

This Instrument Was Prepared by:

✓ Marvin L. Stewart, Jr.
2125 Morris Avenue
Birmingham, Alabama 35203

STATE OF ALABAMA)

COUNTY SHELBY)

DLCO, Inc. (DLCO), a corporation qualified under the laws of the State of Alabama, by and through Andrew Scott, its President, who has personal knowledge of the facts herein set forth, files this statement in writing, verified by oath. DLCO claims a lien against that project known as the Turtle Lake Apartments, located at #1 Turtle Lake Drive in Birmingham, Alabama. This property is more particularly described as follows:

SEE EXHIBIT A ATTACHED

This lien is claimed separately and severally, against the land, buildings, and improvements owned by each individual, partnership, and corporation to the extent that the entire parcel or lot is located within a city or town. If this land is not within a city or town, this lien is claimed separately and severally, as to the buildings and improvements located on the above described real estate, plus (1) one acre of land surrounding and contiguous thereto. The lien is to secure the money owed to DLCO for the materials, labor, and supplies provided for the project previously mentioned. The amount owed is \$12,174.78, inclusive of attorney fees and has been outstanding since February 30, 1987.

This money is owed for the materials and labor supplied at the request of J&D Construction Company, and which were used for the construction, improvement, and/or the renovation of the project in question and the realty described in Exhibit A.

The name(s) of the owner(s) or proprietor(s) of this property is DAS A. Borden & Co. This owner was informed on April 15, 1987, of the money owed by J&D Construction Company to DLCO.

DLCO, INC.

By:

Andrew Scott
Andrew Scott, President

Before me, the undersigned, a Notary Public, in and for the County of Shelby, State of Alabama, personally appeared Andrew Scott, whose named as President of DLCO, INC. a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 22 day of May, 1987.

Kathy DeStafino
Notary Public
My Commission Expires: 12-15-87

Our File No: 1185-22

184

Please Mail the Notice to:
Turtle Lake, Ltd.
c/o Mrs. A. Gordon & Company,
404 Avalon Avenue
Mobile Shoals, Al 36681

STATE OF Alabama
COUNTY OF Jefferson

GENERAL WARRANTY DEED

THIS INDENTURE is made and entered into this 24th day of August, 1966, by and between H&H DEVELOPMENT COMPANY, an Alabama general partnership therein referred to as "Grantor" and TURTLE LAKE, LTD., an Alabama limited partnership therein referred to as "Grantee".

WITNESSETH:

The Grantor, for and in consideration of the sum of Three Hundred Thirty-Three Thousand Ninety and No/100 Dollars (\$333,090.00), in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does hereby grant, bargain, sell and convey to Grantee, its successors and assigns forever, that certain real property lying and being in Shelby County, Alabama, being more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (herein referred to as the "Property"). The aforesaid consideration is being paid from a mortgage loan made by Alabama Federal Savings and Loan Association pursuant to a Mortgage Deed recorded simultaneously herewith.

And Grantor, for its heirs, successors and assigns, does hereby covenant with Grantee that at the time of the delivery of this indenture, it was lawfully seized in fee simple of the above-described property, that said property is free from all encumbrances except those listed on Exhibit "B" attached hereto and incorporated herein by this reference, that Grantee shall have the peaceable and quiet possession thereof, and Grantor will warrant and forever defend the right and title to the above-described property unto Grantee, its heirs and assigns, against the lawful claims of all persons whomsoever, except for those losses and claims under the title exceptions listed on Exhibit "B".

TO HAVE AND TO HOLD the Property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of Grantee, its heirs, successors and assigns forever in fee SIMPLE.

IN WITNESS WHEREOF, the Grantor has signed and sealed this indenture on the date first above written.

