

IN THE CIRCUIT COURT FOR SHELBY COUNTY, ALABAMA

James V. Thomas,

Plaintiff,

v.

2122 OMH, L.L.C., a limited liability
company

Defendant,

CIVIL ACTION NO. 99-970

LIS PENDENS

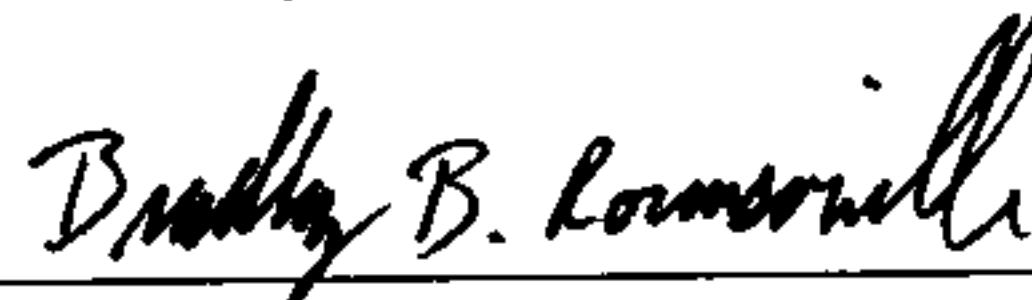
IN THE CIRCUIT COURT FOR SHELBY COUNTY, ALABAMA

NOTICE IS HEREBY GIVEN that James V. Thomas ("Thomas"), commenced a civil action against 2122 OMH, L.L.C., on the 24th day of November, 1999, in which Thomas claims a right, title, interest, or claim to the following described property:

See the attached Exhibit A (the "Property").

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

1. Thomas and Defendant entered into that certain Commercial Lease on November 24, 1997, whereby Thomas leased the Property from Defendant.
2. The Lease gives Thomas the option to purchase the Property.
3. Thomas exercised the option to purchase the Property on November 18, 1999 and made offer of tender of the stipulated purchase price of the Property.
4. Defendant has refused to convey the Property to Thomas.



Bradley B. Rounsaville (ROU011)
Attorney for Plaintiff

Bradley B. Rounsaville
Bradley Arant Rose & White LLP
2001 Park Place, Suite 1400
Birmingham, Alabama 35203
(205) 521-8000

Inst # 1999-49294

12/06/1999-49294
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SHELBY COUNTY JUDGE OF PROBATE
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EXHIBIT A

A parcel of land located in the NE 1/4 of the NE 1/4 of Section 36, Township 19 South, Range 3 West, Shelby County, Alabama, described as follows:

Commence at the SE corner of said 1/4 1/4 Section; thence in a Westerly direction along the South line of said 1/4 1/4 Section a distance of 462.59 feet to the point of beginning; thence continue along last described course, a distance of 117.41 feet; thence 116 deg. 34 min. 43 sec. right in a Northeasterly direction a distance of 304.07 feet to a point on the Southwesterly right of way line of Shelby County Highway No. 275; thence 92 deg. 05 min. 41 sec. right in a Southeasterly direction along said right of way a distance of 105.07 feet; thence 87 deg. 54 min. 19 sec. right in a Southwesterly direction a distance of 247.70 feet to the point of beginning; being situated in Shelby County, Alabama.

Mineral and mining rights excepted.

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