

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

STATE OF ALABAMA  
COUNTY OF SHELBY

**VERIFIED STATEMENT OF LIEN**

Sachs/Cleveland, LLC files this statement in writing, verified by the oath of Mitchell J. Marquart, who has personal knowledge of the facts herein set forth and states as follows:

1. Sachs/Cleveland, LLC claims a lien upon the following property situated in Shelby County, Alabama:

31972 Highway 25 South  
Wilsonville, Alabama 35186

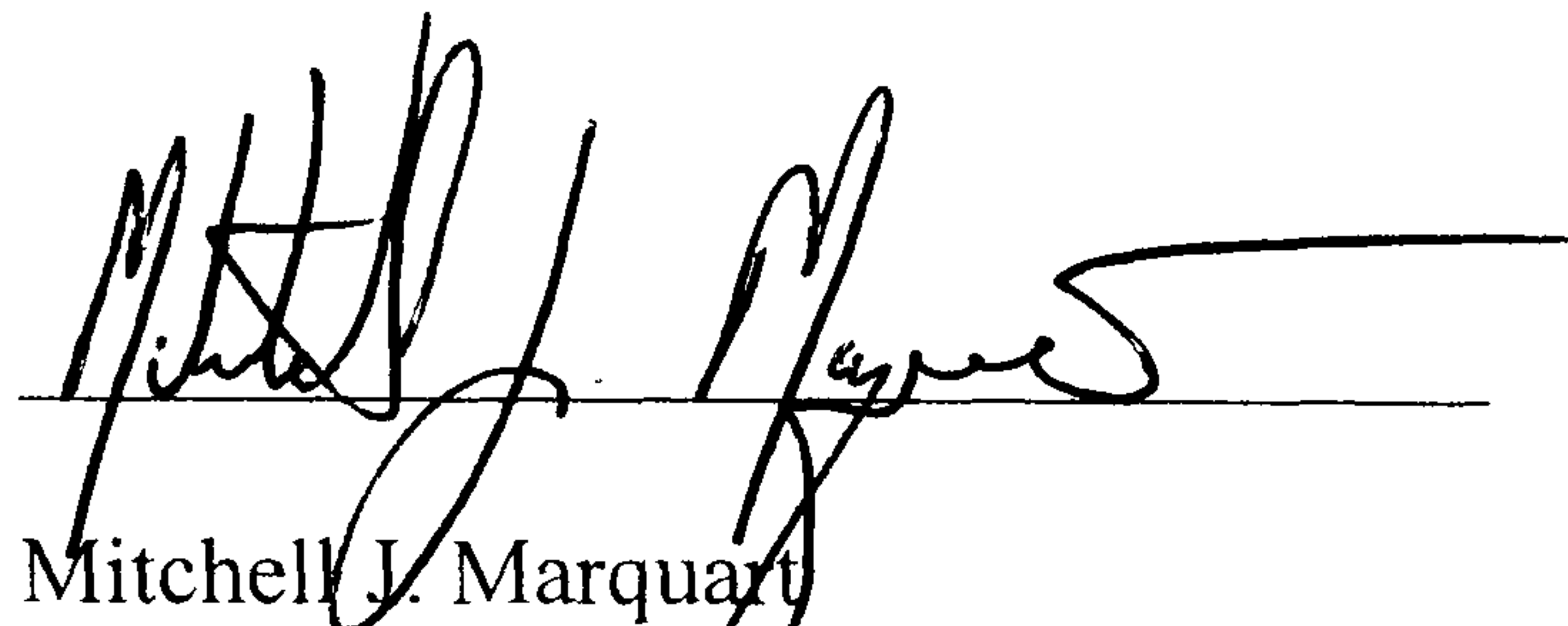
Based on information and belief, the legal description of this property is as follows:

The West 30 acres of the northwest quarter of the northwest quarter of Section 32,  
Township 20 South, Range 2 east, Shelby County, Alabama.

Based on information and belief, Alabama Power Company, The Southern Company, The Southern Company Services, Inc. and/or Southern Electric Generating Company owns this property.

2. This lien is claimed, separately and severally, as to both the buildings and improvements thereon, and the said land.
3. This lien is claim to secure an indebtedness of \$1,122,895.27, plus interest, from June 30, 2005 for labor, material and other services and work performed in connection with the E.C. Gaston Unit 5 Phase I Project at the E.C. Gaston Steam Plant in Wilsonville, Alabama in conjunction with a contract between Alberici Constructors, Inc. and Alabama Power Company, The Southern Company, The Southern Company Services, Inc. and/or Southern Electric Generating Company.
4. The name of the owner or proprietor of the above identified property is Alabama

Power Company, The Southern Company, The Southern Company Services, Inc. and/or Southern  
Electric Generating Company.



