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NOTICE OF LIS PENDENS

Comes now the Intervenor, Harold J. Hurst and Barbara Jean Hurst Angel, in civil action number CV 79-161(E), Shelby County, Alabama, Hurst, et al. v. Joe Scotch, et al. and request this Court to record this notice in the Lis Pendens record book pursuant to Ala. Code § 35-4-130 et seq.

1. The names of the parties to the action as are follows:

Nita Hurst as executrix of the estate of Emris Hurst, deceased, substituted as party plaintiff for Emris Hurst.

Peggy Arthur and Harriett Clarke as party plaintiff.

Harold J. Hurst and Barbara Jean Hurst Angel as Intervenor.

Joe A. Scotch, Jr. and Peggy P. Scotch as executors of the estate of Joe Scotch, deceased, substituted as party defendants for Joe Scotch, deceased.

Midsouth Development Corp. as defendant.

2. A description of the real estate on which the Notice of Lis Pendens is to be filed is as follows:

All West of the County Road of SW 1/4 of SE 1/4, Section 12, Township 19, Range 2 West except the 5 acre parcel described as: Begin at the intersection of the South line of Section 12 with the West line of the County Road run thence Northerly along the road 330 feet; thence Southerly parallel with the road 330 feet to the Section line; thence East along the Section line to the point of beginning. Also parcel in SE 1/4 of SE 1/4, Section 12, Township 19, Range 2 West described as follows: Begin at a point on the West line of such SE 1/4 of SE 1/4 which point is 768 feet South of the Northwest Corner of such 40; run thence East along Nevins line at a right angle to the West line of the

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county road; run thence Southerly along the county road to the West line of such SE 1/4 of SE 1/4; run thence North along such West line to the point of beginning, situated in Shelby County, Alabama.

3. Intervenor, Harold J. Hurst and Barbara Jean Hurst Angel, filed and were granted a Motion to Intervene in the Circuit Court of Shelby County for the purpose of joining in the prosecution of the claim against the Defendants as set forth presently on record. Scotch v. Hurst, 437 So. 2d 497 (Ala. 1983). Intervenor's claim remainderman interest in the property in question, The action, CV 79-161(E), is presently pending in the Circuit Court of Shelby County, Alabama.

POPE & NATTER  
2326 Highland Avenue  
Birmingham, Alabama 35205  
(205) 252-8473

  
JOHN T. NATTER, Attorney for  
Intervenor HAROLD J. HURST and  
BARBARA JEAN HURST ANGEL

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STATE OF ALABAMA  
I CERTIFY THIS  
INSTRUMENT WAS FILED

90 APR -4 AM 10: 27

JUDGE OF PROBATE

|                  |   |    |      |
|------------------|---|----|------|
| 1. Deed Tax      | — | \$ | 0.00 |
| 2. Mtg. Tax      | — | \$ | 0.00 |
| 3. Recording Fee | — | \$ | 3.00 |
| 4. Indexing Fee  | — | \$ | 0.00 |
| 5. No Tax Fee    | — | \$ | 0.00 |
| 6. Certified Fee | — | \$ | 1.00 |
| Total            | — | \$ | 4.00 |