

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

GREYSTONE REALTY
INVESTORS, INC.,
Petitioner,

v.

BUILDING MATERIALS
WHOLESALE, INC.,
Respondent.

CASE NO. 33-310

Inst # 1995-15552

CERTIFICATE OF TRANSFER OF LIEN FROM REAL PROPERTY TO BONDS

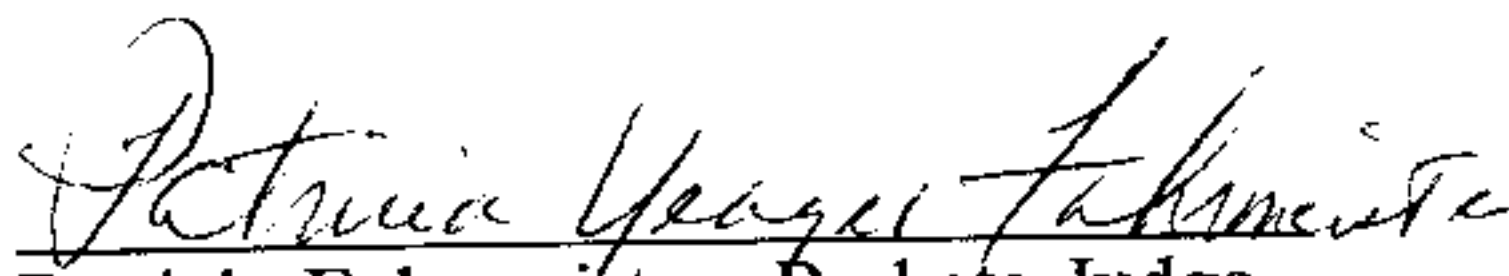
The Petitioner, Greystone Realty Investors, Inc., has filed in this Court its petition requesting that this Court certify to the lien Claimant, that its lien claim, recorded in Instrument No. 1995-12844, in this Court, has been transferred from the real property upon which the lien is sought to be imposed to the Bond for Transfer of Lien which was filed by the Petitioner, pursuant to Section 35-11-233, of the Alabama Code of 1975, as amended, in Instrument No. _____, in this Court.

It appears to the Court, and it is so ordered, that the bond has been properly prepared, executed, and filed, and that the lien claim is hereby transferred from the real property to the bond.

NOW THEREFORE, the Court does hereby accordingly certify to Building Materials Wholesale, Inc., the Respondent herein, that the bond filed by the Petitioner has been properly prepared, executed, and filed, and that the Court has accordingly transferred said lien claim from said real estate to said bond.

The Clerk of this Court is hereby ordered to (1) send, by certified mail, a copy of this certificate, together with a copy of the petition filed by Greystone Realty Investors, Inc., to Building Materials Wholesale, Inc., at each address shown in the petition and (2) record a copy of this certificate in the recording division of this Court.

DONE AND ORDERED, this the 14th day of June 1995.


Patricia Fuhrmeister, Probate Judge

06/14/1995-15552
01:15 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
003 MCD 13.50

original to Probate

RELEASE OF MECHANIC'S LIEN BOND - PRIVATE WORK

KNOW ALL MEN BY THESE PRESENTS:

That we, GREYSTONE REALTY INVESTOR, INC.
as Principal, and the MERCHANTS BONDING COMPANY,
a Corporation organized and existing under the laws of the State of IOWA
and duly licensed to transact surety business in the State
of ALABAMA as Surety, are held and firmly bound unto
BUILDING MATERIALS WHOLESALE, INC.

as Obligee, in the sum of (\$ 11,849.25), lawfully money of the United
States of America for the payment whereof. well and truly to be made, we
hereby bind ourselves, our heirs, executors, administrators, successors and
assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, BUILDING MATERIALS WHOLESALE, INC.
is the claimant under that certain Mechanic's Lien in the amount of
NINE THOUSAND FOUR HUNDRED SEVENTY SIX AND 25/100
Dollars (\$ 9,476.25) which was recorded in Official Records of
LOT A ACCORDING TO TH RESURVEY OF THE MEDICAL CENTER ADDITION TO GREYSTONE,
AS RECORDED IN MAP BOOK 18 PAGE 64, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA

WHEREAS, the Principal disputes the correctness or validity of such claim of
Mechanic's lien and desires to free all the above described real property
from the effect of such claim of lien.

