

STATE OF ALABAMA }

COUNTY OF SHELBY }

NOTICE OF LIS PENDENS

TO THE HONORABLE TOMMY SNOWDEN, JUDGE OF PROBATE, SHELBY COUNTY, ALABAMA:

Please take notice that pursuant to Section 35-4-131 Code of Alabama, 1975, there is currently pending in the United States District Court for the Northern District of Alabama an action between BancBoston Mortgage Corporation and Blakely Chaz, Inc., bearing consolidated case numbers 89-AR-0399-S and 89-AR-0630-S, wherein Blakely Chaz, Inc. is seeking to determine the rights of Blakely Chaz, Inc. and BancBoston Mortgage Corporation in that certain mortgage in the principal sum of One Million, Four Hundred Fifty Five Thousand Dollars (\$1,455,000.00) dated April 15, 1987, and filed for record in the Office of the Judge of Probate of Shelby County, Alabama at Book 125, Page 776. A portion of the lawsuit specifically seeks to declare that the mortgage instrument and later foreclosure sale to be invalid and without legal effect.

The property that is the subject of this notice is more particularly described as follows:

PARCEL I

Begin at the Northeast corner of the Southeast 1/4 of the Northwest 1/4 of Section 17, Township 19, Range 2 West; thence run South along the East line of said 1/4 1/4 635.00 feet; thence turn 120 deg. 43 min. 45 sec. right and run Northwesterly 371.03 feet; thence turn 16 deg. 00 min. 58 sec. right and run Northwesterly 61.84 feet; thence turn 13 deg. 41 min. 05 sec. left and run Northwesterly 168.90 feet; thence turn 13 deg. 09 min. 19 sec. left and run Northwesterly 110.0 feet; thence turn

Dr. Knight & Wirtes  
921 N. ... Center, Okla

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31 deg. 54 min. 08 sec. left and run Southwesterly 235 feet; thence turn 7 deg. 32 min. 52 sec. right and run Westerly 40.0 feet; thence turn 33 deg. 08 min. 02 sec. left and run Southwesterly 190 feet; thence turn 7 deg. 31 min. 20 sec. left and run Southwesterly 414.65 feet to a point on the West line of said 1/4 1/4; thence turn 134 deg. 56 min. 20 sec. right and run North 825.51 feet; thence turn 57 deg. 30 min. right and run Northeasterly 256 feet; thence turn 18 deg. 04 min. 03 sec. right and run Northeasterly 224.04 feet; thence turn 08 deg. 38 min. 21 sec. right and run Northeasterly 60.00 feet; thence turn 59 deg. left and run Northeasterly 220.00 feet to a point on the arc of a curve to the right having a central angle of 175 deg. 20 min. and a radius of 50 feet; thence turn 90 deg. left to the tangent of said curve and run along the arc 133.01 feet to the point of beginning of a curve to the left having a central angle of 42 deg. 50 min. and a radius of 25 feet; thence run along the arc of said curve Northeasterly 18.69 feet; thence continue on the tangent if extended and run Northeasterly 73.55 feet; thence turn 31 deg. 23 min. 15 sec. left and run Northwesterly 207.16 feet; thence turn 86 deg. 23 min. 15 sec. right and run Northeasterly 240.0 feet; thence turn 21 deg. 30 min. right and run Southeasterly 240.0 feet; thence turn 57 deg. left and run Northeasterly 310.00 feet; thence turn 17 deg. 17 min. 10 sec. right and run Northeasterly 597.37 feet; thence turn 4 deg. 39 min. 13 sec. left and run Northeasterly 103.81 feet to a point on the North line of the Northwest 1/4 of the Northeast 1/4 of said Section 17; thence turn 41 deg. 21 min. 08 sec. right and run East along the North line of said 1/4 1/4 763.19 feet to the Northeast corner thereof; thence turn 134 deg. 02 min. 15 sec. right and run Southwesterly 1857.34 feet to the point of beginning; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

A non-exclusive easement for vehicular and pedestrian ingress and egress over and across the following described lands:

A sixty (60) foot right-of-way the centerline of which is described as follows:

Commence at the NW corner of the SW 1/4 of the NE 1/4 of Section 17, Township 198, Range 2 West, and run South along the west line thereof for 289.76' to the Point of Beginning; thence 71 deg. 18 min. Left and run southeasterly for 60.13' to the point of beginning of a curve to the left having a

radius of 996.34' and a central angle of 32 deg. 00 min. 00 sec.; thence southeasterly along the arc of said curve for 558.46' to the beginning of another curve to the left having a central angle of 31 deg. 34 min. 45 sec. and a radius of 428.93; thence northeasterly along the arc of said curve for a distance of 291.52; thence continue tangent to said curve for 212.36' to the north line of said 1/4 - 1/4 Section and the end of said right of way. Extending and shortening the sidelines so as to terminate at the property lines of the parties who executed the Easement Agreement recorded at Deed 024, Page 565.