Signed, sealed and delivered in the presence of:

[Signature]
WITNESS

[Signature]
NOTARY PUBLIC

My Comm. Expires: 1-5-68
(NOTARIAL SEAL)

STATE OF Alabama
COUNTY OF Jefferson

H&H DEVELOPMENT COMPANY
an Alabama general partnership

By: [Signature] (SEAL)
JOHN HOWARD, General Partner

By: [Signature] (SEAL)
JOHN HOWARD, General Partner

I, [Signature], a Notary Public in and for said State of Alabama, hereby certify that [Signature] is a General Partner on behalf of H&H Development Company, an Alabama general partnership, whose name is signed to the foregoing General Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the General Warranty Deed, he, as such General Partner and with full authority, executed the same voluntarily on the day the same bears date.

[Signature]
Notary Public

Given under my hand this 30 day of May, 1966.

Robin Hood Hall
Notary Public

My commission expires: 1-5-68

(NOTARIAL SEAL)

STATE OF Alabama

COUNTY OF Jefferson

I, Robin Hood Hall, a notary public in and for said County in said State, hereby certify that JOHN HOWARD, as General Partner on behalf of M&M Development Company, an Alabama general partnership, whose name is signed to the foregoing General Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the General Warranty Deed, he, as such General Partner and with full authority, executed the same voluntarily on the day the same bear date.

Given under my hand this 30 day of May, 1966.

Robin Hood Hall
Notary Public

My commission expires: 1-5-68

(NOTARIAL SEAL)

BOOK 074-662

29946

This instrument prepared by:

M. Henry Day
Schroeder, Wheeler & Flint
The Candler Building
127 Peachtree Street, N. E.
Atlanta, GA 30043-7501

LEGAL DESCRIPTION

PARCELS 1, 2 & 3

A tract of land situated in the Southwest Quarter of the Northeast Quarter of Section 5, Township 12 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Begin at the Northeast corner of said Southwest Quarter of Northeast Quarter and run West along the North line thereof for 661.23 feet;

THENCE turn left 88 degrees 57 minutes 22 seconds and run Southerly for 330.66 feet;

THENCE turn right 89 degrees 02 minutes 14 seconds and run Westerly for 254.06 feet to a point on the Easterly right-of-way line of U.S. Highway #280;

THENCE turn left 99 degrees 52 minutes 30 seconds and run Southwesterly along said Easterly right-of-way line for 60.32 feet;

THENCE turn left 84 degrees 07 minutes 30 seconds and run Easterly for 286.70 feet to the beginning of a curve to the right having a radius of 189.87 feet and a central angle of 90 degrees 34 minutes 50 seconds;

THENCE Easterly and Southerly along the arc of said curve for 300.17 feet;

THENCE Southerly, tangent to said curve for 168.50 feet;

THENCE turn left 90 degrees and run Easterly for 274.15 feet;

THENCE turn right 90 degrees 27 minutes 45 seconds and run Southerly for 218.26 feet;

THENCE turn left 90 degrees and run Easterly for 174.0 feet to a point on the East line of said Southwest Quarter of Northeast Quarter;

THENCE turn left 90 degrees and run Northerly along said East line for 754 feet to the POINT OF BEGINNING.

Contains 10.7456 acres.

SEE 076-613

BOOK 133 PAGE 321

0008m

EXHIBIT 101

EXHIBIT "C"

1. General and Special taxes for the current year and subsequent years.
2. Title to all minerals within and underlying the premises as recorded in Deed Volume 337, Page 771, Shelby County, Alabama land records.
3. Right of Way granted to Alabama Power Company by instrument(s) recorded in Deed Volume 111, Page 403 and Deed Volume 136, Page 525.

2994(c3)

BOOK 133 PAGE 322 074-614

STATE OF ALABAMA
SHERIFF
INSTRUMENT NO. 15742
JUN 3 1937 PM 12:42
JUN 3 1937 074-615
JUN 3 1937

RECORDING FEES
Recording Fee \$ 10.00
Index Fee 1.00
TOTAL \$ 11.00

Deed Tax \$ _____
Mtg. Tax _____
Recording Fee 15.00
Indexing Fee 1.00
TOTAL 16.00

STATE OF ALABAMA
SHERIFF
INSTRUMENT NO. 15742
JUN 3 1937 PM 12:00
JUN 3 1937
JUDGE OF PROBATE