 1995.


Patricia Fuhrmeister, Probate Judge

06/14/1995-15555
01:15 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.00



RELEASE OF MECHANIC'S LIEN BOND - PRIVATE WORK

KNOW ALL MEN BY THESE PRESENTS:

That we, GREYSTONE REALTY INVESTOR, INC.
as Principal, and the MERCHANTS BONDING COMPANY,
a Corporation organized and existing under the laws of the State of IOWA
and duly licensed to transact surety business in the State
of ALABAMA as Surety, are held and firmly bound unto
CONSTRUCTION MATERIALS, INC.

as Obligee, in the sum of (\$ 656.25), lawfully money of the United
States of America for the payment whereof, well and truly to be made, we
hereby bind ourselves, our heirs, executors, administrators, successors and
assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, CONSTRUCTION MATERIALS, INC.

is the claimant under that certain Mechanic's Lien in the amount of
FOUR HUNDRED FORTY EIGHT AND 59/100

Dollars (\$ 448.59) which was recorded in Official Records of
LOT A ACCORDING TO TH RESURVEY OF THE MEDICAL CENTER ADDITION TO GREYSTONE,

AS RECORDED IN MAP BOOK 18 PAGE 64, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA

WHEREAS, the Principal disputes the correctness or validity of such claim of
Mechanic's lien and desires to free all the above described real property
from the effect of such claim of lien.

NOW, THEREFORE, if said Principal shall pay or cause to be paid in full or
otherwise discharge the claim of CONSTRUCTION MATERIALS, INC.

then this obligation shall be void, otherwise to remain in full force and
effect. Signed, Sealed and Dated this 7 day of JUNE 1995.

GREYSTONE REALTY INVESTOR, INC.

BY:

MERCHANTS BONDING COMPANY

BY:

RICHARD E. THOMPSON, ATTORNEY-IN-FACT

Merchants Bonding Company (Mutual)

POWER OF ATTORNEY

Know All Men By These Presents, that the MERCHANTS BONDING COMPANY (Mutual), a corporation duly organized under the laws of the State of Iowa, and having its principal office in the City of Des Moines, County of Polk, State of Iowa, hath made, constituted and appointed, and does by these presents make, constitute and appoint

Richard E. Thompson, Alvin B. Bresler

of Birmingham and State of Alabama its true and lawful Attorney-in-Fact, with full power and authority hereby conferred in its name, place and stead, to sign, execute, acknowledge and deliver in its behalf as surety:

Any or all bonds or undertakings provided that no bond or undertaking executed under this authority shall exceed in amount the sum of TWO MILLION FIVE HUNDRED THOUSAND AND NO/100THS (\$2,500,000.00) DOLLARS and to bind the MERCHANTS BONDING COMPANY (Mutual) thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the MERCHANTS BONDING COMPANY (Mutual), and all the acts of said Attorney, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following By-Laws adopted by the Board of Directors of the MERCHANTS BONDING COMPANY (Mutual).

ARTICLE 2, SECTION 8. — The Chairman of the Board or President or any Vice President or Secretary shall have power and authority to appoint Attorney-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

ARTICLE 2, SECTION 9. — The signature of any authorized officer and the Seal of the Company may be affixed by facsimile to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed.

In Witness Whereof, MERCHANTS BONDING COMPANY (Mutual) has caused these presents to be signed by its Vice President and President, and its corporate seal to be hereto affixed, this 16th day of May, A.D., 19 95

Attest:

MERCHANTS BONDING COMPANY (Mutual)

