

*Probate*  
IN THE ~~CIRCUIT~~ COURT OF SHELBY COUNTY, ALABAMA

SJ HOLDING COMPANY, INC.,

Plaintiff,

v.

CASE NO. CV-9911

KADCO, INC.,

Defendant.

**THIS INSTRUMENT PREPARED BY:**

Jack E. Held, Esq.

Gary Bryce Holder, Esq.

✓ Sirote & Permutt, P.C.

P.O. Box 55727

Birmingham, Alabama 35255-5727

(205) 933-7111

Inst # 1999-01060

01/08/1999-01060  
11:27 AM CERTIFIED  
JUDGE OF PROBATE  
SHELBY COUNTY JUDGE  
23.50  
SNA

STATE OF ALABAMA     )  
SHELBY COUNTY         )

**NOTICE OF LIS PENDENS**

TO THE JUDGES OF PROBATE, SHELBY COUNTY, ALABAMA, AND ALL OTHER  
INTERESTED PERSONS OR LEGAL ENTITIES:

You are hereby notified that on or about the 6<sup>th</sup> day of January, 1999, suit was  
filed by the undersigned attorneys on behalf of SJ Holding Company, Inc. in the Circuit Court of  
Shelby County, Alabama, and the following are all of the parties to said action:

**Plaintiff**

SJ Holding Company, Inc.

**Defendant**

Kadco, Inc.

The suit seeks to set aside and to invalidate any fraudulent conveyances by or to the above-named Defendant of real property located in Alabama. A judgment in said action in favor of the Plaintiff could result in a lien, a judgment or an avoidance of prior conveyances under Ala. Code § 8-9A-1, *et seq.* on any property fraudulently conveyed by or to the above-named Defendant and currently retained by the above-named Defendant, which properties may include, but are not limited to, the property known as the "Meadowbrook Townhome Property Phase III." A description of the property known as "Meadowbrook Townhome Property Phase III" is contained in the property description attached hereto as Exhibit "A," excluding from such property description Lots 7-34, Meadowbrook Townhomes Phase II, 2<sup>nd</sup> Sector, as recorded in the Probate Office of Shelby County, Alabama in Map Book 22, Page 4A and B.

  
JACK E. HELD 9(HELO93)  
GARY BRYCE HOLDER (HOL091)  
Attorney for Plaintiff  
Sirote & Permutt, P.C.  
P.O. Box 55727  
Birmingham, Alabama 35255-5727  
(205) 933-7111

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that GARY BRYCE HOLDER, whose name is signed to the foregoing instrument as Attorney-of-Record for SJ Holding Company, Inc., a corporation, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date for and as the act of said corporation.

GIVEN under my hand and official seal, this 8<sup>th</sup> day of January,  
1999.

Martha L. Rensinger  
NOTARY PUBLIC  
My Commission Expires: 5-17-00

## **EXHIBIT A**

**EXHIBIT 'A'**

STATE OF ALABAMA        )

SHELBY COUNTY            )

