

STATE OF ALABAMA           )  
                                      )  
COUNTY OF SHELBY         )

**VERIFIED STATEMENT OF LIEN**

Promac, Inc. ("Promac") files this statement in writing, verified by the oath of Dom Perrotta, President of Promac, who has personal knowledge of the facts herein set forth:

That said Promac claims a lien upon the following property, situated in Shelby County, Alabama, to wit:

That real property on which the ABC Rail Corporation rail wheel plant is located which is located at 14th Street and Woodbine, Calera, Alabama. That according to information and belief, the tract which constitutes said property or which include said property is parcel number 28-4-20-4-001-001 in the Tax Assessor's office of Shelby County, Alabama, and the legal description of said property, or the legal description of the tract or tracts which include said property is attached hereto as Exhibit A.

This lien is claimed, separately and severally, as to both the buildings and improvements thereon, and the said land.

That said lien is claimed to secure an indebtedness of \$222,208.20 with interest, from to wit the 28th day of August, 1994, for construction and other material, equipment and services supplied to ABC Rail Corporation.

The name of the owner or proprietor of the said property is ABC Rail Corporation.

PROMAC, INC.

By: Dom Perrotta  
Dom Perrotta, President  
Claimant

Inst # 1995-01802

01/23/1995-01802  
10:39 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MCD 20.00

20810-CC-1  
1995-01802

## ACKNOWLEDGMENT

Before me, Joyce R. Bailey, a notary public in and for the County of Shelby, State of Alabama; personally appeared Dom Perrotta, who being fully sworn, doth depose and say: That he has personal knowledge of the facts set forth in the foregoing statement of lien, and that the same are true and correct to the best of his knowledge and belief.

Dom Perrotta  
Dom Perrotta, Affiant

Subscribed and sworn to before me this the 20 day of January, 1995, by said affiant.

Joyce R. Bailey  
Notary Public

My commission expires: MARCH 11, 1997

MY COMMISSION EXPIRES MARCH 11, 1997

## EXHIBIT A

the following

described real estate located in Shelby County, Alabama:

A parcel of land situated in part of Sections 20 and 21, Township 22 South, Range 2 West, Shelby County, Alabama, more particularly described as follows: Commence at the Southwest corner of Section 21, Township 22 South, Range 2 West, and run in a northerly direction along the West line of said Section, a distance of 755.27 feet; to the northwesterly right-of-way line of the Southern Railroad, being the Point of Beginning; thence 60 degrees 09 minutes right, in a northeasterly direction, along said right-of-way, a distance of 292.32 feet; thence 0 degrees 01 minute right, in a northeasterly direction along said right-of-way a distance of 2064.00 feet; thence 86 degrees 46 minutes left, in a northwesterly direction, a distance of 175.28 feet to the southerly right-of-way line of Woodbine Avenue; thence 93 degrees 14 minutes left, in a southwesterly direction along said right-of-way line, a distance of 185.00 feet; thence 114 degrees 40 minutes right, in a northerly direction, a distance of 454.68 feet; thence 90 degrees 00 minutes left, in a westerly direction, a distance of 643.51 feet; thence 19 degrees 45 minutes 20 seconds right, in a northwesterly direction, a distance of 54.95 feet; thence 70 degrees 14 minutes 40 seconds right, in a northerly direction, a distance of 440.00 feet; thence 45 degrees 00 minutes left, in a northwesterly direction, a distance of 200.00 feet; thence 45 degrees 00 minutes left, in a westerly direction, a distance of 493.74 feet; thence 45 degrees left, in a southwesterly direction, a distance of 329.67 feet to the Easterly right-of-way line of 18th Street; thence 45 degrees left, in a southerly direction along said right-of-way line, a distance of 484.27 feet; thence 90 degrees right, in a westerly direction, a distance of 260.00 feet; thence 90 degrees right, in a northerly direction, a distance of 51.53 feet; thence 90 degrees left, in a

westerly direction, a distance of 435.34 feet; thence 90 degrees 08 minutes left, in a southerly direction, a distance of 556.73 feet; thence 90 degrees 08 minutes right, in a westerly direction, a distance of 450.94 feet; thence 90 degrees left, in a southerly direction, a distance of 304.00 feet; thence 90 degrees right, in a westerly direction, a distance of 310.87 feet; thence 108 degrees 08 minutes 58 seconds left, in a southeasterly direction, a distance of 293.40 feet; thence 3 degrees 21 minutes 20 seconds right, in a southeasterly direction, a distance of 203.00 feet; thence 7 degrees 16 minutes 30 seconds left, in a southeasterly direction, a distance of 210.18 feet; thence 2 degrees 18 minutes 40 seconds left, in a southeasterly direction, a distance of 95.74 feet; thence 90 degrees 19 minutes 20 seconds left, in a northeasterly direction, a distance of 357.29 feet; thence 90 degrees 01 minute right, in a southeasterly direction, a distance of 210.01 feet to said Northwestern right-of-way line of the Southern Railroad; thence 90 degrees left, in a northeasterly direction along said right-of-way line, a distance of 480.14 feet to the Point of Beginning. Less and except the following described parcel of land, which is situated in Shelby County, Alabama:

Commencing at a point of intersection of the East side of a public road and North side of the Southern Railroad Main Line right-of-way, 100 feet wide; being the Southwesterly corner of the Apex Corporation Wheel Plant Property; thence along the North side line of the Railroad right-of-way, North 65 degrees 26 minutes East, a distance of 1005.62 feet to the point of beginning of the parcel being conveyed; continuing along the North side of the Railroad right-of-way, North 65 degrees 26 minutes East a distance of 1200.00 feet to a point; thence North 24 degrees 34 minutes West a distance of 255.00 feet to a point being the Northeast corner of the formerly recorded Woodbine Avenue, 80.00 feet wide, which is now closed; thence by the North side of former Woodbine Avenue South 65 degrees 26 minutes West, a distance of 700.00 feet to a point; thence North 24 degrees 34 minutes West a distance of 125.00 feet to a point; thence South 65 degrees 26 minutes West a distance of 500.00 feet to a point; thence South 24 degrees 34 minutes East a distance of 380.00 feet to said point of beginning.

The above described real estate is conveyed subject to: (1) real estate ad Valorem taxes for the tax year ending September 30, 1987; (2) the easement granted to Southern Natural Gas Corporation by the instrument recorded in Deed Book 90, page 249; (3) the transmission line permits granted to Alabama Power Company by the instruments recorded in Deed

Book 111, page 495; Deed Book 118, page 382; Deed Book 138, page 138 and Deed Book 154, page 31; (4) the easements granted to Alabama Power Company by the instruments recorded in Deed Book 163, page 423 and Deed Book 184, page 134; (5) easement to South Central Bell granted by the instrument recorded in Real Record 87, page 195; (6) all public streets, whether dedicated or undedicated, which are located on any portion of the above described real estate. (When an instrument is referred to herein as recorded, it is recorded in the office of the Judge of Probate of Shelby County, Alabama.)

Inst # 1995-01802

01/23/1995-01802  
10:39 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 NCD 20.00