

STATE OF ALABAMA)

COUNTY OF SHELBY)

1046

NOTICE OF LIEN & CONSTRUCTIVE TRUST

To Whom It May Concern:

KEN MITCHELL BUILDERS, INC, files this statement in writing verified by the oath of Ken Mitchell who has personal knowledge of the facts herein set forth:

That Ken Mitchell Builders, Inc., claims a constructive trust and a lien upon the following property situated in Jefferson and Shelby Counties, State of Alabama:

1. lot 10, block 11, according to the survey of Bell Meade, as recorded in Map Book 85, Page 26, in the Probate office of Jefferson County, Alabama.
2. lot 28, 5 and 9 according to the survey of Rivershcase, 2nd Addition, 2nd phase, as recorded in Map Book 8 Page 161 in the Probate Office of Shelby County, Alabama.
3. lot 71 A according to the survey of Nottingham, third Sector as reecorded in Map Book 113, Page 73, in the Probate Office of Jefferson County, Alabama.
4. lot 121, according to the survey of Nottingham, Third Sector as recorded in Map Book 118, Page 4 in the Probate Office of Jefferson County, Alabama.

This lien and constructive trust is claimed, separately and severally, as to both the land and buildings thereon.

The said lien and constructive trust is claimed to secure and indebtedness of SEVENTY-EIGHT THOUSAND FIVE HUNDRED SEVENTY-FOUR AND 18/100TH Dollars (\$78,574.18) pursuant to an agreement to construct houses on the above described lots as well as on other lots previously sold by CHAMBERS, KING & MEADE, INC. KEN MITCHELL BUILDERS, INC. was to have received FIVE THOUSAND AND NO/100TH Dollars (\$5,000.00) from the sale of each house constructed for CHAMBERS, KING & MEADE plus the costs of all material and labor expended in order to construct the said houses. CHAMBERS, KING & MEADE, INC. has breached its agreement in that it owes KEN MITCHELL BUILDERS, INC. SIXTY-FIVE THOUSAND SEVEN HUNDRED SEVENTY-FOUR AND 18/100th (\$65,774.18) for material and labor and TWELVE THOUSAND EIGHT HUNDRED AND NO/100TH Dollars (\$12,800.00) for services performed in the construction of other houses that were sold by Chambers, King & Meade, Inc. without paying KEN MITCHELL BUILDERS, INC. The total lien and constructive trust claimed is SEVENTY-EIGHT THOUSAND FIVE HUNDRED SEVENTY-FOUR AND 18/100th (\$78,548.18 exclusive of any liens heretofore filed by KEN MITCHELL BUILDERS, INC. The materials, labor and services performed and/or provided by KEN MITCHELL BUILDERS, Inc. were at the direction of CHAMBERS, KING & MEADE, INC., as owner of the described property pursuant to a joint venture agreement.

✓ COURTNEY H. MASON, JR., P.A.

ATTORNEY AT LAW

P. O. BOX 960187

BIRMINGHAM, ALABAMA 35236-0187

ADDRESS CORRECTION REQUESTED

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The name of the owner or proprietor of said property is
CHAMBERS, KING & MEADE, INC.

Dated this 19th day of November, 1984.

KEN MITCHELL BUILDERS, INC.

By: Ken Mitchell President
Ken Mitchell-President

Sworn to and subscribed before me
this 19th day of November, 1984.

Brenda M. Locker
NOTARY PUBLIC

My commission expires: 6-17-85

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

1984 NOV 21 AM 10:39

Thomas J. ...
JUDGE

RECORDING FEES

Recording Fee	\$ 5.00
Index Fee	1.00
TOTAL	\$ 6.00