


STATE OF ALABAMA)
)
COUNTY OF SHELBY)
)
CITY OF HOOVER)

NOTICE OF LIS PENDENS

NOTICE IS HEREBY GIVEN to all persons that title to the property situated at 325 CHASE PLANTATION CIRCLE, HOOVER ALABAMA 35244, and recorded as LOT 13, MAP BOOK 9, PAGE 47 A&B in the Office of the Judge of Probate of Shelby County, Alabama, is the subject of litigation. The subject property is bound by the CHASE PLANTATION SUBDIVISION DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS, EASEMENTS, RIGHTS AND LIENS. Prospective purchasers and encumbrancers are hereby advised that any interest obtained in the property described herein is subject to the Court's decision reached pursuant to the pending litigation.

AS SUPPORTING DOCUMENTATION for this instrument, attached is an affidavit by LYNN CARMICHAEL, President of the Board of Directors for the Chase Plantation Homeowners Association - Third Sector (the "Board"), setting forth the facts which comprise the basis for this action.



Alan W. Garner, Counsel for the Board
Post Office Box 530251
Birmingham, Alabama 35253

Inst # 1999-08272

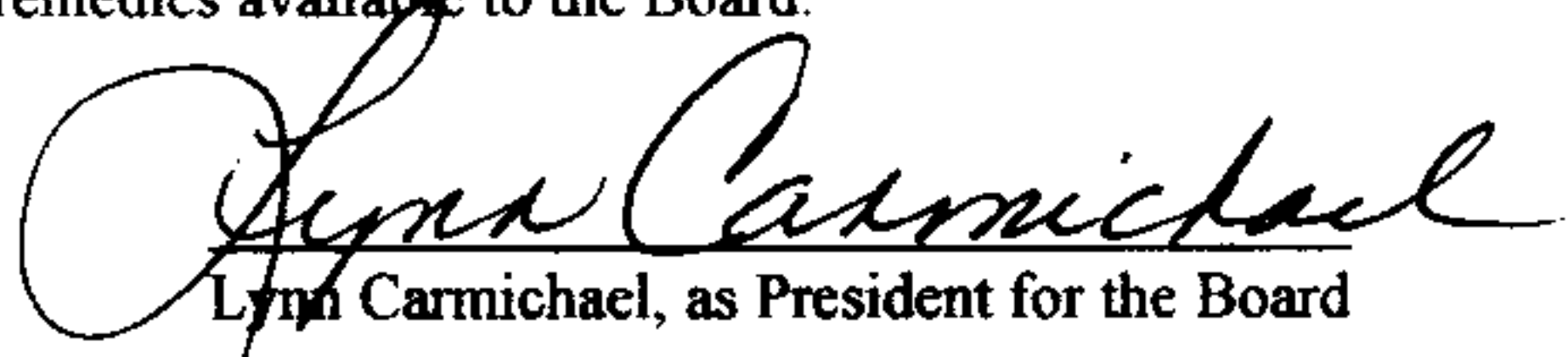
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11:40 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 CRH 13.50

STATE OF ALABAMA)
)
COUNTY OF SHELBY)
)
CITY OF HOOVER)

AFFIDAVIT SUPPORTING FORCED REPAIRS

I, LYNN CARMICHAEL, as President of the Board of Directors for the Chase Plantation Homeowners Association - Third Sector (the "Board"), have personal knowledge of the facts forming the basis of litigation with regard to the property referenced herein, and certify that the following statements are true and correct.

- 1.) Deborah B. Piper is the owner of record of the residential property situated at 325 Chase Plantation Circle, Hoover, Alabama 35244; and further,
- 2.) The subject property is located in the Chase Plantation subdivision, a part of the Riverchase Community; and further,
- 3.) I am currently President of the Board and have been integrally involved with the Board's business for approximately two (2) years, during which time Ms. Piper has been provided numerous notices with regard to her delinquent assessments and deteriorating property; has been afforded ample opportunity to make necessary repairs; and has refused to acknowledge the Board's notices or cooperate with the Board in any peaceful manner to make such repairs or arrangements therefor; and further,
- 4.) The present condition of the subject property is such that the community is at serious risk of declining property values, as well as termite and/or other pest infestation if repairs are not made immediately; and further,
- 5.) The Board is fully authorized to have all necessary repairs performed and charge all costs to the property owner pursuant to Item 17, Page 4 of the Chase Plantation Subdivision Declaration of Protective Covenants, Restrictions, Easements, Rights and Liens; and further,
- 6.) Ms. Piper's continued refusal to bring her property into compliance with the applicable Covenants has resulted in an action being filed in the Shelby County District Civil Court in the amount of \$2,170.50 for homeowner assessments which remain due and unpaid; and further,
- 7.) In the interest of safety and the prevention of financial risk to the owners of Chase Plantation, the Board hereby directs and demands that all necessary repairs be performed, with all costs related thereto being charged to the owner of the subject property; and further,
- 8.) While the total cost of repairs has not yet been determined, it is estimated that total expenditures by the Board shall be between \$4,000 and \$8,000, said amount(s) to be recovered by exercising all legal remedies available to the Board.


Lynn Carmichael, as President for the Board

Affidavit Supporting Forced Repairs
Chase Plantation Homeowners Association v Piper
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Before me personally appeared Lynne Carmichael, being known to me, and voluntarily affixed her signature to this document for the purposes stated herein on this, the 24th day of February, 1999.


Notary Public, State at Large

January 26, 2002
My Commission Expires

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