

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

HMW Investments, LLC and

Howard Michael Warren

Plaintiffs

vs

David M. Folmar

Defendant

CV No. 98-1531 - G

LIS PENDENS

I, Debra Hackett, Clerk of the Circuit Court of Montgomery County, Alabama, do hereby certify that the above-captioned action is now pending in the Circuit Court of Montgomery County, Alabama. Further, that the stated purpose of said action is to remove David M. Folmar from HMW Investments, LLC as a member of said company and recover monetary damages Defendant has caused Plaintiffs to incur as a result of Defendant's conduct as a manager. Part of the action involves certain real property. Further the real property which the subject of said action is said to be situated in Shelby County, Alabama, and is described as follows:

Parcel One

A part of the Northwest  $\frac{1}{4}$  of Section 17, Township 19 South, Range 2 West, more particularly described as follows:

Begin at the Northwest corner of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 17, Township 19 South, Range 2 West, thence run North 89 deg. 18 min. 34 sec West along the North line of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  a distance of 1255.75 feet, thence run North 03 deg. 46 min. 23 sec. West a distance of 300.42 feet thence run North 23 deg. 41 min. 26 sec. East a distance of 182.26 feet; thence run North 35 deg. 50 min. 05 sec. East a distance of 225.25 feet; thence run North 48 deg. 51 min. 48 sec. East for a distance of 20.16 feet; thence run South 59 deg. 15 min. 49 sec. East a distance of 842.66 feet; thence run North 72 deg. 15 min. 40 sec. East a distance of 164.62 feet; thence run South 40 deg. 11 min. 52 sec. East a distance of 64;.02 feet; thence run South 55 deg. 55 min. 35 sec. East a

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distance of 418.79 feet; thence run South 57 deg. 06 min. 41 sec. West a distance of 255.00 feet to the West line of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 17; thence run North 00 degrees 23 min. 21 sec. West along the West line of said  $\frac{1}{4}$   $\frac{1}{4}$  Section a distance of 127.59 feet to the point of beginning.

Subject to a joint ingress and egress easement situated along the most Northerly corner, being 30.00 feet in width following along the existing road leading to Acton Fjord.

**Parcel Two**

Lot 120 according to the survey of Sandpiper Trail Subdivision. Sector III, as recorded in Map Book II, Page 121, in the Probate Office of Shelby County, Alabama.

GIVEN under seal my hand and the seal of the Court on this the 30 day of July, 1998.

*Debra P. Hackett*

Circuit Court Clerk

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