Mitchell J. Marquart  
Manager of Construction  
Sachs/Cleveland, LLC

STATE OF Missouri )

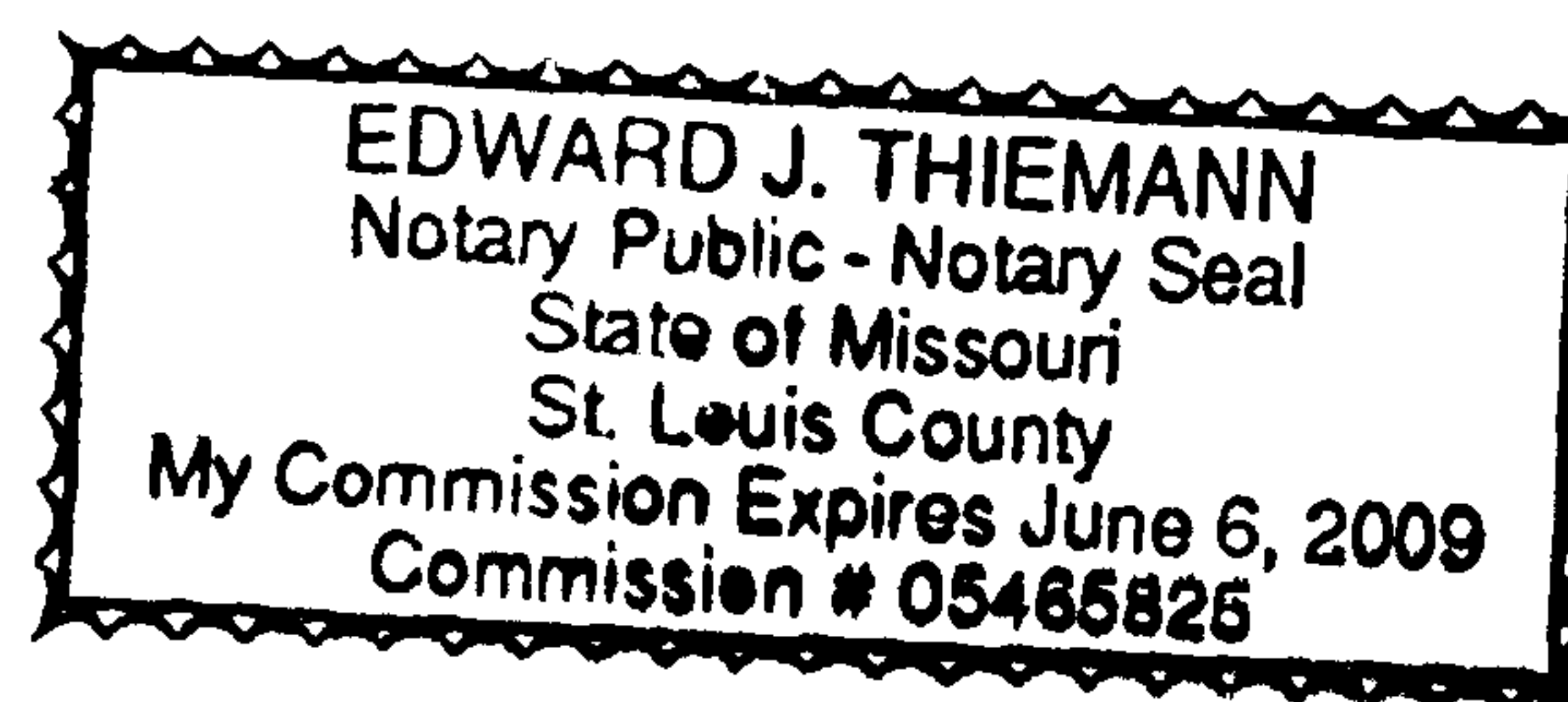
COUNTY OF St Louis )

Sworn to and subscribed before me on this the 5th day of October, 2005.



