

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

In re:	)	
	)	
Royal Construction and Development,	)	
Inc., and Nathan E. Gilbert,	)	
	)	Bankruptcy Case Number:
Debtors.	)	
	)	00-00794-BGC-7
Max C. Pope, Trustee,	)	00-00795-BGC-7
	)	
Plaintiff,	)	Jointly Administered
	)	
vs.	)	
	)	Adversary Proceeding Number:
Hiram Gregory Gilbert, a.k.a.	)	
Greg Gilbert and American Land	)	01-00133
Management Corporation, a.k.a.	)	
American Land Developement	)	
	)	
Defendants.	)	

**RELEASE OF LIS PENDENS**

Comes now K. Edward Sexton, II, and on behalf of Max Pope, United States Bankruptcy Trustee hereby releases the Lis Pendens previously filed against American Land Management Corporation, a.k.a. American Land Development and Hiram Gregory Gilbert. Said Lis Pendens which is hereby released was recorded in instrument number 2001-10664 on March 23, 2001 and affects the following properties,

Parcel I:

Lot 7-A, according to the survey of Weatherly Club Drive, Sector 14, as recorded in Map Book 19, Page 87, in the Probate Office of Shelby County, Alabama.

Parcel II:

Lots 17, 18, 19 and 103, according to the survey of Balentree Lake, First Addition, as recorded in Map Book 22, Page 80 in

the Probate Office of Shelby County, Alabama.

Parcel III:

See legal description attached hereto as Exhibit "A"

Parcel IV:

See legal description attached hereto as Exhibit "B"

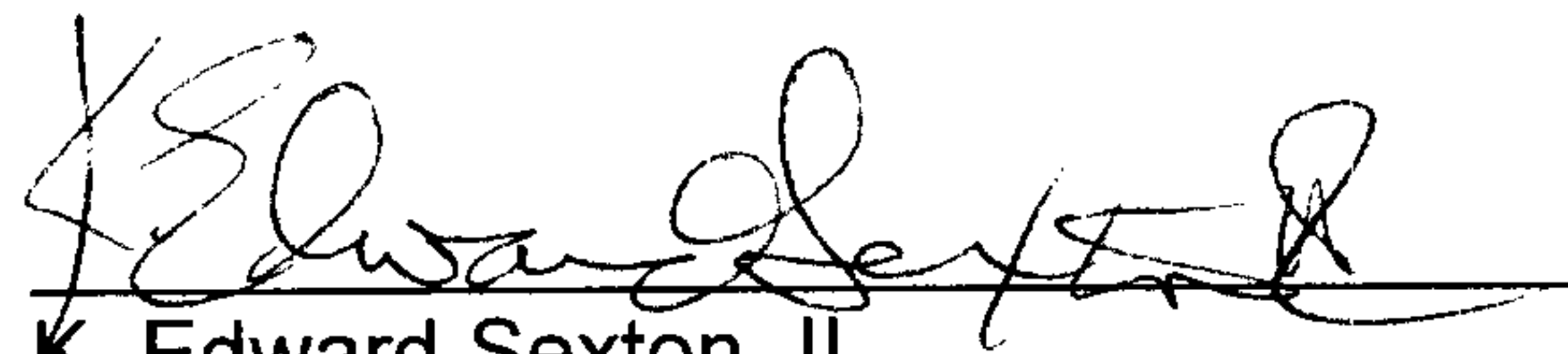
Parcel V:

See legal description attached hereto as Exhibit "C"

Parcel VI:

See legal description attached hereto as Exhibit "D"

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "K. Edward Sexton, II", written over a horizontal line.

K. Edward Sexton, II  
Attorney for Max C. Pope, United States  
Bankruptcy Trustee

This instrument was prepared by:

K. Edward Sexton, II  
Evans & Sexton, P.C.  
1736 Oxmoor Road, Suite 101  
Birmingham, Alabama 35209  
(205)870-1970

Part of the SE 1/4 of Section 21, and part of the SW 1/4 of Section 22, both in Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