**DESCRIPTION:**

COMMENCE AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 1 WEST; THENCE RUN SOUTH 0-00'00" WEST, ALONG THE WEST LINE OF SAID 1/4-1/4, A DISTANCE OF 506.48 FEET TO THE POINT OF BEGINNING, SAID POINT BEING SITUATED ON THE SOUTHERLY RIGHT OF WAY LINE OF MEADOW RIDGE ROAD AS RECORDED IN MAPBOOK 9, PAGE 11, SAID POINT ALSO BEING SITUATED ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 2-52'47" A RADIUS OF 1658.48 FEET, A CHORD BEARING OF SOUTH 60-28'02" WEST; THENCE RUN ALONG THE ARC, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 83.36 FEET; THENCE RUN SOUTH 61-54'25" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 285.00 FEET; THENCE RUN NORTH 83-42'25" EAST A DISTANCE OF 200.00 FEET; THENCE RUN SOUTH 64-01'28" EAST A DISTANCE OF (DEED 40.51') 41.46 FEET; THENCE RUN SOUTH 39-02'11" EAST A DISTANCE OF 139.52 FEET TO A POINT ON THE EAST LINE OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 1 WEST, THENCE RUN SOUTH 0-00'00" WEST, ALONG SAID SECTION LINE, A DISTANCE OF 622.11 FEET TO A POINT BEING SITUATED ON THE NORTHWESTERLY LINE OF LOT 8, MEADOW BROOK 3RD SECTOR AS RECORDED IN MAPBOOK 7, PAGE 66; THENCE RUN NORTH 59-30'49" EAST ALONG THE NORTHWESTERLY LINE OF LOTS 8, 7 AND 6, A DISTANCE OF 379.28 FEET TO THE NORTHWEST CORNER OF LOT 5 OF SAID MEADOW BROOK 3RD SECTOR; THENCE RUN NORTH 57-30'49" EAST, ALONG THE NORTHWESTERLY LINE OF LOTS 5 AND 4, A DISTANCE OF 307.59 FEET TO THE NORTHWEST CORNER OF LOT 3 OF SAID MEADOW BROOK 3RD SECTOR; THENCE RUN NORTH 63-30'49" EAST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 3, A DISTANCE OF 63.55 FEET TO THE SOUTHWEST CORNER OF LOT 2 OF CUMBERLANDS ADDITION TO MEADOW BROOK AS RECORDED IN MAPBOOK 9, PAGE 126; THENCE RUN NORTH 31-10'13" WEST, ALONG SAID LOT 2, A DISTANCE OF 155.00 FEET; THENCE RUN NORTH 15-18'03" EAST, ALONG SAID LOT 2 AND LOT 1, A DISTANCE OF 225.00 FEET; THENCE RUN NORTH 51-06'14" EAST, ALONG SAID LOT 1, A DISTANCE OF 80.00 FEET; THENCE RUN SOUTH 80-49'11" EAST, ALONG SAID LOT 1, A DISTANCE OF 140.00 FEET, TO THE EASTERLY CORNER OF LOT 1 OF SAID CUMBERLANDS ADDITION TO MEADOW BROOK, THENCE RUN NORTH 51-28'19" WEST A DISTANCE OF 244.09 FEET TO THE SOUTHWEST CORNER OF LOT 31 MEADOW BROOK TOWNHOMES AS RECORDED IN MAPBOOK 10, PAGE 2; THENCE RUN NORTH 46-45'16" WEST, ALONG THE WEST LINE OF SAID LOT 31, A DISTANCE OF 6.00 FEET, TO THE RIGHT OF WAY LINE OF MEADOW CROFT LANE; THENCE RUN SOUTH 43-14'44" WEST, ALONG SAID RIGHT

