

STATE OF ALABAMA
SHELBY COUNTY

188

CORRECTED
NOTICE OF CLAIM OF MECHANIC'S AND
MATERIALMEN'S LIEN

Verified Statement

Southern Excavating Company, Inc., files this statement in writing verified by the oath of Tommy Watkins, who has personal knowledge of the facts set forth:

That the said Southern Excavating Company, Inc., claims a lien upon the following real property situated in the County of Shelby, State of Alabama.

For legal description, see attached exhibits.

The property is located at One Turtle Lake Drive, Leeds, Alabama 35094. The lien is claimed separately and severally as to both the buildings and improvements thereon and the said land.

The said lien is claimed to secure an indebtedness of Fourteen Thousand Nine Hundred Twenty-nine Dollars (\$14,929.00) with interest thereon from September 24, 1987, and pursuant to contract, Three Thousand Seven Hundred Thirteen Dollars and Fifty Cents (\$3,713.50) as reasonable attorney's fees, said lien claimed for work, labor and materials used in the construction and improvement of apartments located on the hereinabove described property.

BOOK 153 PAGE 827

Witness & Subscribed

The name of the owner of said property is Turtle Lake, Ltd.,
c/o Borden & Company. Alabama Federal has a mortgage on the
property.

SOUTHERN EXCAVATING COMPANY, INC.

BY:

Tommy Watkins
Tommy Watkins, President

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned, a Notary Public in and for the
said County in said State, personally appeared Tommy Watkins,
President, who being duly sworn, doth depose and say 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.

STATE OF ALABAMA
JEFFERSON COUNTY
INSTRUMENT NO. 153 PAGE 828
1987 OCT 27

Tommy Watkins
Tommy Watkins, President, Affiant

SWORN TO AND SUBSCRIBED before me this the 2nd day of
October, 1987.

Carol Renee Overton
Notary Public
My Commission Expires:

This Document Was Prepared By: MY COMMISSION EXPIRES MARCH 27, 1991

Garrick L. Stotser
Massey & Baddley, P.C.
One Medical Park Drive East, Suite 200
Birmingham, Alabama 35235

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Please mail tax notices to:
Turtle Lake, Ltd.
c/o Das A. Borden & Company,
404 Avalon Avenue
Muscle Shoals, Al 35661

STATE OF Alabama
COUNTY OF Jefferson

GENERAL WARRANTY DEED

THIS INDENTURE is made and entered into this 30th day of May, 1986, by and between H&W DEVELOPMENT COMPANY, an Alabama general partnership (herein referred to as "Grantor") and TURTLE LAKE, LTD., an Alabama limited partnership (herein 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 Commission Expires: 6-5-88
(NOTARIAL SEAL)

H&W DEVELOPMENT COMPANY
an Alabama general partnership
By: [Signature] (SEAL)
Forrest Waters, General Partner
By: [Signature] (SEAL)
John Howard, General Partner

STATE OF Alabama
COUNTY OF Jefferson

I, [Signature], a notary public in and for said County in said State, hereby certify that Forrest Waters, as General Partner on behalf of H&W 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]
Box 5546

Given under my hand this 30 day of May, 1986.

Rae Howard Hain
Notary Public

My commission expires: 1-5-88

(NOTARIAL SEAL)

STATE OF Alabama
COUNTY OF Jefferson

I, Rae Howard Hain, a notary public in and for said County in said State, hereby certify that JOHN HOWARD, as General Partner on behalf of H&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 bears date.

Given under my hand this 30 day of May, 1986.

Rae Howard Hain
Notary Public

My commission expires: 1-5-88

(NOTARIAL SEAL)

BOOK 074-2-612

2994p

This instrument prepared by:

M. Henry Day
Schreeder, Wheeler & Flint
The Candler Building
127 Peachtree Street, N. E.
Atlanta, GA 30041-7501

LEGAL DESCRIPTION

PARCELS 1, 2 & 3

A tract of land situated in the Southwest Quarter of the Northeast Quarter of Section 5, Township 19 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 258.06 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 Southeasterly along said Easterly right-of-way line for 60.32 feet;

THENCE turn left 84 degrees 07 minutes 30 seconds and run Easterly for 286.78 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 148.50 feet;

THENCE turn left 90 degrees and run Easterly for 256.15 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 176.0 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 956 feet to the POINT OF BEGINNING.

Contains 10.7436 acres.

0.008m

BOOK 074 PAGE 613

ENCLOSURE

Doc 074-614

EXHIBIT "B"

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 405 and Deed Volume 138, Page 539.

2994p(3)

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

1986 JUN -3 PM 12:42
JUL 11 1986 074-615
1987 OCT -5 AM 8:28

Thomas A. Scarborough, Jr.
JUDGE OF PROBATE

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

RECORDING FEES	
Recording Fee	\$ 15.00
Index Fee	1.00
TOTAL	\$ 16.00