

This instrument prepared by
Wade H. Morton, Jr., Attorney at Law
South Main Street, P O Box 1227
Columbiana, Alabama 35051

DeMARCO CONCRETE BLOCK CO., INC.,)
a corporation,)
)
Claimant,)
)
vs.)
)
JUNIOR H. BARTON and ELISABETH M.)
BARTON, Owners; PATHWAY HOMES, INC.,)
Former Owner; LIGHTHOUSE DEVELOPMENT,)
INC., an Alabama corporation, Former)
Owner; and, GUARANTY FEDERAL SAVINGS)
& LOAN ASSOCIATION, Mortgage Holder.)

STATE OF ALABAMA
SHELBY COUNTY

VERIFIED STATEMENT OF LIEN

DeMARCO CONCRETE CO., INC., a corporation, hereby files this statement in writing, verified by the oath of Barry C. Brown, its Comptroller, who has personal knowledge of the facts herein set forth:

That said DeMARCO CONCRETE BLOCK CO., INC. claims a lien upon the following described building, the land upon which said building is situated, and the remaining portion of the following described lot or parcel of land located in the City of Alabaster, Shelby County, Alabama, to-wit:

Lot 14, Block 9, according to the Map and Survey of Bermuda Lake Estates, First Section, as recorded in Map Book 9, at Page 98, in the Office of the Judge of Probate of Shelby County, Alabama.

This lien is claimed, separately and severally, as to both the building and improvements thereon and the said land.

That said lien is claimed to secure an indebtedness of \$1,633.92 including interest at the agreed rate of 1 1/4% per month to January 31, 1986, plus the interest due thereon after January 31, 1986 at the agreed rate of 1 1/4% per month, plus an add-on attorney's fee in the amount of, to-wit: \$536.59, being a total of \$2,170.51 as of this date, for concrete and/or concrete blocks delivered by DeMARCO CONCRETE BLOCK CO., INC. for construction of a residential dwelling house or other improvements situated upon the above described real property under a direct contractual agreement with PATHWAY HOMES, INC., as agent for the record title holder Lighthouse Development, Inc. at the time of such delivery, or as the actual cestuis que trust or equitable owner at the time of such delivery, which materials were so furnished and delivered on, to-wit: September 9 and 24, 1985 and were used in connection with the construction of said residential dwelling house on said land.

The names of the owners or proprietors of said real property are: JUNIOR H. BARTON and ELISABETH M. BARTON, who obtained title under that certain deed of conveyance from Pathway Homes, Inc., an Alabama corporation, as Grantor, dated November 22, 1985 and recorded on December 6, 1985 in Real Book 51, at Page 969, in the Office of the Judge of Probate of Shelby County, Alabama, which title Claimant contends is subject to its first lien; PATHWAY HOMES, INC., an Alabama corporation, who obtained title under that certain deed of conveyance from LIGHTHOUSE DEVELOPMENT, INC., a corporation, as Grantor, dated September 20, 1985 and recorded on December 6, 1985 in Real Book 51, at Page 968, in said Probate Records; and, GUARANTY FEDERAL SAVINGS & LOAN ASSOCIATION is the Mortgagee under (a) that certain mortgage of said real property from Lighthouse Development, Inc. dated June 4, 1985 and recorded July 15, 1985 in Real Book 34, at Pages 273-275, in said Probate Records, which mortgage Claimant contends is paid as to this lot, (b) also Mortgagee under that certain mortgage of said real property from Pathway Homes, Inc. dated June 25, 1985, and recorded on July 15, 1985 in Real Book 34, at Pages 209-212, in said Probate Records, which mortgage Claimant contends is paid, and (c) and also Mortgagee under that certain mortgage of said real property from Junior H. Barton and wife, Elisabeth M. Barton dated November 22, 1985 and recorded on December 6, 1985 in Real Book 51, at Pages 970-975, in said Probate Records, which mortgage Claimant contends is subordinate to its lien.

DeMARCO CONCRETE BLOCK CO., INC.

BY: Barry C. Brown
Its Comptroller

BOOK 058 PAGE 609

STATE OF ALABAMA)

SHELBY COUNTY)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Barry C. Brown, who being duly sworn doth depose and say: That he is Comptroller of DeMarco Concrete Block Co., Inc. and that he has personal knowledge of the facts set forth in the foregoing statement of lien, and that the same are true and correct to the best of his knowledge and belief.

Barry C. Brown
Barry C. Brown, Affiant

Sworn to and subscribed to before me this 14th day of January, 1986.



William M. Morton
Notary Public
My Commission Expires August 4, 1987

BOOK 058 PAGE 609

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

1986 JAN 24 PM 3:52

Thomas W. Jennings
JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ <u>5.00</u>
Index Fee	<u>4.00</u>
TOTAL	\$ <u>9.00</u>