

VERIFIED STATEMENT OF LIEN

20020618000287650 Pg 1/4 20.00
Shelby Cnty Judge of Probate, AL
06/18/2002 13:38:00 FILED/CERTIFIED

STATE OF ALABAMA)
)
SHELBY COUNTY)

C. A. Murren & Sons Company, Inc. files this statement in writing, verified by the oath of Shelia Bittas, its Senior Project Manager, who has personal knowledge of the facts herein set forth:

That said C. A. Murren & Sons Company, Inc. claims a lien upon the Waterford Village Sector 2 situated in Shelby county, Alabama, said property being that described as Parcel I to Exhibit "A" hereto.

That said lien on Parcel I of Exhibit "A" is claimed to secure an indebtedness, after all just credits have been given, of \$167,188.60 plus interest thereon, for site grading earthwork performed by C. A. Murren & Sons Company, Inc. for Waterford, L.L.C.

On information and belief, the names of the owners or proprietors of the said property identified as Parcel I to Exhibit "A" are one or more of the following: Waterford L.L.C. and Shelby Springs Stock Farms, Inc.

In addition, that said C. A. Murren & Sons Company, Inc. claims a lien upon the Waterford Village Sector 1 situated in Shelby county, Alabama, said property being that described as Parcel II to Exhibit "A" hereto.

That said lien on Parcel II of Exhibit "A" is claimed to secure an indebtedness, after all just credits have been given, of \$353,569 plus interest thereon, for site grading earthwork performed by C. A. Murren & Sons Company, Inc. for Waterford, L.L.C.

On information and belief, the names of the owners or proprietors of the said property identified as Parcel II to Exhibit "A" are one or more of the following: Jerry R. Adams, Sr., Jerry R. Adams, Jr., Build America Homes, L.L.C., and Waterford, L.L.C.

These liens are claimed, separately and severally for Parcel I and Parcel II of Exhibit "A", as to the land, buildings and improvements thereon to the extent of the entire lots or parcels which are contained within a city or town. If said land is not within a city or town, these liens are claimed, separately and severally, as to the buildings and improvements located on the above-described real property, plus one acre of land surrounding and contiguous thereto.

C. A. Murren & Sons Company, Inc.

By: Shelia K. Bittas
Its: Senior Project Manager

STATE OF ALABAMA)
JEFFERSON COUNTY)

Before me, the undersigned, a notary public in and for the county of Jefferson State of Alabama personally appeared Shelia Bittas, Senior Project Manager of C.A. Murren & Sons Company, Inc., who, being duly sworn, doth depose and say: That she has personal knowledge of the facts set forth in the foregoing statement of lien, and that the same are true and correct to the best of her knowledge and belief.

Subscribed and sworn to before me on this the 13th day of June, 2002, by said affiant.

Virginia A. Shields

[NOTARIAL SEAL]

Notary Public

✓ Prepared by David W. Owen
Bradley Arant Rose & White LLP
2001 Park Place, Suite 1400
Birmingham, Alabama 35203
(205) 521-8000

EXHIBIT A (cont'd)

NE 1/4-SE 1/4 of aforesaid Section 34; thence N 0deg 1'52" W along said west line, a distance of 1190.76' to the NW corner of said 1/4-1/4 section; thence N 0deg 2'18" E along the west line of the SE 1/4-NE 1/4 of said Section 34, a distance of 1331.30' to the NW corner of said 1/4-1/4 section; thence S 88deg 19'19" E along the north line of said 1/4-1/4 section, a distance of 1262.79' to the NE corner of said 1/4-1/4 section; thence N 0deg 25'1" W along the east line of the NE 1/4-NE 1/4 of said Section 34, a distance of 1322.76' to the POINT OF BEGINNING. Containing 360.81 acres, more or less.

LESS AND EXCEPT THE FOLLOWING:

Begin at the SW corner of Lot 367 of Waterford Highlands Sector 1 as recorded in the Judge of Probate of Shelby County, Alabama; thence N 67deg.26'19" E a distance of 397.37'; thence N 15deg.44'54" W a distance of 230.38'; thence N 60deg.20'28" E a distance of 609.42'; thence S 27deg.51'30" E a distance of 180.95'; thence N 74deg.20'01" E a distance of 349.65'; thence N 22deg.03'47" W a distance of 219.44' to a point lying on the southerly right-of-way line of Highlands Trail a portion of an unrecorded road, said point also being the beginning of a curve to the left having a central angle of 8deg.8'45"; a radius of 325.00' and subtended by a chord which bears N 63deg.51'51" E a chord distance of 46.17'; thence along said curve and said right-of-way line a distance of 46.21' to the end of said curve; thence S 30deg.12'32" E and leaving said right-of-way a distance of 234.31'; thence N 69deg.58'54" E a distance of 211.79'; thence N 5deg.45'5" W a distance of 341.17'; thence N 19deg.06'41" E a distance of 286.60'; thence S 85deg.42'11" E a distance of 43.44'; thence S 34deg.14'33" E a distance of 427.48'; thence S 72deg.53'16" E a distance of 250.65'; thence S 67deg.26'19" W a distance of 1815.89'; thence S 22deg.33'41" E a distance of 20.00'; thence S 67deg.26'19" W a distance of 478.10' to a point lying on the easterly right-of-way line of Waterford Parkway, said point also being the beginning of a curve to the right having a central angle of 0deg.44'34", a radius of 960.00' and subtended by a chord which bears N 13deg.4'49" W a chord distance of 12.44'; thence along said curve and said right-of-way line a distance of 12.44' to the end of said curve; thence N 12deg.42'32" W a distance of 2.77' to the Point of Beginning.

Being the same property conveyed to the Waterford Homeowner's Association, Inc. by Waterford, L.L.C., in deed recorded on April 6, 2001 as Instrument #2001-13145, in the Probate Office of Shelby County, Alabama.

ALSO LESS AND EXCEPT THE FOLLOWING:

All the property located within the boundaries of WATERFORD VILLAGE – SECTOR 1, according to the survey of Waterford Village – Sector I, as recorded in Map Book 27, page 100, in the Probate Office of Shelby County, Alabama.

EXHIBIT A (cont'd)

All the property within the boundaries of WATERFORD HIGHLANDS – SECTOR I, according to the survey of “Waterford Highlands – Sector I, as recorded in Map Book 27, page 137, in the Probate Office of Shelby County, Alabama.

All the property within the boundaries of WATERFORD COVE – SECTOR I, according to the survey of Waterford Cove - Sector 1, as recorded in Map Book 28, page 68, in the Probate Office of Shelby County, Alabama.

PARCEL II

All the property located within the boundaries of WATERFORD VILLAGE – SECTOR 1, according to the survey of Waterford Village – Sector I, as recorded in Map Book 27, page 100, in the Probate Office of Shelby County, Alabama.

LESS AND EXCEPT:

Lots 1, 2, 3, 4, 114, 116, 117, 118, 119, 124, 125, 127, 129, 130, 132, 139-A, 139-B, 140, 244, 245, 250, 251, 252, 253, 254, 255, 346, 347, 354, 355, 356, and 357.