

IN THE CIRCUIT COURT FOR SHELBY COUNTY, ALABAMA

Robert F. King and Donna A.  
King, Trustees under the Robert  
F. King Living Trusts,

Plaintiffs,

vs.

Case No.: CV-03-474

From the Southwest corner of the Southeast  
1/4 of the Northwest 1/4 of Section 13,  
Township 19 South, Range 2 West,  
Shelby County, Alabama, run thence in a  
Northerly direction along the West line of  
said 1/4-1/4 Section for a distance of 668.86  
feet; thence turn an angle to the right  
of 92 degrees 19 minutes 23 seconds and  
run in an Easterly direction for a distance  
of 356.41 feet to the point of beginning of  
parcel herein described; thence continue  
Eastward along the same course as before  
328.91 feet; thence turn an angle to the  
right of 62 degrees 53 minutes 23 seconds  
and run in a Southeasterly direction  
for 224.30 feet and radial to a curve running  
Southwesterly, thence run Southwesterly  
along the arc of a curve for 54.88 feet to the  
end of said curve having a radius of 25.00  
feet, a central angle of 90 degrees 00 minutes  
and being concave Northwesterly; thence  
run in a Westerly direction tangent to last  
said curve and along the North right-of-way  
line of Surry Lane for a distance of 218.03  
feet; thence run Northwesterly along the arc  
of a curve in Surry Lane for a distance of  
166.05 feet, said curve having a radius of  
211.42 feet, a central angle of 45 degrees  
00 minutes and being concave Northeasterly;  
thence run in a Northwesterly direction along  
said North right-of-way line tangent to said  
curve for 154.59 feet; thence turn an angle to  
the right of 90 degrees 00 minutes and run  
Northeasterly for a distance of 138.48 feet to  
the point of beginning;

✓  
James R. Moncus Jr.

and James David Weaver and Pamela )  
 Weaver and First Family Financial )  
 Services, Inc. and AllState Insurance )  
 Company, their heirs, successors and/or )  
 assigns and XYZ, the person, firm or )  
 corporation who may claim thereunder, )  
 whose names are not otherwise known but )  
 will be added by amendment when )  
 ascertained, and Any and All Known )  
 Parties, including any persons claiming )  
 any future contingent, reversionary, )  
 remainder or other interest therein, who )  
 may claim any interest in the above )  
 described real property, located in )  
 Shelby County, Alabama to-wit: )  
 )  
 Defendants. )

### NOTICE BY PUBLICATION AND LIS PENDENS

Take Notice: that on the 18<sup>th</sup> day of April, 2003, Robert F. King and Donna A. King, trustees under the Robert F. King Living Trust, as Plaintiffs filed their Verified Petition against the above named Defendants in the Circuit Court of Shelby County, Alabama in Case No.: CV 03-474 seeking to Quiet Title and establish titles in Plaintiffs and by In Rem Decree/Order as tot eh above described Real Property, the Plaintiffs allege in said Petition that they are owners in fee simple of the above described real property by and through those instruments recorded in Instruments Tax Deed (Inst. #1998-20064), Quit Claim Deed (Inst. #1995-15903), and they have been in exclusion actual, peaceable, notorious adverse possession and have paid property taxes thereon continuous since 1994 next preceding this filing of this Petition and received a property tax deed on subject property on the 1<sup>st</sup> day of June, 1998, after having purchased said subject property at a tax sale on the 17<sup>th</sup> day of May, 1995.

That on to-wit: September 5, 1990, First Family Financial Services, Inc. recorded a mortgage against said property, said mortgage being recorded in Real Volume 310, Page 309, in the Probate Office of Shelby County, Alabama.

That: Allstate Insurance Company obtained Assignment of Mortgage from Goldome Credit Corporation said Assignment being recorded at 1996-16213, in the Probate Office of Shelby County, Alabama and First Family Financial Services, Inc. said Assignment being recorded in Instrument 1995-13576, that said mortgages described above assigned to AllState Insurance Company were satisfied and released by AllState Insurance Company, on or about June 3, 1996.

It appearing to the clerk that the residence addresses and whereabouts of the unknown Defendants, their assigns, heirs, devisees and next of kin, if deceased and the identity and whereabouts of any and all person claiming or reputed to claim any title to, interest in or encumbrance

upon said land as any part thereof, is unknown to Complainant and cannot be ascertained after the exercise of reasonable effort and diligence.

It is therefore Ordered and Decreed by the Clerk that Publication be made in the Shelby County Reporter, a newspaper published and having general circulation in Shelby County, Alabama, the County wherein the land is situated, once a week for four (4) consecutive weeks, requiring Defendants named in said verified Petition to Quiet Title, to answer or otherwise plead to the said Verified Petition to Quiet Title within thirty (30) days from the 18 day of April, 2003, or in default thereof to obtain a Judgment of Default or Decree Pro Confesso to be taken against them.

It is further Ordered that a copy of this Notice, certified by the undersigned Clerk as being correct, shall also be recorded as a Lis Pendens in the Office of the Judge of Probate of Shelby County, Alabama.

Done this 18<sup>th</sup> day of April, 2003.

Mary H Harris me  
Clerk

✓ James R. Moncus, Jr.  
James R. Moncus, Jr., LLC  
1313 Alford Avenue  
Birmingham, Alabama 35226  
Attorney for Plaintiff