A non-exclusive private easement over and across the following described land for sewer service created by instrument recorded at Book 25, Page 243, in the Probate Office of Shelby County, Alabama, to-wit:

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A parcel of land situated in the Northeast Quarter of the Northwest Quarter, the Northwest Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter all being in Section 17, Township 19 South, Range 2 West; being more particularly described as follows: Begin at the Southeast corner of the Southeast Quarter of the Northwest Quarter of said Section; thence looking North turn an angle to the left of 44 degrees 05' 22" and run Northwesterly 950.87 feet; thence left 91 degrees 06' 31" and run Southwesterly 932.33 feet to the Southwest corner of said Quarter-Quarter; thence right 135 degrees 06' 57" and run North along West line of said Quarter-Quarter 1342.59 feet to the Northwest corner of said Quarter-Quarter; thence left 88 degrees 55' 15" and run West along the South line of the Northwest Quarter of the Northwest Quarter 1293.75 feet to the centerline of Cahaba River; thence right 85 degrees 32' 11" and run Northwesterly along centerline of river 306.97 feet; thence right 27 degrees 27' 49" and run Northeasterly 195.34 feet; thence right 12 degrees 08' 39" and continue Northeasterly along centerline of river 233.63 feet; thence right 13 degrees 01' 59" and continue Northeasterly 416.98 feet; thence right 35 degrees 08' 06" continue Northeasterly 88.68 feet; thence right 35 degrees 48' 10" and run Southeasterly along centerline of river 409.16 feet; thence left 4 degrees 15' 08" and continue Southeasterly 79.46 feet; thence left 28 degrees 18' 28" and run Easterly 182.29 feet; thence left 1 degree 57' 13" and continue Easterly along centerline of river 172.89 feet; thence left 39 degrees 04' 20" and run Northeasterly 165.23 feet;

thence left 1 degree 14' 10" and continue Northeasterly 155.15 feet; thence right 1 degree 20' 13" and continue Northeasterly along centerline of river 46.55 feet to a point in the center of the river; thence right 129 degrees 32' 03" and run Southeasterly 477.19 feet to the 100 year flood line; thence left 7 degrees 32' 08" and continue Southeasterly 651.65 feet to a point on the centerline of a 60 foot easement for ingress and egress, said point also being the point of curve of a curve to the right having a central angle of 0 degrees 53' 01" and a radius of 435.17 feet; thence run along arc of curve 67.21 feet to the point of tangent; thence continue Northeasterly along tangent 70.22 feet; to the point of curve of a curve to the right having a central angle of 86 degrees 36' 30" and a radius of 194.58 feet; thence run along arc of curve 294.13 feet to the point of curve of a reverse curve to the left having a central angle of 51 degrees 07' 49" and a radius of 209.04 feet; thence run along arc 186.55 feet to the point of curve of a reverse curve to the right having a central angle of 7 degrees 38' 04" and a radius of 1988.85 feet; thence run along arc 265.01 feet to the point of tangent; thence continue Southeasterly along tangent 40.17 feet to a point on the East line of the Southeast Quarter of the Northwest Quarter of said Section; thence right 71 degrees 18' and run South along East line of said Quarter-Quarter 1054.55 feet to the point of beginning. Contains 59.3487 acres, 34.4587 acres not in the flood zone and 24,8900 acres within the 100 year flood zone.