From the NW corner of the SW 1/4 of said Section 22, run in a southerly direction along the west line of said 1/4 section for a distance of 596.50 feet to a point on the north line of Lot 8A, Resurvey of Lots 7-26, Wyndham Townhomes, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 24, page 15, and being the point of beginning; thence turn an angle to the left of 98 degrees 05 minutes 52 seconds and run in a northeasterly direction along the north line of Lots 8A through 13A of said Wyndham Townhome Subdivision for a distance of 117.62 feet to an existing iron rebar; thence turn an angle to the left of 72 degrees 05 minutes 11 seconds and run in a northeasterly direction for a distance of 190.45 feet to an existing iron rebar; thence turn an angle to the left of 94 degrees 50 minutes 39 seconds and run in a northwesterly direction for a distance of 7.83 feet to an existing cross cut in concrete; thence turn an angle to the right of 88 degrees 55 minutes 08 seconds and run in a northerly direction for a distance of 97.72 feet to an existing iron rebar being on the south line of the Resurvey of Brookline subdivision, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 10, page 93; thence turn an angle to the left of 92 degrees 27 minutes 54 seconds and run in a westerly direction along the south line of said Resurvey of Brookline property, being the south line of Lots 38 through 31, for a distance of 433.44 feet to an existing iron rebar; thence turn an angle to the left of 44 degrees 26 minutes 28 seconds and run in a southwesterly direction along the southeast line of Lot 29 of said Resurvey of Brookline for a distance of 21.07 feet to an existing iron rebar; thence turn an angle to the left of 57 degrees 42 minutes 15 seconds and run in a southerly direction along the east line of Lot 28 of said Brookline subdivision for a distance of 153.25 feet to the most southerly corner of said Lot 28 and being marked by an existing iron rebar and being on a curved easterly right of way line of Wyndham Parkway, said right of way line being concave in a southwesterly direction and having a central angle of 35 degrees 32 minutes 22 seconds and a radius of 260.0 feet; thence turn an angle to the left (10 degrees 19 minutes 04 seconds to the chord of said curve) and run in a southeasterly and southerly direction along the arc of said curve for a distance of 161.27 feet to an existing iron rebar set by Laurence D. Weygand and being on the north line of Lot 1, Wyndham Townhomes, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 22, Page 124; thence turn an angle to the left (67 degrees 53 minutes 35 seconds from last mentioned chord) and run in an easterly direction along the north line of Lot 1 and Lot 2A, 3, 4, 5A, 6A and 7A, of said Wyndham Townhomes, for a distance of 191.18 feet to an existing iron rebar; thence turn an angle to the left of 9 degrees 10 minutes 14 seconds and run in a northeasterly direction for a distance of 24.59 feet, more or less, to the point of beginning.

Minerals and mining rights excepted.

Inst # 1999-47744

11/23/1999-47744  
10:03 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
RDE CJL 12.00

T0000059

190,000.00

*Wyndham Cottages Phase II*

Part of the SE 1/4 of Section 21 and part of the SW 1/4 of Section 22, all in Township 20 South, Range 3 West, Shelby County, Alabama, begin more particularly described as follows:

From the NW corner of the SW 1/4 of said Section 22, run in a Southerly direction along the West line of said 1/4 section for a distance of 596.50 feet to the point of beginning; thence turn an angle to the right of 81 degrees 54 minutes 08 seconds and run in a Westerly direction for a distance of 24.59 feet; thence turn an angle to the right of 8 degrees 56 minutes 29 seconds and run in a Westerly direction for a distance of 191.46 feet to a point on a curve being marked by an existing capped iron rebar by Paragon Engineering, said curve being concave in a Westerly direction and having a central angle of 1 degrees 18 minutes 31 seconds and a radius of 260.0 feet; thence turn an angle to the left (94 degrees 17 minutes 31 seconds to the tangent) and run in a Southerly direction along the arc of said curve for a distance of 5.94 feet to the point of ending of said curve; thence run in a Southerly direction along a line tangent to the end of said curve for a distance of 287.13 feet; thence turn an angle to the left of 95 degrees 57 minutes 29 seconds and run in an Easterly direction for a distance of 693.86 feet to an existing iron rebar set by Paragon Engineering; thence turn an angle to the left of 48 degrees 25 minutes 56 seconds and run in a Northeasterly direction for a distance of 243.53 feet; thence turn an angle to the left of 122 degrees 16 minutes 21 seconds and run in a Westerly direction for a distance of 120.16 feet; thence turn an angle to the right of 122 degrees 16 minutes 49 seconds and run in a Northeasterly direction for a distance of 101.0 feet; thence turn an angle to the left of 134 degrees 00 minutes 49 seconds and run in a Westerly direction for a distance of 142.46 feet; thence turn an angle to the left of 0 degrees 31 minutes 15 seconds and run in a Westerly direction for a distance of 181.57 feet; thence turn an angle to the right of 2 degrees 57 minutes 32 seconds and run in a Westerly direction for a distance of 236.15 feet, more or less, to the point of beginning.

Minerals and mining rights excepted.

Inst # 1999-47746

This commitment is invalid unless the insuring provisions and Schedule A and B are attached.

