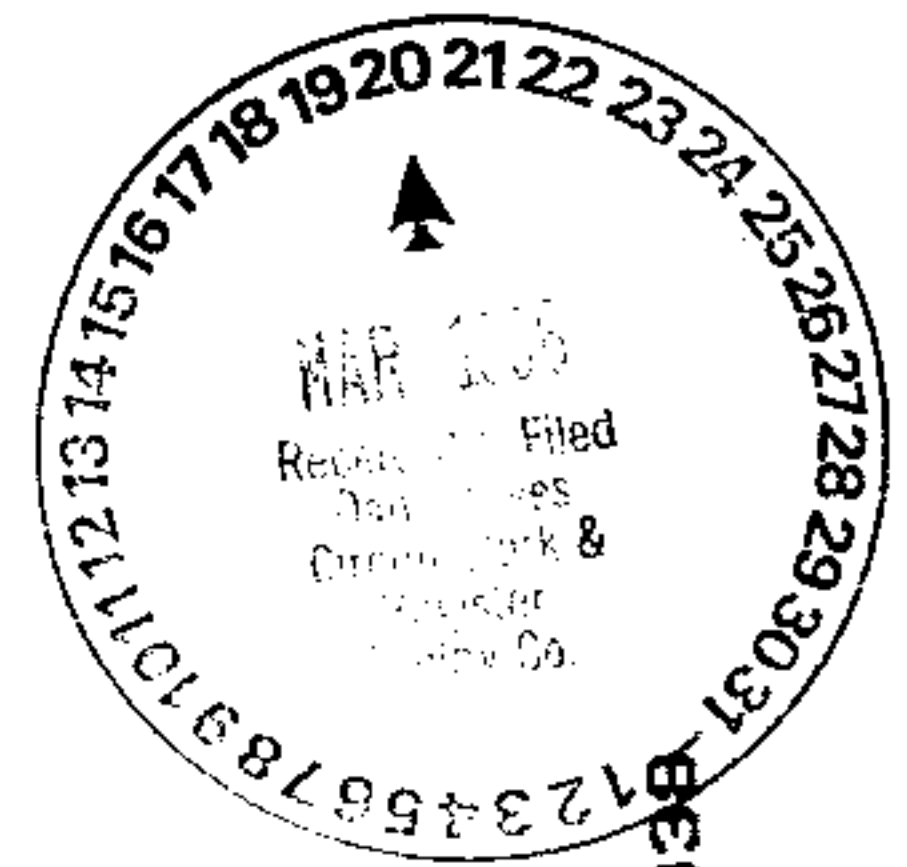


NOTICE OF PENDENCY OF COMPLAINT
IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

CIVIL ACTION NO. CV-96-241



TO:

PARCEL I:

A parcel of land situated in the East 1/2 of the NW 1/4 of Section 15, Township 20 South, Range 3 West, Shelby County, Alabama, being a part of Lot 1 of Block 20, as shown on Joseph Squire's Map of the Town of Helena, said parcel being more particularly described as follows:

Commence at the intersection of the East line of said Lot 1, Block 20, and the Northerly right of way of the Seaboard Coast Line Railroad, said point being the point of beginning; thence proceed Southwesterly along said Northerly right of way of Seaboard Coast Line Railroad for 184.26 feet to a point on the Easterly right of way of Shelby County Highway #261; thence turn an angle right of 102 degrees 24 minutes 58 seconds and proceed Northerly along said Easterly right of way for 284.20 feet to a point; thence turn an angle right of 02 degrees 57 minutes 23 seconds and continue Northerly along said Easterly right of way for 26.83 feet to the beginning of a non-tangent curve, said curve having a central angle of 29 degrees 05 minutes 56 seconds and a radius of 573.11 feet; thence turn an angle left of 00 degrees 01 minutes 16 seconds to tangent of said curve and proceed Northeasterly along said Easterly right of way and along the arc of said curve for 291.07 feet to a point on the North boundary line of said Lot 1, Block 20, said point also being on the South boundary line of the "Doc Ellison Lot", as shown on Joseph Squire's Map of the Town of Helena; thence turn an angle right of 56 degrees 49 minutes 45 seconds from tangent of last described curve and proceed Easterly along said South boundary line of the "Doc Ellison Lot" and along the North boundary line of said Lot 1, Block 20, for 44.08 feet to a point at the Northeast corner of said Lot 1, Block 20; thence turn angle right of 86 degrees 07 minutes 19 seconds and proceed Southerly along the East line of said Lot 1 for 549.01 feet to the point of beginning.

