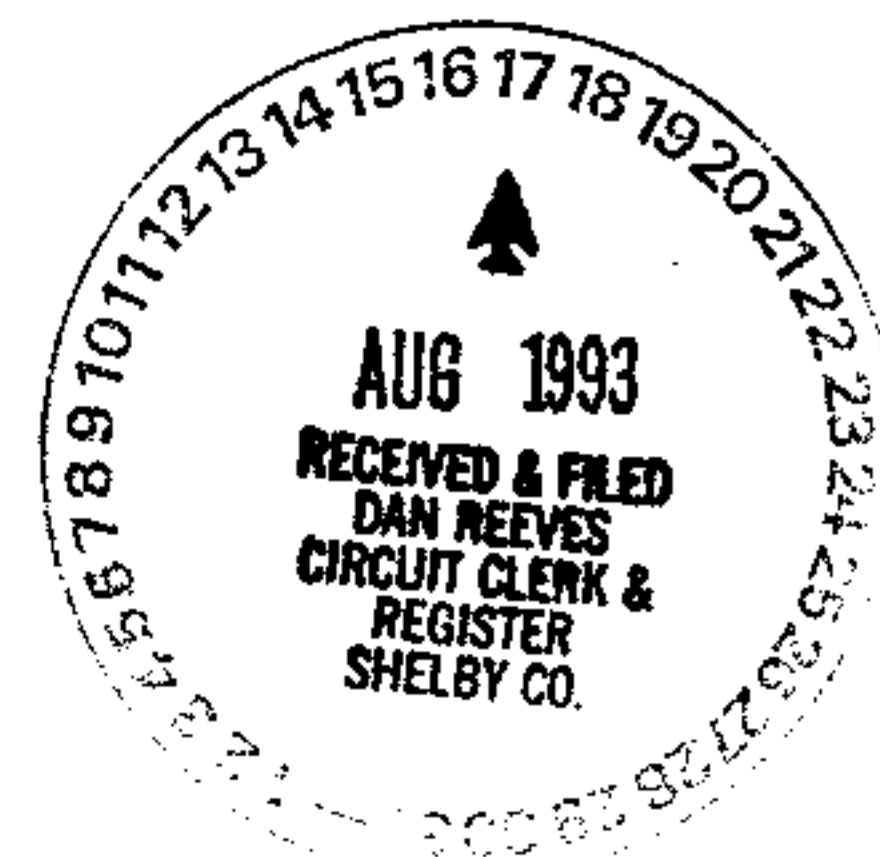


IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

WAVERLINE GARRETT,
Plaintiff,

vs.

CASE NO. CV-92-261



William Keith, Dorothy Battle,
Stella Battle, Mapline Battle,
Sally Battle, Walter Battle,
London "Buddy" Battle,
J.V. Cross, Ida Lou Glass,
Geneva Jackson, Cheryl L. Keith,
Grover Keith, Sr., John Thomas Keith,
James Keith, Jr., Catherine C. Keith,
Minnie Glass, Wanda Glass,
Charles Glass, Lanice Glass,
Samella McWhorter Ware, Princess Keith,
James Edward Henerson, Jr.,
Michael Jan Henderson, Jan Michael Gildersleeve,
Lisa Samella Jenkins, Debbie Henderson Broughton,
Rita Renee Henderson, Curly Webb, Catherine Webb,
Cornelius Prentiss, Joyce Ann Johnson,
Barbara Mabry Johnson, Ernest Johnson,
Joe A. Scotch (also known as Joe Scotch, Jr.)
Peggy Poe Scotch, Lois Keith (also known as
Louise or Loise Keith), Countess Felder, John V. Glass
First Alabama Bank, and any successors in
interest and any unknown heirs if any and
the following described land:
SW 1/4 of SW 1/4 of Section 12
Township 19 South, Range 2 West,
EXCEPT one acre for cemetery.
Mineral and mining rights excepted.
EXCEPT tract sold to Taylor Davis
and wife, Olivia Davis as described
in Deed Book 190 page 114.
EXCEPT tract sold to George A.
Brown as described in Deed Book 202
page 211.
EXCEPT tract sold to T.B. Johnson
and Luvada Johnson as described in
Deed Book 225 page 330.
EXCEPT tract sold to Eugene Cross
and Mamie Cross as described in
Deed Book 225 page 332.
EXCEPT tract sold to Fred Cross and
wife Jewel Cross as described in
Deed Book 248 on page 757, situated
in Shelby County, Alabama.
Defendants.

