

STATE OF ALABAMA)
COUNTY OF SHELBY)

This instrument was prepared by
BRUCE L. GORDON, ESQ.
600 University Park Place
Suite 350
Birmingham, AL 35209

VERIFIED CLAIM OF LIEN

Alabama Marble, Inc. ("AMI"), a Corporation organized under the laws of the State of Alabama, by and through Bruce L. Gordon, its Attorney-In-Fact, who has personal knowledge of the facts herein set forth, files this statement in writing, verified by his oath. AMI claims a lien upon certain real property known as the Smith Residence and located at 182 Birch Creek Drive, Birmingham, Alabama, Shelby County, which includes (on information and belief only) property more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT A

This lien is claimed, separately and severally, as to the land, buildings and improvements thereon to the extent of the entire lot or parcel which is contained within a city or town. If said land is not within a city or town, this lien is claimed, separately and severally, as to the buildings and improvements located on the above-described real property, plus one (1) acre of land surrounding and contiguous thereto.

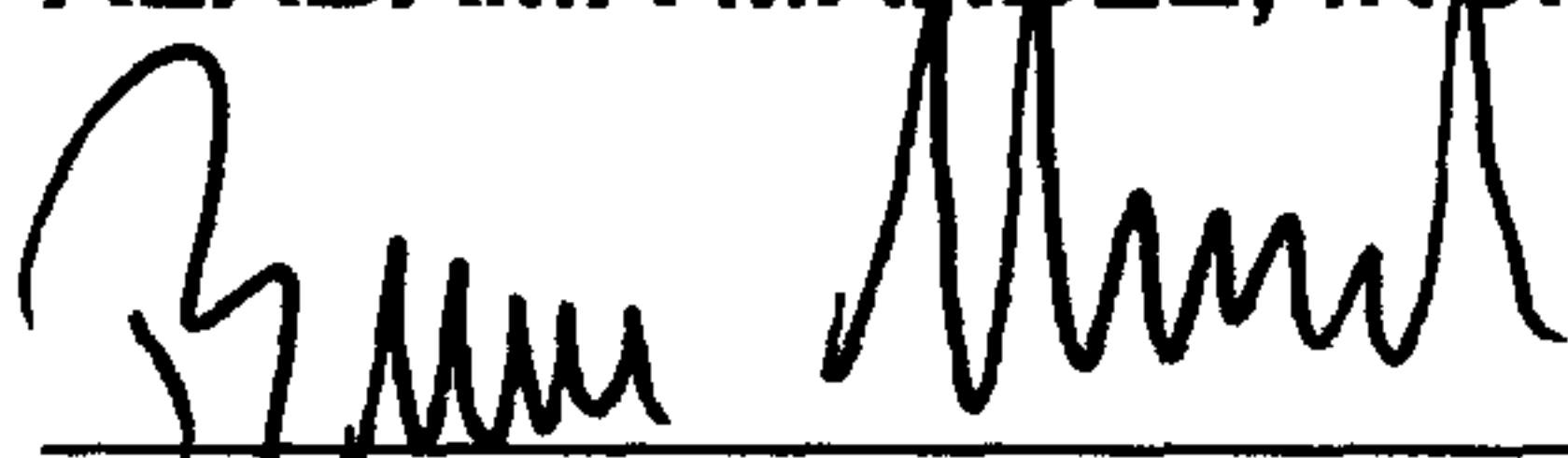
This lien is claimed on the above-mentioned land, buildings and improvements to secure the indebtedness owed by H & P Custom Homes, Inc. in the amount of Four Thousand Eight Hundred Seven and NO/100 Dollars (\$4,807.00), plus fees and cost, said sum being due and owing after all credits have been given, from the 2nd day of February, 2004, and which sum is presently due and unpaid.

This sum of money is due and owing for materials and labor supplied by AMI, said materials and labor being used for the construction and/or improvements on the above-

described real property.

The Owners or proprietors of the above-described real property are: Greg Smith and Rhonda Smith with Merchant's Bank securing a Mortgage on such property.

ALABAMA MARBLE, INC.



BRUCE L. GORDON (GOR004)

Its: Attorney-In-Fact

STATE OF ALABAMA

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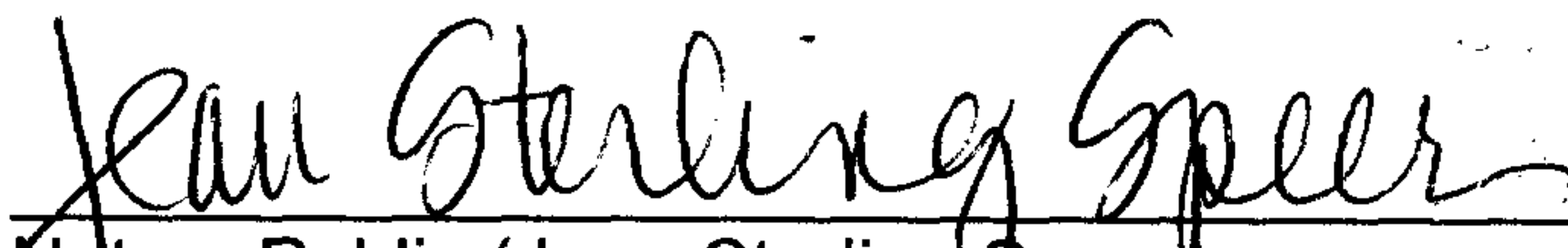
COUNTY OF JEFFERSON

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I, Jean Sterling Speer, a Notary Public in and for said County, in said State, hereby certify that, Bruce L. Gordon whose name as Attorney-In-Fact for Alabama Marble, Inc. is signed to the foregoing Verified Claim of Lien and who is known to me, acknowledged before me on this day that, being informed of the contents of the Verified Claim of Lien, he, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this the 2nd day of February, 2004.



Notary Public (Jean Sterling Speer)

My Commission Expires: 11-13-2005

0289.0001

Exhibit "A"

182 Birch Creek Drive
Birmingham, Alabama 35242

Lot 19, according to the Survey of Birch Creek Subdivision,
as recorded in Map Book 27, Page 143,
in the Probate Office of Shelby County, Alabama,
as situated in Shelby County, Alabama