

STATE OF ALABAMA)
SHELBY COUNTY)

LIS PENDENS

TO THE JUDGE OF PROBATE OF SAID COUNTY:

You are hereby notified that on the 21st day of July, 1995, Reamer Building and Development Corporation filed a Complaint in the Circuit Court of Shelby County, Alabama, against Miguel A. Antonetti, Case No. CV-95-534, a copy of which is attached hereto as Exhibit "A" and made a part hereof as if set out in full herein, said Complaint seeking, inter alia, payment for work performed pursuant to an oral agreement to build a screened porch on the property commonly known as 109 Talon Parkway, Birmingham AL 35242, and more particularly described as follows:

Lot 203, according to the Map and Survey of Eagle Point, 2nd Sector - Phase 1, as recorded in map Book 18, Page 2, in the Office of the Judge of Probate or Shelby County, Alabama.

This Lis Pendens is filed against said property to insure and secure the payment of the agreed upon amount for the work performed.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal this the 21st day of July, 1995.

Reamer Building and Development
Corporation

By: 

W. R. Beals, Jr., Attorney for
Reamer Building and Development
Corporation

BEALS & ASSOCIATES, P.C.

200 Cahaba Park South, Suite 125
Birmingham, Alabama 35242
(205) 991-9344

Inst # 1995-19392

07/21/1995-19392
02:30 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.00

Inst # 1995-19392

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **W. R. Beals, Jr.**, whose name is signed to the foregoing Lis Pendens as **Attorney for John G. Reamer, Jr., and Reamer Development Corporation**, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Lis Pendens, he executed the same voluntarily as the act of, and with full authority of John G. Reamer, Jr., and Reamer Development Corporation.

Given under my hand and seal this **21st** day of **July, 1995**

Janice Whisenant
NOTARY PUBLIC
My Commission Expires: 9/2/98

Reamer Building and Development
Corporation,

Plaintiff,

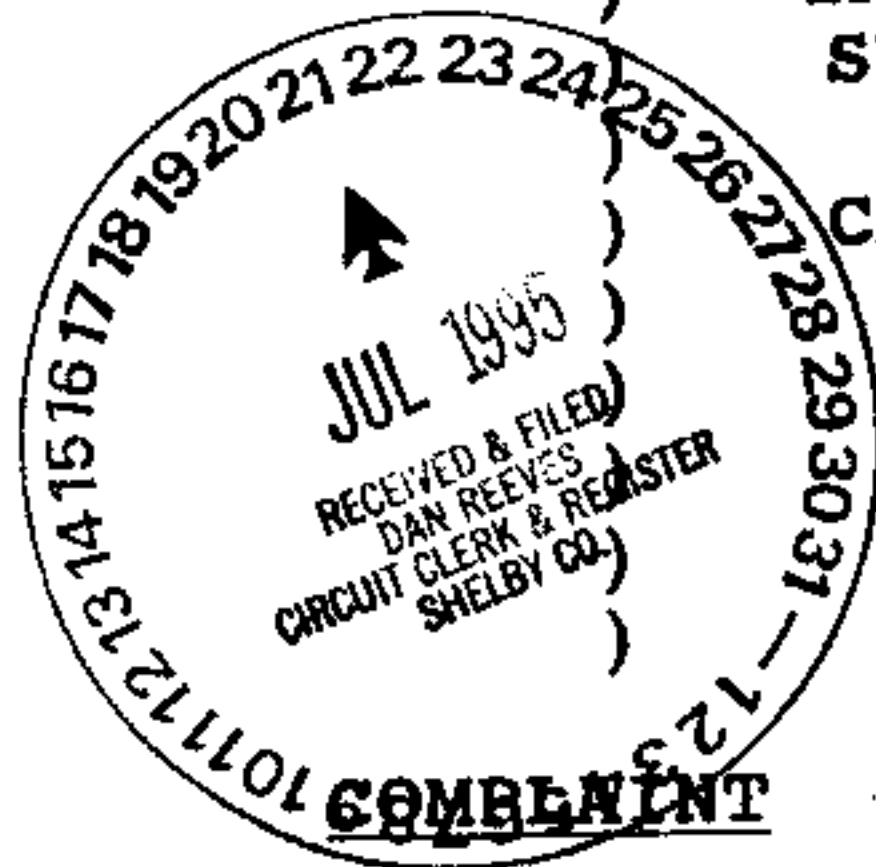
vs.

