

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION



20021001000472840 Pg 1/5 23.00  
Shelby Cnty Judge of Probate, AL  
10/01/2002 10:57:00 FILED/CERTIFIED

In re	)	
	)	
Royal Construction and Development,	)	Bankruptcy Case Number:
Inc., and Nathan E. Gilbert	)	00-00794-BGC-7
	)	00-00795-BGC-7
Debtors	)	
	)	Jointly Administered
Max C. Pope, Trustee,	)	
Plaintiff	)	
	)	
vs.	)	
	)	Adversary Processing Number:
Gary Thomas and American Homes	)	
& Land Corporation,	)	01-00133
Defendants	)	

**PARTIAL RELEASE OF LIS PENDENS**

WHEREAS on March 23, 2001 notice was given that the above-styled suit had been filed on the following described real estate situated in Shelby County, Alabama, said notice being of record in Instrument #2001-10665:

**PARCEL I-IV:**

See legal description attached hereto as Exhibit "A"

**PARCEL VI:**

Lot 803 and 822, according to the survey of Old Cahaba, Sector 8, as recorded in Map Book 26, Page 3 in the Probate Office of Shelby County, Alabama.

**PARCEL VII:**


Lot 70, 71, 72, 73 & 74, according to the map and survey of Wyndham Cottages, Phase I, as recorded in Map Book 25, Page 14, in the Office of the Judge of Probate of Shelby County, Alabama.

**PARCEL VIII:**

Lots 801, 802, 804, 806 and 808 inclusive and 811 to 821 inclusive, Old Cahaba, Sector 8, Phase I, as recorded in Map Book 26, Page 3, in the Office of the Judge of Probate of Shelby County, Alabama.

Dated this the 23 day of September, 2002.

Now therefore, the undersigned attorney for Max Pope, trustee of Royal Construction and Development, Inc., a corporation, and Nathan E. Gilbert, hereby releases the said Lis Pendens with reference to the above described property.

  
K. Edward Sexton, Attorney for the  
Trustee Max Pope of Royal  
Construction and Development Inc., and  
Nathan E. Gilbert

STATE OF ALABAMA )

Jefferson COUNTY )

Before me, Arlene J. Kirby, a Notary Public in and for the State at Large, hereby certify that K. Edward Sexton, Whose name as Attorney for Max Pope, Trustee of Royal Construction and Development, Inc., a corporation, and Nathan F. Gilbert an individual, is signed to the foregoing Release, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this Release, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 23<sup>rd</sup> day of September, 2002.

Arlene J. Kirby  
Notary Public

My Commission Expires: 4/20/03

## EXHIBIT A

### Description of Property

The following property situated in Shelby County, Alabama:

#### PARCEL I

Part of the North 1/2 of Section 20, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

From the Northwestern corner of Lot 110, Old Cahaba Winter Crest Sector as recorded in the Office of the Judge of Probate, Shelby County, Alabama in Map Book 24, Page 69, run in a Northwesternly direction along an extension of the Southwesternly line of said Lot 110 for a distance of 234.96 feet to an existing iron pin being on the South right of way line of Shelby County Highway No. 52 being the point of beginning; thence turn an angle to the left of 180°00' and run in a Southeasterly direction for a distance of 1318.25 feet; thence turn an angle to the left of 30°16'21" and run in a Southeasterly direction for a distance of 331.37 feet; thence turn an angle to the right of 130°35'19" and run in a Southwesternly direction for a distance of 515.56 feet; thence turn angle to the right of 10°45'08" and run in a Southwesternly direction for a distance of 180.0 feet; thence turn an angle to the right of 36°41' and run in a Northwesternly direction for a distance of 360.90 feet; thence turn an angle to the left of 91°53'12" and run in a Southwesternly direction for a distance of 145.46 feet; thence turn an angle to the left of 42°51'21" and run in a Southeasterly direction for a distance of 110.0 feet; thence turn an angle to the right of 90°40' and run in a Southwesternly direction for a distance of 428.01 feet; thence turn an angle to the right of 89°20' and run in a Northwesternly direction for a distance of 205.0 feet; thence turn an angle to the left of 81°47'43" and run in a Southwesternly direction for a distance of 190.61 feet; thence turn an angle to the left of 10°18'34" and run in a Southwesternly direction for a distance of 320.0 feet; thence turn an angle to the right of 27°35'14" and run in a Westerly direction for a distance of 122.11 feet; thence turn an angle to the right of 33°24'37" and run in a Northwesternly direction for a distance of 310.0 feet to a point on a curve, said curve being concave in a Westerly direction and having a central angle of 69°36'11" and a radius of 313.14 feet; thence turn an angle to the right (67°20'25" to the chord of said curve) and run in a Northeasterly and Northerly direction along the arc of said curve for a distance of 374.94 feet to the point of ending of said curve; thence run in a Northwesternly direction along a line tangent to the end of said curve for a distance of 712.23 feet; thence turn an angle to the right of 5°03'16" and run in a Northerly direction for a distance of 186.83 feet; thence turn an angle to the left of 20°02'19" and run in a Northwesternly direction for a distance of 280.0 feet, more or less to a point on the South right of way line of Shelby County Highway No. 52; thence turn an angle to the right and run in a Northeasterly direction along said South right of way line of Shelby County Highway No. 52 for a distance of 1667.56 feet, more or less, to the point of beginning.



PARCEL II

Part of the East 1/2 of the NE 1/4 of Section 20, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

From the NE corner of said Section 20, run in a Westerly direction along the North line of said section for a distance of 253.28 feet to the point of beginning; thence continue in a Westerly direction along the North line of said section for a distance of 50.16 feet; thence turn an angle to the left of 39°04'22" and run in a Southwesterly direction for a distance of 382.72 feet; thence turn an angle to the left of 90° and run in a Southeasterly direction for a distance of 280.0 feet; thence turn an angle to the right of 68°25'06" and run in a Southwesterly direction for a distance of 105.86 feet; thence turn an angle to the right of 19°34'54" and run in a Southwesterly direction for a distance of 360.0 feet; thence turn an angle to the left of 11°0' and run in a Southwesterly direction of a distance of 430.0 feet; thence turn an angle to the left of 51°25'45" and run in a Southeasterly direction for a distance of 509.43 feet; thence turn an angle to the left of 107°06'06" and run in a Northeasterly direction for a distance of 780.36 feet; thence turn an angle to the left of 60°55'13" and run in a Northerly direction for a distance of 1225.09 feet, more or less, to the point of beginning.

PARCEL III

Lots 401, 404, 405, 423, 424 and 428 according to the Survey of Old Cahaba Lakewood Sector as recorded in Map Book 25, Page 26 in the Office of the Judge of Probate of Shelby County, Alabama.

PARCEL IV

Lots 805, 809 and 810 according to the Survey of Old Cahaba, Sector 8 as recorded in Map Book 26, Page 3 in the Office of the Judge of Probate of Shelby County, Alabama.