


STATE OF ALABAMA )  
COUNTY OF Shelby )

  
20070822000396050 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
08/22/2007 11:17:27AM FILED/CERT

### VERIFIED CLAIM OF LIEN

Stanley Smith Drywall, Inc., with its principal place of business at 4276 Highway 39, Chelsea, Alabama 35043, by and through Edward P. Meyerson, Attorney-in-Fact, who has personal knowledge of the facts herein set forth, and that the same are true and correct to the best of his knowledge and belief, files this statement in writing, verified under oath.


Stanley Smith Drywall, Inc. claims a lien upon certain real property owned by Continental 120 Fund, LLC, situated in Shelby County, Alabama, more particularly located at 7278 Cahaba Valley Road, Birmingham, Alabama 35242-6485. Upon information and belief, the property is more particularly described in the legal description attached hereto as **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-described land, buildings and improvements to secure the indebtedness owed by Hathaway Development Company, Inc. in the amount of \$131,086.30, plus interest, attorney's fees, and costs, said sum being due and owing after all credits have been given, from the 23<sup>rd</sup> day of April, 2007, which was the last day that work, labor, or materials were utilized in the improvement of the property, and which sum, plus attorney's fees and interest thereon, is presently due and unpaid.

This sum of money is due and owing for materials, work and labor supplied by Stanley Smith Drywall, Inc., said materials and labor being used for improvements on the above-

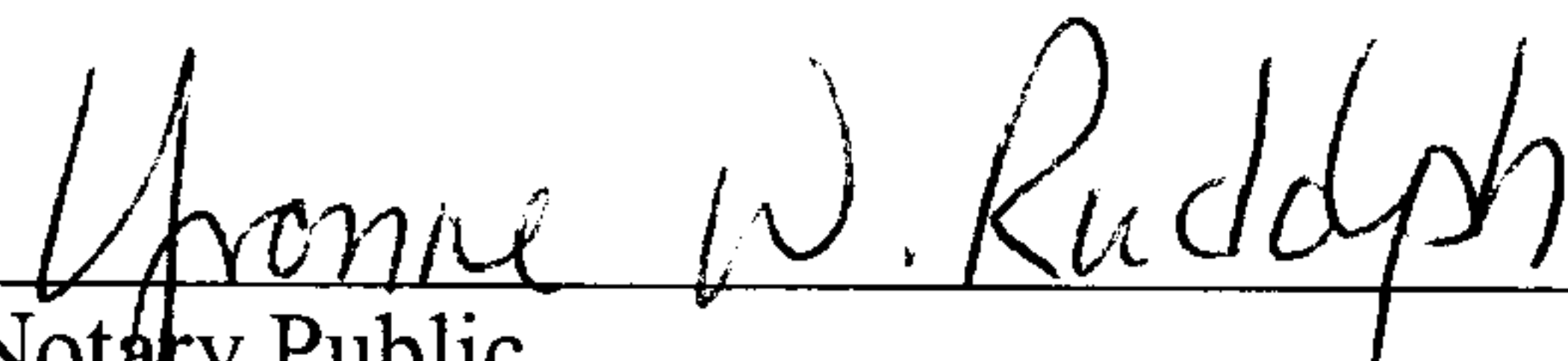
described real property. M & I Marshall & Ilsley Bank holds the mortgage on the above-  
described real property.

  
EDWARD P. MEYERSON  
Attorney-In-Fact for Stanley Smith Drywall, Inc.

STATE OF ALABAMA                    )  
COUNTY OF JEFFERSON            )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that, Edward P. Meyerson, Attorney-In-Fact for Stanley Smith Drywall, Inc. signed the foregoing Verified Claim of Lien, and who is known to me, subscribed and sworn to before me on this day that being informed of the contents of the Verified Claim of Lien, he, in his capacity as Attorney-In-Fact 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 21<sup>st</sup> day of August, 2007.

  
Notary Public

My Commission Expires: \_\_\_\_\_

**My Commission  
expires June 6, 2009**

*This Instrument Prepared By:*

Edward P. Meyerson, Esq.


BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, P.C.

1600 Wachovia Tower

420 North 20<sup>th</sup> Street

Birmingham, AL 35203

## **EXHIBIT "A"**

  
20070822000396050 3/3 \$17.00  
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**Lot 1, according to the Survey of Springs @ Greystone, as recorded in Map Book 35, page 96, in the Probate Office of Shelby County, Alabama.**

### **TOGETHER WITH:**

**A permanent grading easement lying in Section 29, Township 18 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:**

**Commencing at the Northeast corner of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 29; thence run South 00°14'00" West along the East line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  for a distance of 104.72 feet to the Point of Beginning; thence South 65°05'02" East leaving said East line a distance of 22.01 feet to a point; thence South 00°14'00" West for a distance of 220.45 feet to a point; thence run North 53°31'37" West a distance of 24.80 feet to a point on said East line; thence North 00°14'00" East for a distance of 214.99 feet to the Point of Beginning.**