11/23/1999-47746  
10:03 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CJ1 12.00

T0000062

Ln # 16490



42,000.00

## EXHIBIT 6

## Description of Wyndham Wilkerson Sector Phase VI

Part of the SE ¼ of Section 21, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at an existing iron rebar being the northeast corner of Lot 271, Wyndham Wilkerson Sector Phase III, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 24, Page 66, run in a southerly direction along the east line of Lot 271, 270 and 269 of said subdivision for a distance of 121.11 feet to an existing iron rebar set by Laurence D. Weygand and being on the east line of said Lot 269; thence turn an angle to the left of  $147^{\circ}-50'-38''$  and run in a northeasterly direction along the northwest right-of-way line of the 60 foot Plantation Pipeline Company easement for a distance of 443.2 feet to an existing iron rebar set by Laurence D. Weygand and being on the south line of Lot 211, Wyndham Wilkerson Sector Phase II, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 23, Page 117; thence turn an angle to the left of  $122^{\circ}-09'-22''$  and run in a westerly direction along the south line of Lots 211, 212, 213, 214, 215 and 216 of said Wyndham Wilkerson Sector Phase II for a distance of 235.88 feet to an existing iron rebar being the northeast corner of Lot 276, Wyndham Wilkerson Sector Phase III, as recorded in the Office of the Judge of Probate, Shelby County, Alabama in Map Book 24, Page 66; thence turn an angle to the left of  $90^{\circ}$  and run in a southerly direction along the east line of Lot 276, 275 and 274 of said Wyndham Wilkerson Sector Phase II for a distance of 120.0 feet to the southeast corner of said Lot 274; thence turn an angle to the left of  $58^{\circ}-52'-49''$  and run in a southeasterly direction for a distance of 20.46 feet to an existing iron rebar set by Laurence D. Weygand and being on a curve, said curve having a radius point along a southeasterly extension of the last mentioned line and being 50 feet from last mentioned iron rebar and said curve being concave in a southeasterly direction; thence turn an angle to the right and run in a southeasterly and southerly direction along the arc of said curve for a distance of 41.65 feet to a point of reverse curve, said newest curve being concave in a westerly direction and having a central angle of  $81^{\circ}-47'-13''$  and a radius of 25.0 feet; thence turn an angle to the right and run in a southerly and southwesterly direction along the arc of said curve for a distance of 35.69 feet; thence turn an angle to the left and run in a southerly direction along the end of the existing road right-of-way for Wilkerson Circle as shown on Wyndham Wilkerson Sector-Phase III for a distance of 54 feet, more or less, to the point of beginning.

Inst # 1999-47748

11/23/1999-47748

10:03 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
11.00

Ln# 16488

T0000064

EXHIBIT D

LEGAL DESCRIPTION

Part of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 20, Township 20S, Range 3W, Shelby County, Alabama, being more particularly described as follows:

Beginning at an existing iron rebar, being on the south right-of-way line of Shelby County Highway #52 and the west right-of-way line of Old Cahaba Avenue, as shown on a recorded plat of Old Cahaba Winter Crest Sector, in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 24, Page 69; run thence in a southerly direction along the west right-of-way line of said Old Cahaba Avenue for a distance of 200.0 feet to an existing iron rebar being on the north line of Lot 101, Old Cahaba Winter Crest Sector; thence turn an angle to the right of  $81^{\circ} 30' 12''$  and run in a southwesterly direction along the north line of said Lot 101 for a distance of 152.62 feet to an existing iron rebar being the northeast corner of Lot 102 of Old Cahaba Winter Crest Sector; thence continue in a southwesterly direction along last mentioned course for a distance of 275.75 feet to an existing iron rebar being on the northerly line of Lot 104 of said Old Cahaba Winter Crest Sector; thence turn an angle to the left of  $20^{\circ} 45' 30''$  and run in a southwesterly direction along the northwest line of said Lot 104 and Lots 105, 106, 107, 108, 109 & 110 of said Old Cahaba Winter Crest Sector for a distance of 580.96 feet to an existing iron rebar being the most westerly corner of said Lot 110; thence turn an angle to the right of  $88^{\circ} 37' 14''$  and run in a northwesterly direction for a distance of 234.96 feet to an existing iron rebar being on the southeast right-of-way line of Shelby County Highway #52 and being on a curve, said curve being concave in a northwesterly direction and having a central angle of  $18^{\circ} 40' 55''$  and a radius of 613.64 feet; thence turn an angle to the right ( $102^{\circ} 27' 51''$  to the chord of said curve) and run in a northeasterly direction along the southeast right-of-way line of said Shelby County Highway #52 for a distance of 200.08 feet to the point of ending of said curve; thence run in a northeasterly direction along a line tangent to the end of said curve and along the southeast right-of-way line of said Shelby County Highway #52 for a distance of 390.20 feet to the point of beginning of a new curve, said newest curve being concave in a southeasterly direction and having a central angle of  $27^{\circ} 30' 40''$  and a radius of 908.05 feet; thence turn an angle to the right and run in a northeasterly and easterly direction along the arc of said curve for a distance of 436.01 feet to the point of ending of said curve; thence run in an easterly direction along a line tangent to the end of said curve and along the southerly right-of-way line of said Shelby County Highway #52 for a distance of 95.46 feet; more or less, to the point of beginning.

12/22/1999-51752  
11:03 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CJ1 12.50

T0000103