Certified a true and complete copy

Dan Reeves, Jr.
Clerk of Circuit Court

Inst # 1993-26461

09/01/1993-26461
10:32 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
007 MCD 36.50

Roy Johnson
Davis

NOTICE OF PUBLICATION OF SUIT TO SECURE SALE
FOR DIVISION AND FOR REFORMATION

Take notice that Waverline Garrett filed a verified complaint in Circuit Court against some of the above named defendants on April 10, 1992. Plaintiff Waverline Garrett seeks a sale for division of profit of the above described property and reformation of a deed to one having an interest in said parcel. Said Second Amended Complaint being filed on August 17, 1993, in Circuit Court in Shelby County, Alabama. Plaintiff and defendants hold said property as tenants in common. The interest held by each is united with and inseverable from the whole. Plaintiff contends that the interests of all parties involved would be best served by a sale for division, and that no equitable and just allocation of individual interests can be served without a sale for division.

The proportion of interest held in the above described property by each named party is believed to be as follows:

William Keith - 7/12 interest
Dorothy Battle - 1/84 interest
Stella Battle - 1/84 interest
Mapline Battle - 1/84 interest
Sally Battle - 1/84 interest
Walter Battle - 1/84 interest
London "Buddy" Battle - 1/84 interest
J.V. Cross - 1/84 interest
Ida Lou Glass - 1/48 interest
Geneva Jackson - 1/48 interest
Cheryl L. Keith - 1/48 interest
Grover Keith, Sr. - 1/12 interest
John Thomas Keith - 1/12 interest
James Keith, Jr. - 1/12 interest
Waverline Garrett - 1/48 interest

However, said interests may change after reformation of a deed or if any of the named persons are deceased, and it is believed that all persons named in this notice have some interest in the subject property, regardless.

Lula and Nonnie Keith, ancestors (parents, grandparents or great-grandparents) to each of the present above listed interest holders, held title to the above described property by virtue of a warranty deed. Lula Keith died on April 10, 1966. Her property interest in the above real estate passed by intestate succession to her children. Prior to Nonnie Keith's death on February 15, 1982, he may have validly conveyed to William Keith his remaining 1/2 interest in the property (see Deed Book 239 page 188) or a part thereof. Said conveyance may have purported to transfer title in all the property but Nonnie Keith at that time no longer owned said property exclusively. However the transaction may have conveyed to William Keith a portion of Nonnie Keith's remaining interest in the above described property.

William Keith inherited 1/12 of the above described property from his mother, Lula Keith. As explained above, William Keith may have secured ownership of a part of the other half of the above described property from his father Nonnie Keith. William Keith's interest in the above described property may total 7/12.

Dorothy Battle, Stella Battle, Mapline Battle, Sally Battle, Walter Battle, London "Buddy" Battle, and J.V. Cross each hold an interest in the above described property by virtue of the fact that their mother, Sinnie Cross, inherited a 1/12 intestate share in the above described property from her mother, Lula Keith. Sinnie Cross's 1/12, share passed by intestate succession to her children, the aforementioned six Battles and one Cross. Dorothy Battle, Stella Battle, Mapline Battle, Sally Battle, Walter Battle, London

"Buddy" Battle, and J.V. Cross each own a 1/84 share of interest in the above described property.

Ida Lou Glass, Geneva Jackson, Cheryl L. Keith, and Waverline Garrett hold interests in the above described property as follows: Ernest Keith received a 1/12 share in the above described property from the estate of his mother, Lula Keith, by virtue of intestate succession. Upon the death of Ernest Keith, his interest passed by intestate succession to his four surviving daughters: Ida Lou Glass, Geneva Jackson, Thera Keith, and Waverline Garrett. Thera Keith has since passed away and her interest in the above described property passed to her daughter, Cheryl L. Keith. Ida Lou Glass, Geneva Jackson, Cheryl L. Keith, And Waverline Garrett now each own a 1/48 interest in the above described property.

Grover Keith, Sr. acquired his interest in the present real estate by intestate succession from the estate of his mother, Lula Keith. Grover Keith, Sr. now owns a 1/12 interest in the above described property.

John Thomas Keith acquired his interest in the present real estate by intestate succession from the estate of his mother, Lula Keith. John Thomas Keith now owns a 1/12 interest in the above described property.