PARCEL II:

A parcel of land situated in the East 1/2 of the NW 1/4 of Section 15, Township 20 South, Range 3 West, Shelby County, Alabama, being a part of Lot 3, Block 20, as shown on Joseph Squire's map of the Town of Helena, said parcel being more particularly described as follows:

Commence at the intersection of the East line of said Lot 3, Block 20, and the Northerly right of way of the Seaboard Coast Line Railroad, said point being the point of beginning; thence proceed Northerly along said East line of Lot 3, Block 20, for 474.66 feet to a point at the Northeast corner of said Lot 3, Block 20, and also being the Southeast corner of the "Doc Ellison Lot" as shown on said Joseph Squire's Map of the Town of Helena; thence turn an angle left of 86 degrees 07 minutes 19 seconds and proceed Westerly along the North line of said Lot 3, Block 20, and along the South line of said "Doc Ellison Lot" for 232.32 feet to a point at the Northwest corner of said Lot 3, Block 20; thence turn an angle left of 93 degrees 52 minutes 41 seconds and proceed Southerly for 520.48 feet to a point on the Northerly right of way of the Seaboard Coast Line Railroad; thence turn an angle left of 97 degrees 23 minutes 59 seconds and proceed Easterly along said Northerly right of way of the Seaboard Coast Line

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Railroad for 233.74 feet to the point of beginning.

PARCEL III:

Commence at the NW corner of the SW 1/4 of NW 1/4, Section 15, Township 20 South, Range 3 West; thence East 210 feet to the point of beginning; thence continue East 210 feet; thence South 210 feet; thence West 210 feet; thence North 210 feet to the point of beginning.

Take notice that E and H Properties, Haney Family Trust, and Earl D. Haney, on the 20 day of March, 1996, filed in the Circuit Court of Shelby County, Alabama, certified complaint, pursuant to the Provisions of Title 6-6-560, Code of Alabama, (1975), as amended, et seq., against you and the above described land for the purpose of establishing title to said land in the said E and H Properties, Haney Family Trust, and Earl D. Haney, and to clear up all doubts and disputes concerning the same and that said suit is now pending in said court.

Plaintiff alleges in said complaint that title to said lands stand upon the records of the Judge of Probate, Shelby County, Alabama, in the name of the Plaintiff and that they own in their own right an entire, absolute, fee simple title to and interest in said lands, and that they acquired said lands and an absolute fee simple title, thereto, under deed executed by James L. McIntyre and Chris Caldwell, to Haney Family Trust, dated December 15, 1992, and filed for record in the Probate Office of Shelby County, Alabama, as Instrument #1993-02316; and under deed executed by Gladys Gilleylen, an unmarried woman, Classie Moore, an unmarried woman, and Bobbie George Moore, a married man, to E and H Properties, dated February 15, 1989, and filed for record in said Probate Office on May 3, 1989, as Real Record 237, Page 50; and under deed executed by Classie Anderson Moore, an unmarried woman, to E and H Properties, dated September 6, 1988, and filed for record in said Probate Office on September 8, 1988, as Real Record 203, Page 430; and under deed executed by Bobby Green, to Earl D. Haney, undated, but filed for record in said Probate Office on July 1, 1991, as Real Record 350, Page 858 (as to Parcel I); and under deed executed by Gladys

Gilleylen, an unmarried woman; Classie Moore, an unmarried woman, and Bobbie George Moore, a married man, to E and H Properties, dated September 6, 1988, filed for record in said Probate Office on July 1, 1991, as Real Record 350, Page 856 (as to Parcel II); and by Tax Sale Docket 26, Page 200 (as to Parcel III).

Plaintiff further alleges that they are in actual and peaceable possession of said lands and that they and their predecessors in title have been in such possession for more than ten years next preceding the filing of said complaint, to-wit: March 1, 1986, and that no other person has been in possession of said land or any part thereof during such ten year period.

Plaintiff further alleges in said complaint that they and their predecessors in title 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 has held color of title to said land or any part thereof during said period.

Plaintiff further alleges that they and their predecessors in title have assessed said lands for taxes and have paid taxes thereon for and during the ten years next preceding the filing of said complaint and that no other person has assessed or paid any taxes on said lands during such ten year period.

Plaintiff further alleges that after a diligent search, they have been unable to ascertain the names, ages and whereabouts of the heirs at law and next of kin of John Jones, deceased; Earnestine Jones, deceased; Will Logan, deceased; George McClellan, deceased; Hattie McClellan, deceased; Amos McClellan, deceased; Annie McClellan, deceased; Ada McClellan, deceased; Joel Smith and Wade Smith, their heirs and devisees, if deceased; and Milton Davis, his heirs and devisees, if deceased.

You and each of you are hereby directed to plead, answer to said verified complaint before the 17 day of May, 1996, or suffer a default

judgment to be rendered against you.

It is therefore, ordered by the undersigned Register 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 17 day of May, 1996.

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

Dan Reeves

Dan Reeves, Register of the
Circuit Court of Shelby
County, Alabama.

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned Dan Reeves, Register 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 20 day of March, 1996.

Dan Reeves
Inst # 1996-09038 Dan Reeves, Register

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