

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA



20040116000031610 Pg 1/2 14.00  
Shelby Cnty Judge of Probate, AL  
01/16/2004 13:47:00 FILED/CERTIFIED

Margaret C. Hitt, individually and as )  
Administrator of the Estate of Charles )  
Glenn Hitt )

Plaintiff, )

v. )

Homecomings Financial )

Defendants. )

CIVIL ACTION NO: CV-2003-1396

**Lis Pendens**

Comes now the Plaintiff, Margaret C. Hitt ("Plaintiff"), by and through her attorney, and files this Notice of Lis Pendens and states as follows:

1. The following persons, incorporation, and/or entities are parties to the above captioned cause or may have an interest therein:

- A. Margaret C. Hitt, individually and as the Administrator of the estate Of Charles Glenn Hitt.
- B. Charles Glenn Hitt, deceased, also known as C. Glenn Hitt.
- C. Homecomings Financial, also known as Homecomings Financial Network, Inc., and/or GMAC.
- D. Community Bank of Virginia
- E. Washington Mutual Bank, FA

2. The following described real estate is at issue in the above captioned Cause:

128 Cedar Bend Drive, Helena, Alabama 35080; legally described as:  
All that certain parcel of land situate in the County of Shelby, State of Alabama being known and designated Lot 1, in block 1, according to the survey of Cedar Bend, Phase 1, as recorded in Map Book 17, Page 139, in the Probate Office of Shelby County, Alabama

3. The above captioned cause pertains to the validity of a mortgage executed by Charles Glenn Hitt, also known as C. Glenn Hitt, on or about June 13, 2001 in favor of Community Bank of Northern Virginia. Said mortgage being later assigned to The

Chase Manhattan Bank as Indenture Trustee and Homecomings Financial. Said mortgage was executed against real property that was the principal residence of Charles Glenn Hitt and his wife, Margaret C. Hitt. This mortgage is void as a matter of law, in that the homestead of Margaret C. Hitt was mortgaged without her knowledge and/or consent.

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Respectfully submitted,



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Attorney for Plaintiff

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