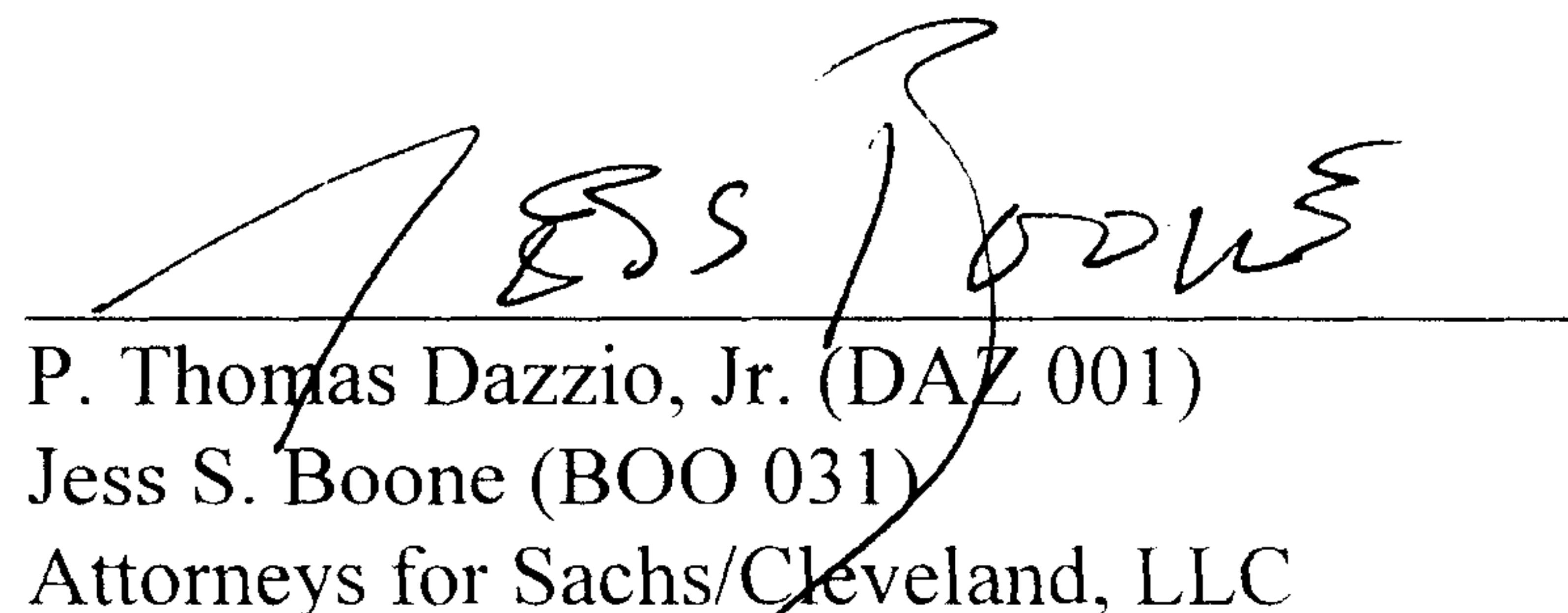
NOTARY PUBLIC

My Commission Expires: June 6, 2009



**PREPARED BY:**

FRIEDMAN, LEAK, DAZZIO ZULANAS & BOWLING, P.C.  
3800 Colonnade Parkway, Suite 650  
Birmingham, Alabama 35243  
(205) 278-7000 telephone  
(205) 278-7001 facsimile



P. Thomas Dazzio, Jr. (DAZ 001)  
Jess S. Boone (BOO 031)  
Attorneys for Sachs/Cleveland, LLC



**OF COUNSEL:**

FRIEDMAN, LEAK, DAZZIO ZULANAS & BOWLING, P.C.  
3800 Colonnade Parkway, Suite 650  
Birmingham, Alabama 35243  
(205) 278-7000 telephone  
(205) 278-7001 facsimile

**CERTIFICATE OF SERVICE**

I hereby certify I have caused a copy of the foregoing pleading to be served on counsel for all parties by placing copies thereof in the United States Mail, first class postage prepaid and properly addressed, on this the 6<sup>th</sup> day of October, 2005.

Mr. David Franklin  
Mr. Ashley Baker  
Southern Company Services, Inc.  
42 Inverness Center Parkway  
Birmingham, AL 35242

Alabama Power Company  
c/o Steve Fleming  
600 North 18<sup>th</sup> Street  
Birmingham, AL 35291

Southern Company Services, Inc.  
Bin 10117  
241 Ralph McGill Boulevard Northeast  
Atlanta, GA 30308-3328

