

1326

FILED IN OFFICE THIS THE
OF NOV 19 1987

DAY

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

Hyatt Linsford
Circuit Clerk and Register
Shelby County, Alabama

CITICORP PERSON-TO-PERSON
FINANCIAL CENTER, INC.,

Plaintiff,

v.

RICHARD E. DEWBERRY and
RITA A. DEWBERRY,

Defendants.

CV Case No.: CV-87-545

NOTICE OF LIS PENDENS

TO THE HONORABLE THOMAS A. SNOWDEN, JR., JUDGE OF PROBATE,
SHELBY COUNTY, ALABAMA:

BOOK 160 PAGE 707
COMES NOW Citicorp Person-to-Person Financial Center,
Inc., Plaintiff herein, and files herewith notice to all
persons concerned, that it has a lien, right or interest, in
or to certain real estate, said real estate being situated in
the County of Shelby, State of Alabama, and more particularly
described as follows:

Lot 30 according to map of Oakdale Estates, as
recorded in Map Book 5, Page 98, in the Probate
Office of Shelby County, Alabama. Situated in
Shelby County, Alabama.

That the nature of the lien, right or claim sought to be
enforced by Plaintiff is briefly as follows:

Plaintiff has filed suit in the Circuit Court of Shelby
County, Alabama, against Defendants, Richard E. Dewberry and
wife, Rita A. Dewberry, for both equitable and monetary
relief. This suit arises out of the execution of a

Neffar

BOX 160 PAGE 708

Promissory Note on or about July 19, 1982, and the execution of a Real Property Mortgage securing said indebtedness wherein Plaintiff was granted a mortgage lien on the above-described real property to secure the repayment of the indebtedness. Said Mortgage was recorded in Book 422, Page 142, in the Probate Office of Shelby County, Alabama. On or about December 12, 1986, Plaintiff mistakenly filed a Full Satisfaction of Recorded Lien in said Probate Office in Book 106, Page 674, in reference to the above-described Mortgage and real property. At the time the Full Satisfaction of Recorded Lien was executed and filed of record, it was done in error and by mistake in that the indebtedness due by Defendants had not been paid or satisfied and said Mortgage should not have been released or satisfied and therefore, Plaintiff has sought equitable and monetary relief against Defendants in the Circuit Court of Shelby County, Alabama, and still asserts its lien, right or interest in and to the above-described real estate.

CITICORP PERSON-TO-PERSON
FINANCIAL CENTER, INC.

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

1987 NOV 19 PM 2:53

Thomas A. [Signature]
JUDGE OF PROBATE

By: *Robert H. Adams*
Attorney for Plaintiff
NAJJAR, DENABURG, MEYERSON,
ZARZUR, MAX, WRIGHT &
SCHWARTZ
2125 Morris Avenue
Birmingham, Alabama 35203
205/250-8400

RECORDING FEES

Recording Fee \$ 5.00

Index Fee 1.00

TOTAL \$ 6.00