OF WAY LINE, A DISTANCE OF 50.50 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 148-13'08" A RADIUS OF 50.00 FEET, A CHORD BEARING OF NORTH 62-38'40" WEST; THENCE RUN ALONG THE ARC, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 129.35 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 58-13'10" A RADIUS OF 25.00 FEET, A CHORD BEARING OF NORTH 17-38'40" WEST; THENCE RUN ALONG THE ARC, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 25.40 FEET; THENCE RUN NORTH 46-45'16" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 41.24 FEET TO THE SOUTHEAST CORNER OF LOT 43 OF MEADOW BROOK TOWNHOMES PHASE 2, 1ST SECTOR AS RECORDED IN MAPBOOK 12, PAGE 41; THENCE RUN SOUTH 43-14'44" WEST, ALONG THE SOUTHERLY LINE OF LOTS 43, 42, 41, 40, 39 AND 38, A DISTANCE OF 153.05 FEET TO THE SOUTHWEST CORNER OF SAID LOT 38; THENCE RUN NORTH 46-45'16" WEST, ALONG THE WESTERLY LINE OF SAID LOT 38, A DISTANCE OF 88.78 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF MEADOW CROFT CIRCLE SAID POINT BEING SITUATED ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 1-03'39" A RADIUS OF 648.43 FEET, A CHORD BEARING OF SOUTH 54-42'55" WEST; THENCE RUN ALONG THE ARC, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 12.01 FEET; THENCE RUN NORTH 34-45'16" WEST A DISTANCE OF 60.00 FEET TO A POINT SITUATED ON THE SOUTH LINE OF LOT 6 OF MEADOW BROOK TOWNHOMES PHASE 2, 1ST SECTOR; THENCE RUN SOUTH 55-14'44" WEST, ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 6.45 FEET; THENCE RUN NORTH 46-45'29" WEST, ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 92.55 FEET TO A POINT SITUATED ON THE SOUTHERLY RIGHT OF WAY LINE OF MEADOW RIDGE ROAD AS RECORDED IN MAPBOOK 9, PAGE 11, SAID POINT BEING SITUATED ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 7-44'32" A RADIUS OF 1658.48 FEET, A CHORD BEARING OF SOUTH 55-09'23" WEST; THENCE RUN ALONG THE ARC, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 224.11 FEET TO THE POINT OF BEGINNING CONTAINING 18.96 ACRES MORE OR LESS AND SUBJECT TO ANY RIGHTS OF WAYS AND EASEMENTS OF RECORD.

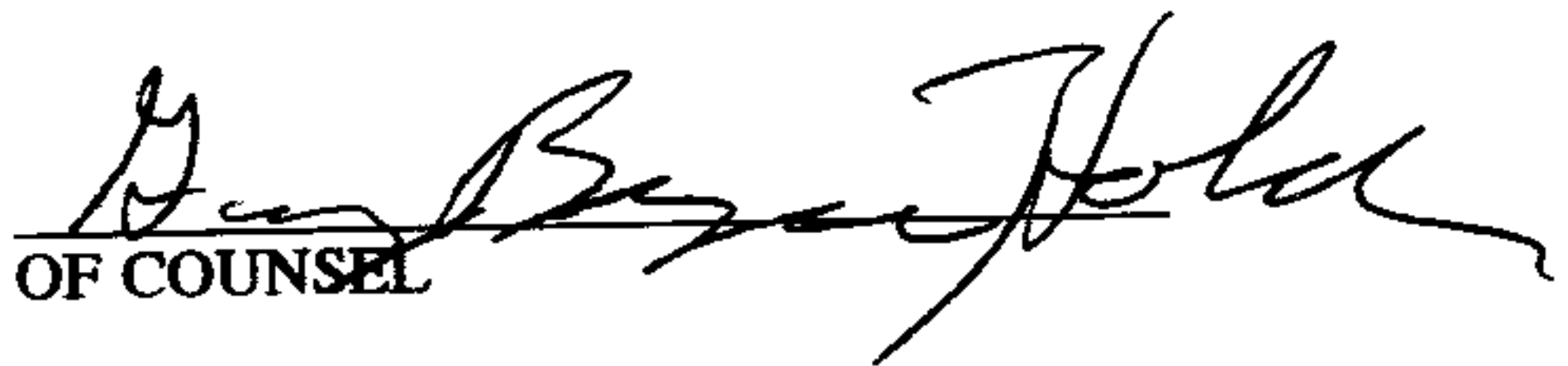
Inst # 1995-29882

10/18/1995-29882  
04:09 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOES NOT 158.50

### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was forwarded to Defendant by mailing a copy of same, United States Mail, properly addressed and first class postage prepaid, on this the 8<sup>th</sup> day of January, 1999 to:

Nina J. Kessler, Registered Agent  
KADCO, INC.  
Suite 103  
90 Bagley Drive  
Birmingham, Alabama 35209

  
OF COUNSEL

Inst # 1999-01060

01/08/1999-01060  
11:27 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
007 SNA 23.50