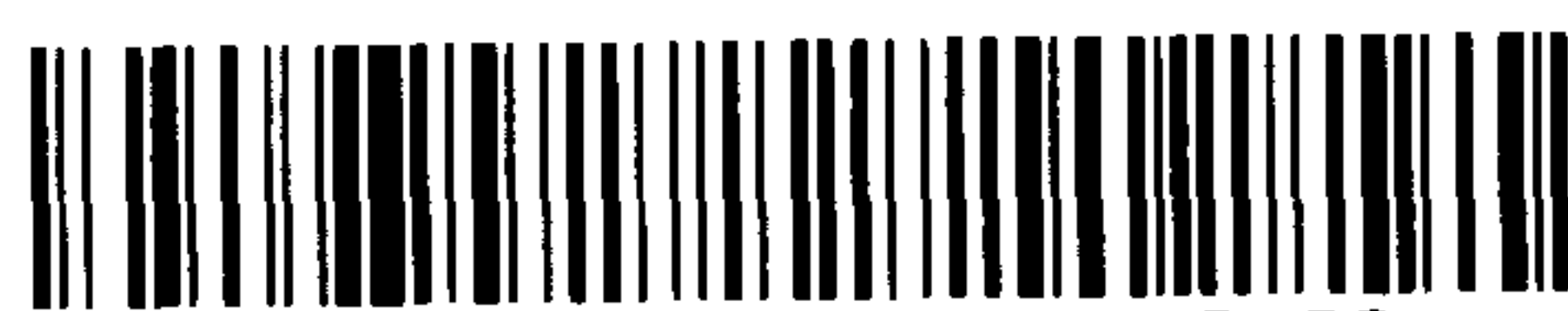
Southern Company Services, Inc.  
CSC Lawyers Incorporating Service, Inc.  
150 South Perry Street  
Montgomery, AL 36104-4227

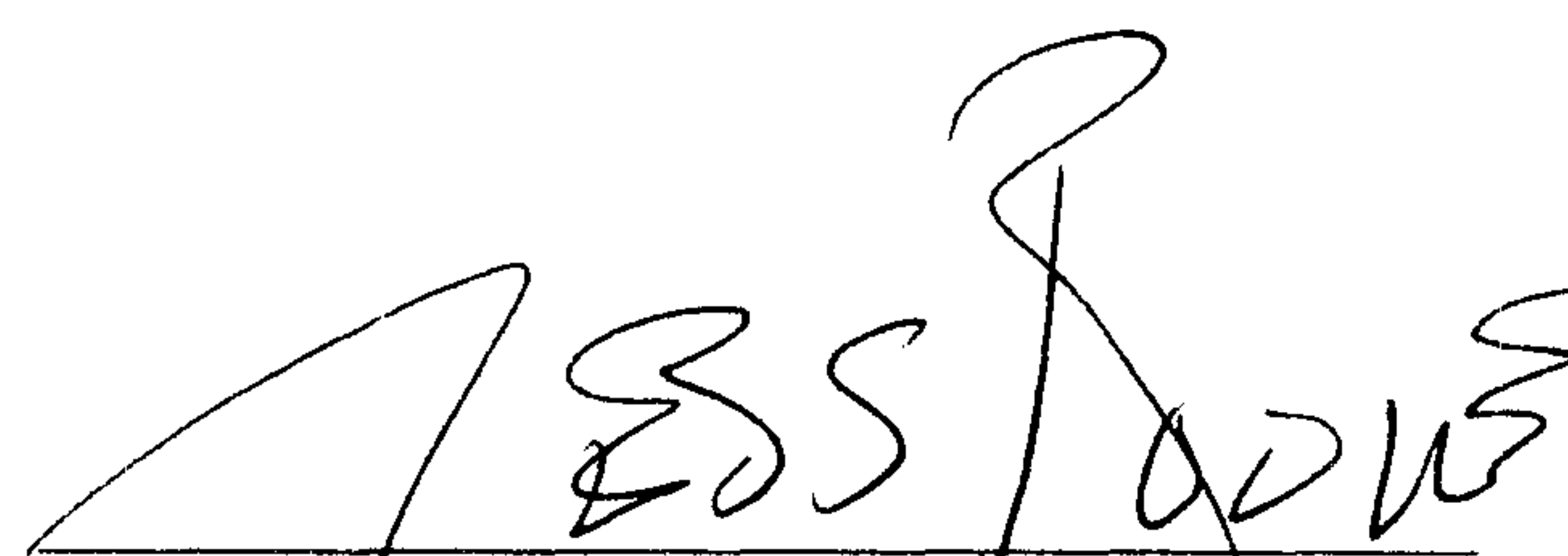
The Southern Company  
CSC - Lawyers Incorporating Service, Inc.  
150 South Perry Street  
Montgomery, AL 36104

The Southern Company  
c/o Walter M. Beale, Jr.  
600 18<sup>th</sup> Street North  
Birmingham, AL 35203-2206

Southern Electric Generating Company  
c/o William E. Zales, Jr.  
600 18<sup>th</sup> Street North  
Birmingham, AL 35203

Southern Electric Generating Company  
Post Office Box 2641  
Birmingham, AL 35291

  
20051006000522590 4/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
10/06/2005 02:33:01PM FILED/CERT

  
OF COUNSEL