James Keith, Jr. acquired his interest in the present real estate thusly: James Keith, Sr. acquired a 1/12 interest in the above described property from his mother's estate (estate of Lula Keith) by intestate succession. Upon the death of James Keith, Sr., his interest in the property in issue passed to his son, James

Keith, Jr., James Keith, Jr. now owns a 1/12 interest in the above described property.

All of the above information was believed to be correct when first published in the Shelby County Reporter on April 15, 1992, however since then it has been learned that, due to the deaths of some of the above named persons, other persons may have an interest, and if the court reforms the deed referred to as recorded at Deed Book 239 page 188, in Shelby County, Alabama, then everyone's interest will be modified accordingly.

An answer to Plaintiff's Complaint has already been filed by the following individuals: Countess Felder, Dorothy Battle, Maybelline Battle, DeLeon Battle, Sallie Mathews, and Grover Keith, Sr.

The Court appointed Honorable James Fuhrmeister as Guardian Ad Litem for the land in question and for all originally named defendants: William Keith, Dorothy Battle, Stella Battle, Mapline Battle, Sally Battle, Walter Battle, London "Buddy" Battle, J.V. Cross, Ida Lou Glass, Geneva Jackson, Cheryl L. Keith, Grover Keith, Sr., John Thomas Keith, and James Keith, Jr. and/or their successors in interest, if any, and said Guardian Ad Litem has filed an answer for the following Defendants: John Thomas Keith, Stella Battle, Walter Battle, and J.V. Cross.

No answer or appearance has been made by J.V. Cross, Cheryl L. Keith, Ida Lou Glass (or her heirs), James Keith, Jr., or Geneva Jackson.

The Plaintiff has learned of additional persons who have, or may have, an interest in the subject property, namely: John V.

Cross, Minnie Glass, Wanda Glass, Charles Glass, Lanice Glass, Princess Keith, Samella McWhorter Ware, James Edward Henderson, Jr., Michael Jan Henderson, Jan Michael Gildersleeve, Lisa Samella Jenkins, Debbie Henderson Broughton, Rita Renee Henderson, Catherine Webb, Curly Webb, Cornelius Prentiss, Joyce Ann Johnson, Barbara Mabry Johnson, Ernest Johnson, Joe A. Scotch (also known as Joe Scotch, Jr.), Peggy Poe Scotch, Catherine C. Keith, Lois Keith (also known as Louise or Loise Keith), and First Alabama Bank.

The Plaintiff, after reasonable, diligent inquiry, has been unable to locate the following Defendants: John V. Cross, Cheryl L. Keith, Ida Lou Glass (or her Heirs) Minnie Glass, Wanda Glass, Charles Glass, Lanice Glass, James Keith, Jr., Geneva Jackson, Princess Keith, Samella McWhorter Ware, James Edward Henderson, Jr., Michael Jan Henderson, Jan Michael Gildersleeve, Lisa Samella Jenkins, Debbie Henderson Broughton, Rita Renee Henderson, Catherine Webb, Curly Webb, Cornelius Prentiss, Joyce Ann Johnson, Barbara Mabry Johnson, Ernest Johnson, Catherine C. Keith, and Lois Keith (also know as Louise or Loise Keith). All said Defendants are thought to be over 19 years of age and living at the time of this writing. However, due diligence has failed to uncover the location/whereabouts/residence/addresses of any defendants not specifically noted otherwise above, or their heirs or devisees, if any. The names, ages, and or addresses of any other person or persons who may have a valid interest in the property in question are unknown to plaintiff.

It therefore is ordered by the undersigned clerk that publication of this notice be made in the Shelby County Reporter, a newspaper published and having a general circulation in Shelby County, Alabama, once a week for four consecutive weeks, and that all those to whom this notice is addressed and any and all persons claiming any title to, interest in, or lien or encumbrance upon the above described real estate, or any part thereof or any interest therein, are hereby required to plead, answer, or otherwise defend this cause within the time required by law and not later than October 18, 1993.

It is further ordered that a copy of this notice, certified by the undersigned clerk as being correct, shall also be recorded as a Lis Pendens in the Office of the Judge of Probate of Shelby County, Alabama.

Done at office this 17th day of August, 1993.

Dan Reeves ob
Clerk

State of Alabama
Shelby County

I, the undersigned Dan Reeves, Clerk of the Circuit Court of Shelby County, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the notice to be published to the defendants in the above and foregoing cause.

Witness my hand and seal of office, this the 17th day of August, 1993.

Dan Reeves ob
Clerk
1993-26461

09/01/1993-26461
10:32 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
007 MCD 36.50