

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

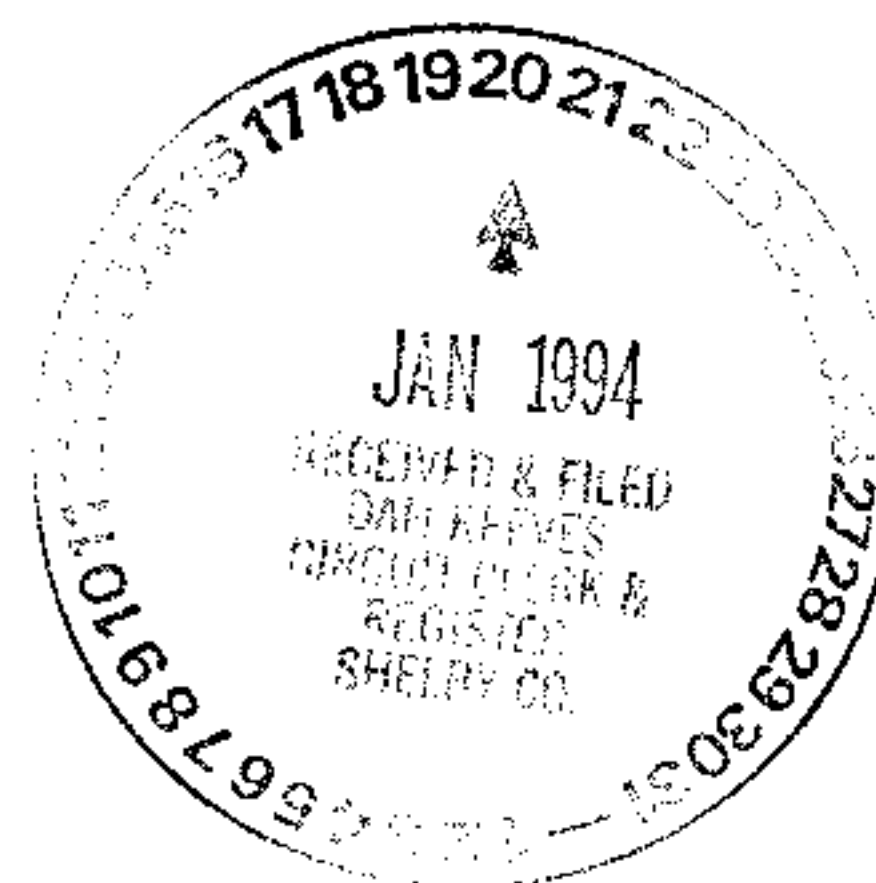
LOIS MAE SMITH HAMILTON,
LOIS MAE SMITH HAMILTON, AS
ADMINISTRATRIX OF THE ESTATE
OF BROWNE EVANS, DECEASED,
BILLY SUNDAY SMITH, WOODROW
WILSON SMITH, DORIS MARIE
KIRBY, MARGENE WILLIAMS,
RICHARD T. SMITH, DOROTHY
LIMBOUGH, ANNIE RUTH HAY,
DOYAL EDWIN HAMILTON, GLENDA
JUANITA PATTERSON, DORIS
JEAN LINER, CHARLES FREDERICK
HAMILTON, DONNA SUE SMITH
ROWLAND, TIFFANY DOVER SMITH,
a minor who brings this action
by and through her mother and
next friend, Teresia Scroggins,
BOBBY JOE LOWE WEHUNT, a minor
who brings this action by and
through his mother and next
friend, Lena Lula Wehunt,

Plaintiffs,

vs.

CASE NUMBER CV- 94-051 NJ

PARCEL ONE: The Northeast Quarter
of the Southeast Quarter, Section 15,
Township 21 South, Range 1 East;
also, that part of the Southwest
Quarter of the Southwest Quarter,
Section 14, Township 21 South,
Range 1 East lying West of the Public
Road leading from Wilsonville to
Shelby except a strip 20 rods wide
across the North side; also, the
following described tract beginning at
the Northwest corner of the Northwest
Quarter of the Southwest Quarter,
Section 14, Township 21 South,
Range 1 East and run East 6 rods; run
thence South 35 rods; thence run West
6 rods; thence run North 35 rods to
point of beginning, containing in all
51 acres more or less; PARCEL TWO: All
that part of the N 1/2 of SW 1/4 of
Section 14, Township 21 South, Range
1 East, Shelby County, Alabama, lying
West of the public road running from
Wilsonville to Shelby EXCEPT a part
described as beginning at the NW corner
of the NW 1/4 of SW 1/4 of said Section



