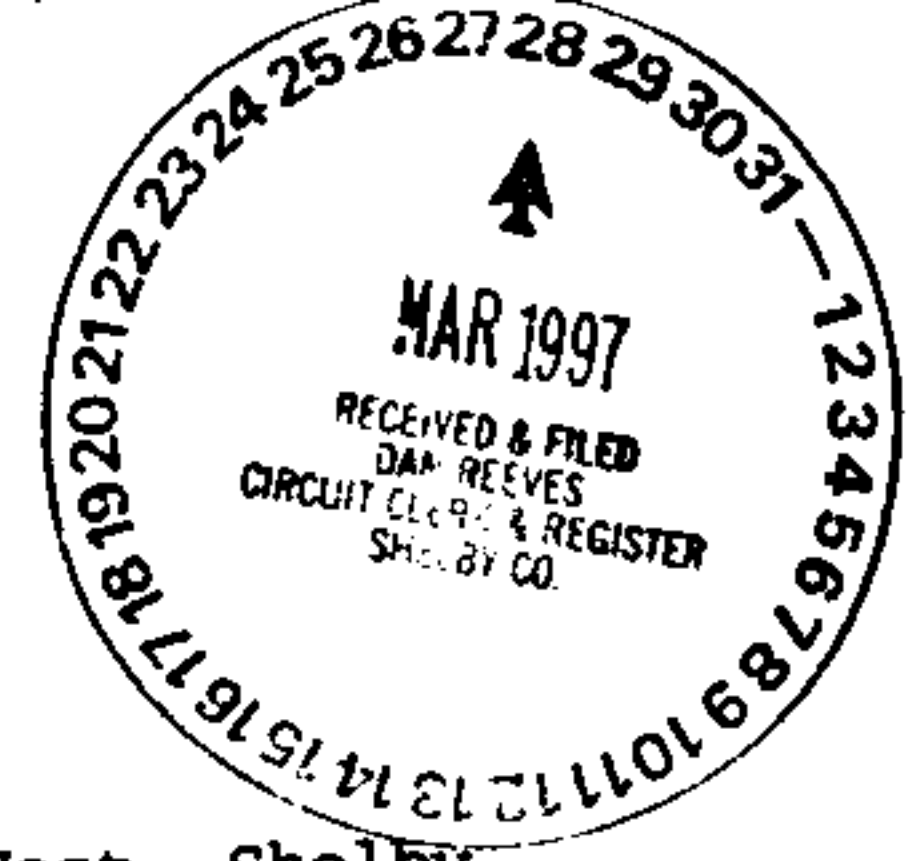


NOTICE OF PENDENCY OF COMPLAINT
IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

CIVIL ACTION NO. CV-97-245



TO:

SE 1/4 of SE 1/4 of Section 34, Township 21 South, Range 1 West, Shelby County, Alabama.

Take notice that Leila D. Horton, on the 28th day of March, 1997, filed in the Circuit Court of Shelby County, Alabama, certified complaint, pursuant to the Provisions of Title 6-6-560, Code of Alabama, (1975), as amended, et seq., against you and the above described land for the purpose of establishing title to said land in the said Leila D. Horton, and to clear up all doubts and disputes concerning the same and that said suit is now pending in said court.

Plaintiff alleges in said complaint that title to said lands stand upon the records of the Judge of Probate, Shelby County, Alabama, in the name of the Plaintiff and that they own in their own right an entire, absolute, fee simple title to and interest in said lands, and that they acquired said lands and an absolute fee simple title, thereto, under deed executed by Ethel Tyse, a widow, to Roger Dale Horton and Leila D. Horton, dated October 10, 1980, and filed for record in the Probate Office of Shelby County, Alabama, in Deed book 329, Page 173; and under deed executed by Roger Dale Horton and wife, Leila D. Horton to Leila D. Horton, dated August 11, 1983, and filed for record in said Probate Office on August 12, 1983, and recorded in Deed Book 349, Page 180.

Plaintiff further alleges that they are in actual and peaceable possession of said lands and that they and their predecessors in title have been in such possession for more than ten years next preceding the filing of said complaint, to-wit: March 1, 1987, and that no other person has been in possession of said land or any part thereof during such ten year period.

Plaintiff further alleges in said complaint that they and their predecessors in title have held color of title to said lands for a period exceeding the ten years next preceding the filing of said complaint and no other person has held color of title to said land or any part thereof during said period.

Plaintiff further alleges that they and their predecessors in title have assessed said lands for taxes and have paid taxes thereon for and during the ten years next preceding the filing of said complaint and that no other person has assessed or paid any taxes on said lands during such ten year period.

Plaintiff further alleges that after a diligent search, they have been unable to ascertain the names, ages and whereabouts of the heirs at law and next of kin of Beatrice Robinson, deceased; Abraham Nunnelly, deceased; Alice Stowe Nunnelly, deceased; and John T. Cromwell, deceased, and all unknown parties A, B & C.

You and each of you are hereby directed to plead, answer to said verified complaint before the 23rd day of May, 1997, or suffer a default judgment to be rendered against you.


Inst # 1997-09646

Inst # 1997-09646

03/28/1997-09646
11:40 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00

It is therefore, ordered by the undersigned Register that publication of this notice be made in the Shelby County Reporter, a newspaper published and having a general circulation in Shelby County, Alabama, once a week for four consecutive weeks, and that all those to whom this notice is addressed and any and all persons claiming any title to, interest in, or lien or encumbrance upon, the above described real estate, or any part thereof, or any interest therein, be and they are hereby required to plead, or answer to the complaint in this cause within the time required by law, and not later than the 23rd day of May, 1997.

It is further ordered that a copy of this notice certified by the undersigned Register, as being correct, shall be recorded as a Lis Pendens in the Office of the Judge of Probate of Shelby County, Alabama.


Dan Reeves, Register of the
Circuit Court of Shelby
County, Alabama.

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned Dan Reeves, Register of the Circuit Court of Shelby County, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the notice to be published to the Defendants in the above and foregoing suit.

WITNESS my hand and seal of office this 28 day of March, 1997.


Dan Reeves, Register

Inst # 1997-09646

03/28/1997-09646
11:40 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00