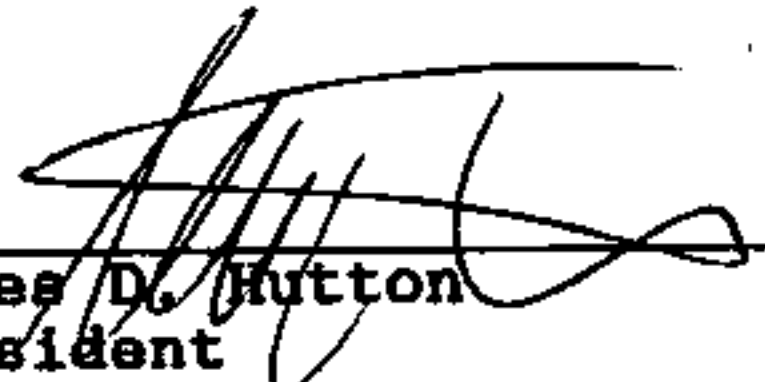
A parcel of land situated in the Southwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southwest 1/4, all in Section 8, Township 19 South, Range 2 West, and the Northwest 1/4 of the Northeast 1/4, the Northeast 1/4 of the Northwest 1/4 and the Southeast 1/4 of the Northwest 1/4, all in Section 17, Township 19 South, Range 2 West, being more particularly described as follows: Commence at the Southeast corner of the Southeast 1/4 of the Northwest 1/4 of Section 17, Township 19 South, Range 2 West; thence run North along the East line of said 1/4 1/4 1054.55 feet to the point of beginning, and being the center of a 60 foot easement for ingress and egress; thence left 71 deg. 18 min. and run Northwesterly along center line of easement 40.17 feet to the point of curve of a curve to the left having a central angle of 7 deg. 38 min. 04 sec. and a radius of 1988.85 feet; thence continue along the arc of said curve 265.01 feet to the point of curve of a

reverse curve to the right having a central angle of 51 deg. 07 min. 49 sec. and a radius of 209.04 feet; thence continue along the arc of said curve 186.55 feet to the point of curve of a reverse curve to the left having a central angle of 66 deg. 36 min. 30 sec. and a radius of 94.58 feet; thence continue along arc of said curve 294.13 feet to the point of tangent; thence continue along tangent 70.22 feet to the point of curve of a curve to the left having a central angle of 0 deg. 53 min. 01 sec. and a radius of 4358.17 feet; thence run along arc of said curve 67.21 feet; thence right 103 deg. 55 min. 19 sec. and run Northwest 651.65 feet to the 100 year flood line; thence right 7 deg. 32 min. 08 sec. and run 477.19 feet to the center line of the Cahaba River; thence right 50 deg. 27 min. 57 sec. and run Northeasterly 375.99 feet along center of river; thence left 33 deg. 07 min. 03 sec. and continue Northeasterly 204.70 feet; thence left 42 deg. 11 min. 56 sec. and run Northwesterly 200.56 feet; thence right 25 deg. 39 min. 20 sec. and run Northeasterly along center line of Cahaba River 147.97 feet; thence right 48 deg. 38 min. 28 sec. and continue Northeasterly along center line of said river 227.70 feet; thence right 45 deg. 51 min. 11 sec. and run Easterly 367.33 feet; thence right 43 deg. 31 min. 30 sec. and run Southeasterly 894.30 feet to a point on the North line of the Northeast 1/4 of the Northeast 1/4 of Section 17, Township 19 South, Range 2 West; thence right 0 deg. 5 min. 21 sec. and continue Southeasterly 98.88 feet; thence left 85 deg. 18 min. 55 sec. and run Northeasterly 103.81 feet to a point on the North line of said 1/4 1/4 line; thence right 41 deg. 21 min. 08 sec. and run East along North line of said 1/4 1/4 763.19 feet to the Northeast 1/4 of the said 1/4 1/4; thence right 134 deg. 02 min. 15 sec. and run diagonally across said 1/4 1/4 1867.34 feet to the Northeast corner of the Southeast 1/4 of the Northwest 1/4; thence left 45 deg. 08 min. 57 sec. and run South along the East line of said 1/4 1/4 286.81 feet to the point of beginning; being situated in Shelby County, Alabama, and Jefferson County, Alabama. Mineral and mining rights excepted.

LESS AND EXCEPT from the foregoing description of the sewer serve easement the land described above as Parcel I.

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BLAKELY CHAZ, INC.

BY:  James D. Hutton  
ITS: President

1. Deed Tax	—
2. Mtg. Tax	—
3. Recording Fee	\$ 15.00
4. Indexing Fee	\$ 3.00
5. No Tax Fee	—
6. Certified Fee	\$ 1.00
Total	\$ 19.00

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

90 FEB 12 PM 2:07

  
JUDGE OF PROBATE