Inst # 1994-02100

1994-02100

01/20/1994-02100
09:54 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 MCD 60.50

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14 and run East 6 rods; thence South 35 rods; thence West 6 rods; thence North 35 rods to point of beginning. Also all that part of a strip 20 rods wide across the North side of the SW 1/4 of SW 1/4 of Section 14, Township 21 South, Range 1 East, Shelby County, Alabama, that lies West of the public road running from Wilsonville to Shelby; it is intended to describe all real estate in Shelby County, Alabama, which Browne Evans owned or in which he had an interest at the time of his death whether correctly described herein or not; SARA BELL HEATON JEFFCOAT, SALLY HEATON WYNN, BOBBY HEATON, BILLY HEATON, MARSHALL HEATON, MACK HEATON, SADIE HEATON BLOCKER, RUFUS HEATON, DOROTHY HEATON PODY, LOUISE HEATON NICKENS, DIANNE HEATON SMITH, GLENDA SUE HEATON SMITH, PAMELA HEATON HAMMONDS, ALLEN HEATON, TONI HEATON SLATTON, FLOYD A. BLANKENSHIP, TULLIS HAROLD BLANKENSHIP, ANNIE BELL BLANKENSHIP PAYNE, MARY NELL BLANKENSHIP DUNLAP, BILLIE BLANKENSHIP HOSKINS, KENNETH BLANKENSHIP, ANN HEATON MAYNARD, INEZ HEATON SLAUGHTER, WILLIE HEATON WHEELER, DONALD HEATON, JEAN HEATON JOHNSON, BILL HEATON, ROBERT WAYNE HEATON, GLENDA SUE HEATON GORDON, CELIA RUTH HEATON GRISSENDANER, his or her heirs or devisees, if deceased, the heirs or devisees of Alvin Heaton, deceased, and such persons and the heirs and devisees of such persons, if deceased, who, unknown to the plaintiffs, claim or are reputed to claim any title to or interest in, or lien or encumbrance on said lands or any part thereof, and all claimants, persons, associations or corporations who, unknown to the plaintiffs, claim or are reputed to claim an interest in or to the above described property or any part thereof, or an interest therein,

Defendants.

NOTICE OF PENDENCY OF COMPLAINT
IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

TO: PARCEL ONE: The Northeast Quarter of the Southeast Quarter, Section 15, Township 21 South, Range 1 East; also, that part of the Southwest Quarter of the Southwest Quarter, Section 14, Township 21 South, Range 1 East lying West of the Public Road leading from Wilsonville to Shelby except a strip 20

rods wide across the North side; also, the following described tract beginning at the Northwest corner of the Northwest Quarter of the Southwest Quarter, Section 14, Township 21 South, Range 1 East and run East 6 rods; run thence South 35 rods; thence run West 6 rods; thence run North 35 rods to point of beginning, containing in all 51 acres more or less; PARCEL TWO: All that part of the N 1/2 of SW 1/4 of Section 14, Township 21 South, Range 1 East, Shelby County, Alabama, lying West of the public road running from Wilsonville to Shelby EXCEPT a part described as beginning at the NW corner of the NW 1/4 of SW 1/4 of said Section 14 and run East 6 rods; thence South 35 rods; thence West 6 rods; thence North 35 rods to point of beginning. Also all that part of a strip 20 rods wide across the North side of the SW 1/4 of SW 1/4 of Section 14, Township 21 South, Range 1 East, Shelby County, Alabama, that lies West of the public road running from Wilsonville to Shelby; it is intended to describe all real estate in Shelby County, Alabama, which Browne Evans owned or in which he had an interest at the time of his death whether correctly described herein or not; SARA BELL HEATON JEFFCOAT, SALLY HEATON WYNN, BOBBY HEATON, BILLY HEATON, MARSHALL HEATON, MACK HEATON, SADIE HEATON BLOCKER, RUFUS HEATON, DOROTHY HEATON PODY, LOUISE HEATON NICKENS, DIANNE HEATON SMITH, GLENDA SUE HEATON SMITH, PAMELA HEATON HAMMONDS, ALLEN HEATON, TONI HEATON SLATTON, FLOYD A. BLANKENSHIP, TULLIS HAROLD BLANKENSHIP, ANNIE BELL BLANKENSHIP PAYNE, MARY NELL BLANKENSHIP DUNLAP, BILLIE BLANKENSHIP HOSKINS, KENNETH BLANKENSHIP, ANN HEATON MAYNARD, INEZ HEATON SLAUGHTER, WILLIE HEATON WHEELER, DONALD HEATON, JEAN HEATON JOHNSON, BILL HEATON, ROBERT WAYNE HEATON, GLENDA SUE HEATON GORDON, CELIA RUTH HEATON GRISSENDANER, his or her heirs or devisees, if deceased, the heirs or devisees of Alvin Heaton, deceased, and such persons and the heirs and devisees of such persons, if deceased, who, unknown to the plaintiffs, claim or are reputed to claim any title to or interest in, or lien or encumbrance on said lands or any part thereof, and all claimants, persons, associations or corporations who, unknown to the plaintiffs, claim or are reputed to claim an interest in or to the above described property or any part thereof, or an interest therein.