M. J. Long
Vice President

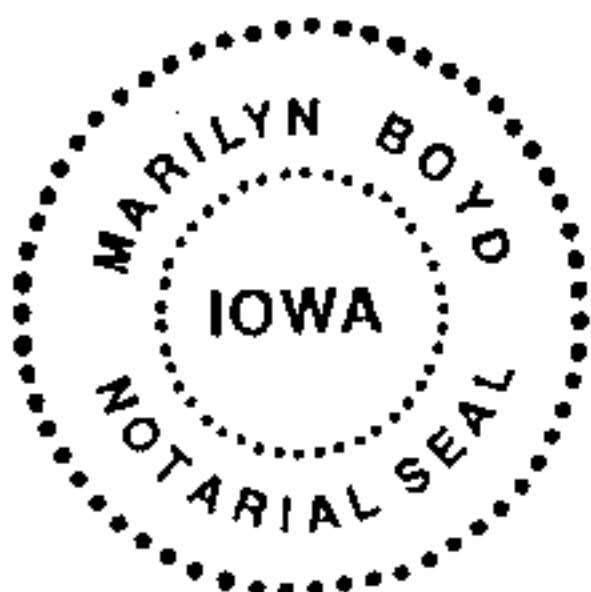
STATE OF IOWA
COUNTY OF POLK ss.

By



On this 16th day of May, 19 95, before me appeared M.J. Long and W.G. Brundage, to me personally known, who being by me duly sworn did say that they are Vice President and Secretary/Treasurer respectively of the MERCHANTS BONDING COMPANY (Mutual), the corporation described in the foregoing instrument, and that the Seal affixed to the said instrument is the Corporate Seal of the said Corporation and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal, at the City of Des Moines, Iowa the day and year first above written.



STATE OF IOWA
COUNTY OF POLK ss.

Marilyn Boyd

Notary Public, Polk County, Iowa
My Commission Expires
11-4-95

I, M.J. Long, Vice President of the MERCHANTS BONDING COMPANY (Mutual), do hereby certify that the above and foregoing is a true and correct copy of the POWER OF ATTORNEY, executed by said MERCHANTS BONDING COMPANY (Mutual), which is still in force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Company, at this 7 day of JUNE, 19 95

BIRMINGHAM, ALABAMA



This power of attorney expires December 31, 1995.

STATE OF ALABAMA

SHELBY COUNTY

VERIFIED STATEMENT OF LIEN

CONSTRUCTION MATERIALS LTD, INC. FILES THIS STATEMENT IN WRITING, VERIFIED BY THE OATH OF KENDRA WHEAT, WHO HAS PERSONAL KNOWLEDGE OF THE FACTS HEREIN SET FORTH:

THAT SAID CONSTRUCTION MATERIALS LTD, INC. CLAIMS A LIEN UPON THE FOLLOWING PROPERTY, SITUATED IN SHELBY COUNTY, ALABAMA, TO WIT: LOT A GREYSTONE MEDICAL CENTER ADD NB16 P39 DB18 P 64 DIM S14.85X392.63 TRR 832 T188 R14 RB281 P 20 PARCEL # 93 03-9-32-0-002-005.025 SUPP 000 (SEE ATTACHED)

THIS LIEN IS CLAIMED, SEPARATELY AND SEVERALLY, AS TO BOTH THE BUILDINGS AND IMPROVEMENTS THEREON, AND THE SAID LAND. THAT SAID LIEN IS CLAIMED TO SECURE AND INDEBTEDNESS OF FOUR HUNDRED AND FORTY EIGHT DOLLARS & FIFTY NINE CENTS. (\$448.59 WITH INTEREST FROM TO-WIT: THE TENTH DAY OF FEBRUARY 1995 FOR WIRE MESH & U MIL POLY.

THE NAME OF THE OWNER OR PROPRIETOR OF THE SAID PROPERTY IS ELLEN STANNER (GREYSTONE REALTY INVESTORS INC.)

CONSTRUCTION MATERIAL LTD, INC.
P.O. BOX 210189
MONTGOMERY, AL 36121-0189

BY Kendra Wheat

Inst # 1995-13473

05/23/1995-13473
11:28 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.00

Inst # 1995-15555

06/14/1995-15555
01:15 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.00

Inst # 1995-13473