Miguel A. Antonetti

Defendant.

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

CASE NO. CV-95-534



COMES NOW Reamer Building and Development Corporation,
Plaintiff herein, and says unto this Honorable Court as follows:

1. On or about September, 1994, Plaintiff entered into an oral contract with Defendant for the addition of a screened-in porch to the residential structure located on that certain property situated in Shelby County, Alabama, commonly known as 109 Talon Parkway, Birmingham AL 35242 for an agreed upon price of \$3,500.00.

2. On or about October, 1994, Plaintiff completed the contracted work and asked to be paid. Defendant refused to pay.

3. Plaintiff repeatedly demanded payment of Defendant. Defendant continued to refused to pay claiming other work unrelated to the agreement for the porch was yet to be performed.

3. Plaintiff performed such other work for Defendant and again asked to be paid the contract amount. Defendant again refused, demanding still other unrelated work be performed prior to payment being made. Whereupon, Plaintiff files this Complaint.

COUNT 1 - Payment for Work Performed

4. Plaintiff includes all the allegations contained in Paragraphs 1 through 3 above.

5. Plaintiff asks this Honorable Court to enter an order requiring Defendant to pay to Plaintiff the sum of \$3,500.00 for the work performed as agreed between the parties.

COUNT 2 - Bad Faith

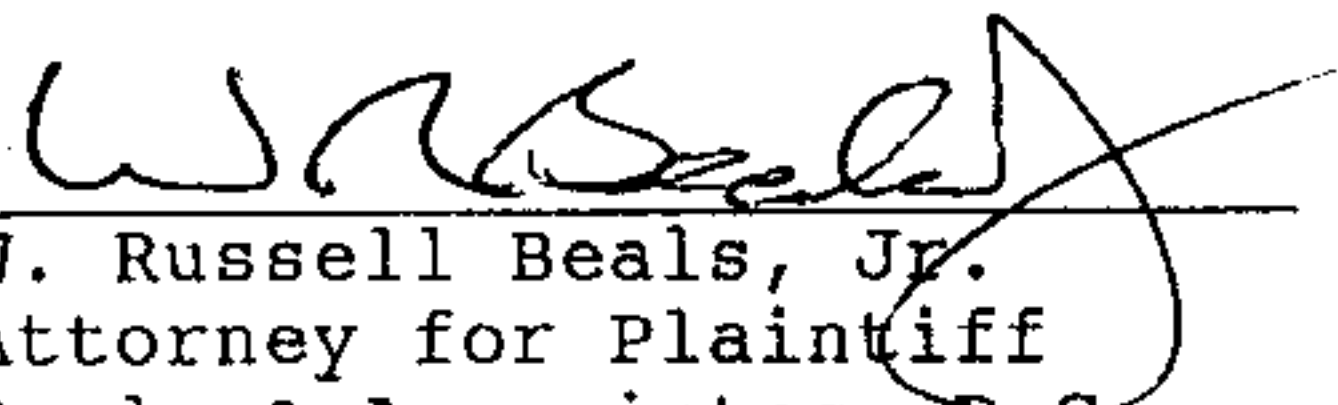
6. Plaintiff includes all the allegations contained in Paragraphs 1 through 3 above.

7. Defendant's demand that certain other work unrelated to the subject matter of the contract be performed prior to payment when the Plaintiff has fully performed is an intentional act of bad

faith on the part of the Defendant.

8. Plaintiff asks this Honorable Court to enter an order against Defendant for the sum of \$10,500.00 for punitive damages for Defendant's intentional act of bad faith against Plaintiff.

Plaintiff prays that this Honorable Court will take jurisdiction over this matter and cause a summons to issue requiring Defendant to answer this complaint in the time required by Law, and upon a hearing and proof grant unto the Plaintiff the relief prayed for herein, or such other, more complete relief as the Plaintiff may be entitled.


W. Russell Beals, Jr.
Attorney for Plaintiff
Beals & Associates, P.C.
200 Cahaba Park Circle, Ste.125
Birmingham AL 35242
(205) 991-9344
(205) 991-7876 FAX

Plaintiff's Address:
P.O. Box 380785
Birmingham AL 35238

Defendants's Address:
109 Talon Parkway
Birmingham AL 35242

Plaintiff respectfully requests that Defendant be served by certified mail to the address shown above, with request for new address if any be needed.

Inst # 1995-19392

07/21/1995-19392
02:30 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.00