Take notice that LOIS MAE SMITH HAMILTON, LOIS MAE SMITH HAMILTON, AS ADMINISTRATRIX OF THE ESTATE OF BROWNE EVANS, DECEASED, BILLY SUNDAY SMITH, WOODROW WILSON SMITH, DORIS MARIE KIRBY, MARGENE WILLIAMS, RICHARD T. SMITH, DOROTHY LIMBOUGH, ANNIE RUTH HAY, DOYAL EDWIN HAMILTON, GLENDA JUANITA PATTERSON, DORIS JEAN LINER, CHARLES FREDERICK HAMILTON, DONNA SUE SMITH ROWLAND, TIFFANY DOVER SMITH, a minor who brings this action by and through her mother and next friend, Teresia Scroggins, BOBBY JOE LOWE WEHUNT, a minor who brings this action by and through his mother and next friend, Lena Lula Wehunt, on the 20 day of January, 1994, filed in the Circuit Court of Shelby County, Alabama, their verified complaint, pursuant to provisions

of the Code of Alabama 1940, Recompiled 1958, as last amended, against you and the above described land for the purposes of establishing title to said land in said plaintiffs, and to clear up all doubts and disputes concerning the same and that said suit is now pending in said Court.

Plaintiffs allege in said complaint that title to said lands stands upon the records of the Judge of Probate, Shelby County, Alabama, in the name of plaintiffs and/or plaintiffs' predecessor in title, Browne Evans, and that they own in their own right an entire, absolute, fee simple title to and interest in said lands, and that plaintiffs acquired said lands and an absolute fee simple title thereto by inheritance from Browne Evans, who deceased, owning fee simple title, on July 22, 1992.

Plaintiffs further allege that they are in the actual and peaceable possession of said lands and that they and their predecessor in title, Browne Evans, have been in such possession for more than ten years next preceding the filing of said complaint; that the plaintiffs and Browne Evans and their predecessors in title have been in the actual and peaceable possession of said lands for a period exceeding the ten years next preceding the filing of said complaint, and no other person, association or corporation has been in actual and peaceable possession of said lands for a period exceeding the ten years next preceding the filing of this complaint, and no other person, association or corporation has been in possession of said lands or any part thereof during said period. Plaintiffs further allege in said complaint that they and their predecessor in title, Browne Evans, have held color of title to said lands for a period exceeding the ten years next preceding the filing of said complaint and no other person, firm or corporation has held color of title to said land or any part thereof during said period. Plaintiffs further allege that they and their predecessor in title, Browne Evans, have assessed said lands for taxes and have paid taxes for and during the ten years next preceding the filing of said complaint and that no other person, association or corporation has assessed or paid any taxes on said lands or any part thereof or interest therein during such ten year period.

You and each of you are hereby directed to plead or answer to said verified complaint before the 21 day of March, 1994, or suffer a default judgment to be rendered against you.

It is therefore, 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, be, and they are hereby required to plead or answer to the complaint in this cause within the time required

by law and not later than the 21 day of March, 1994.

It is further ordered that a copy of this notice certified by the undersigned Clerk, as being correct, shall be recorded as a lis pendens in the office of the Judge of Probate of Shelby County, Alabama.

Dan Reeves pb
Clerk of the Circuit Court
of Shelby County, Alabama

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 suit.

Witness my hand and seal of office this 20th day of January, 1994.

Dan Reeves pb
Clerk of the Circuit Court
of Shelby County, Alabama

Inst # 1994-02100