

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

JAMES D. MASON, D/B/A
MASON CONSTRUCTION CO.,
JACKIE WILLIAMS INC.
and ABERDEEN CONSTRUCTION, INC.,

Plaintiffs,

vs.

WEATHERLY LANDS, L.L.C.,
and THOMAS J. THORNTON, an
individual.

Defendants.

CIVIL ACTION NUMBER

CV-97-256

Inst # 1997-10371

04/03/1997-10371

03:34 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

002 MCD 12.00

NOTICE OF LIS PENDENS

Notice is hereby given that James D. Mason, d/b/a Mason Construction Co., Jackie Williams, Inc., and Aberdeen Construction, Inc., commenced a civil action against Weatherly Lands, L.L.C., and Thomas J. Thornton, an individual, on the 3rd day of April, 1997 in which Plaintiff claims a right, title, interest, or claim in and to the following described property:

Lots 502 through 604 inclusive as shown on the survey of Weatherly, Aberdeen, Sector 18, as recorded in Map Book 21, page 143, in the Office of the Judge of Probate of Shelby County, Alabama.

In the aforesaid civil action Plaintiff alleges, among other things, the following:

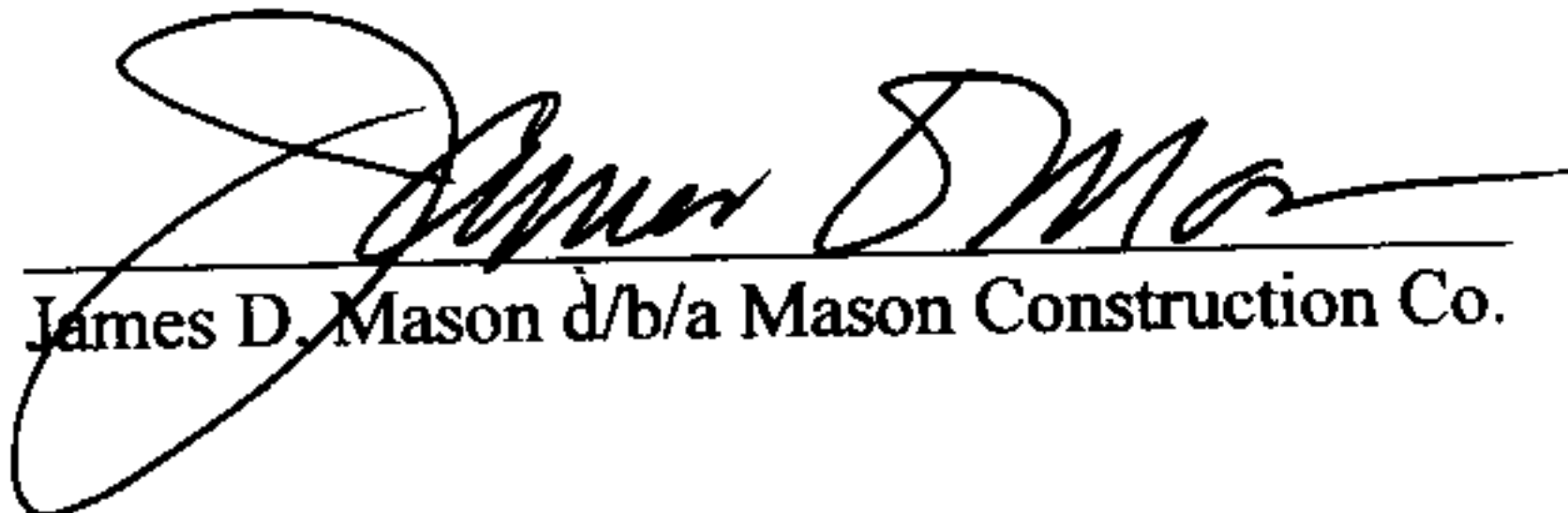
The property that is the subject of this action is commonly known as Weatherly Town Homes, Sector 18 (Aberdeen) the final plat of which is recorded in Map Book 21, Page 148, in the Probate Office of Shelby County, Alabama.

On or about August 1, 1995, Defendant Weatherly Lands, L.L.C. executed and delivered to

James D. Mason, d/b/a Mason Construction Company a real estate sales contract, a copy of which is attached hereto as Exhibit A and incorporated herein by reference. Said contract provided that Weatherly Lands, L.L.C., should sell exclusively to James D. Mason d/b/a Mason Construction Co., all of the lots contained on the recorded map found at Map Book 21, page 143, in the Office of the Judge of Probate of Shelby County.

Plaintiff is seeking specific performance of the sale of the remaining lots which have not previously been conveyed to Plaintiff.

Dated this the 3rd day of April, 1997.


James D. Mason d/b/a Mason Construction Co.

STATE OF Alabama

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James D. Mason d/b/a Mason Construction Co., is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 3rd day of April, 1997.


Notary Public
My Commission Expires

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