NOW, THEREFORE, if said Principal shall pay or cause to be paid in full or
otherwise discharge the claim of BUILDING MATERIALS WHOLESALE, INC.
then this obligation shall be void, otherwise to remain in full force and
effect. Signed, Sealed and Dated this 7 day of JUNE 1995.

GREYSTONE REALTY INVESTOR, INC.

BY:

MERCHANTS BONDING COMPANY

BY:

RICHARD E. THOMPSON, ATTORNEY-IN-FACT

Merchants Bonding Company (Mutual)

POWER OF ATTORNEY

Know All Men By These Presents, that the MERCHANTS BONDING COMPANY (Mutual), a corporation duly organized under the laws of the State of Iowa, and having its principal office in the City of Des Moines, County of Polk, State of Iowa, hath made, constituted and appointed, and does by these presents make, constitute and appoint

Richard E. Thompson, Alvin B. Bresler

of **Birmingham** and State of **Alabama** its true and lawful Attorney-in-Fact, with full power and authority hereby conferred in its name, place and stead, to sign, execute, acknowledge and deliver in its behalf as surety:

Any or all bonds or undertakings provided that no bond or undertaking executed under this authority shall exceed in amount the sum of **TWO MILLION FIVE HUNDRED THOUSAND AND NO/100THS (\$2,500,000.00) DOLLARS**

and to bind the MERCHANTS BONDING COMPANY (Mutual) thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the MERCHANTS BONDING COMPANY (Mutual), and all the acts of said Attorney, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following By-Laws adopted by the Board of Directors of the MERCHANTS BONDING COMPANY (Mutual).

ARTICLE 2, SECTION 8. — The Chairman of the Board or President or any Vice President or Secretary shall have power and authority to appoint Attorney-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

ARTICLE 2, SECTION 9. — The signature of any authorized officer and the Seal of the Company may be affixed by facsimile to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed.

In Witness Whereof, MERCHANTS BONDING COMPANY (Mutual) has caused these presents to be signed by its Vice President and President, and its corporate seal to be hereto affixed, this **16th** day of **May** A.D., 19 **95**

Attest:

MERCHANTS BONDING COMPANY (Mutual)

M J Long
Vice President

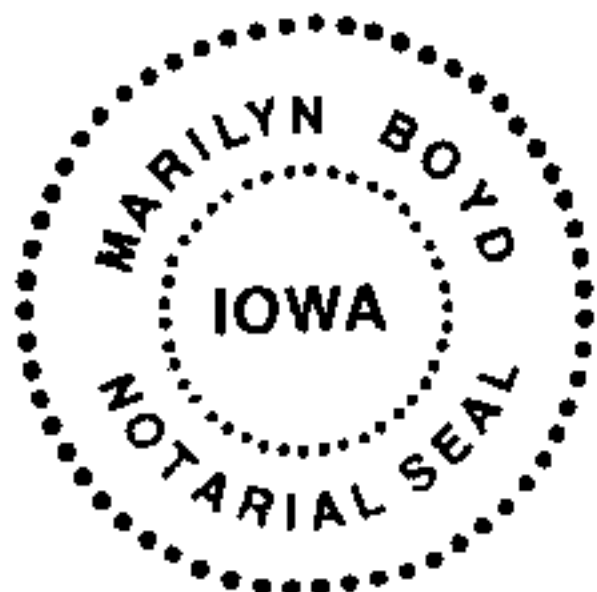
STATE OF IOWA
COUNTY OF POLK ss.

By



On this **16th** day of **May**, 19 **95**, before me appeared M.J. Long and W.G. Brundage, to me personally known, who being by me duly sworn did say that they are Vice President and Secretary/Treasurer respectively of the MERCHANTS BONDING COMPANY (Mutual), the corporation described in the foregoing instrument, and that the Seal affixed to the said instrument is the Corporate Seal of the said Corporation and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal, at the City of Des Moines, Iowa the day and year first above written.



STATE OF IOWA
COUNTY OF POLK ss.

Marilyn Boyd

Notary Public, Polk County, Iowa

My Commission Expires

11-4-95

I, M.J. Long, Vice President of the MERCHANTS BONDING COMPANY (Mutual), do hereby certify that the above and foregoing is a true and correct copy of the POWER OF ATTORNEY, executed by said MERCHANTS BONDING COMPANY (Mutual), which is still in force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Company, at **BIRMINGHAM, ALABAMA** this **7** day of **JUNE**, 19 **95**

This power of attorney expires December 31, 1995.

MSC 0814

06/14/1995-15552
01:15 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
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2551-5661 # 1501