

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

FREEDOM LAND DEVELOPERS, LLC,
An Alabama Limited Liability Company,

Plaintiff,

vs.

SAMUEL ALLEN,

Defendants.

CV-to be determined

NOTICE OF LIS PENDENS

Notice is hereby given: that the above referenced entity noted as Plaintiff above is property owner of the property described in Exhibit "A"; that the parties named as Defendants above are believed by the Plaintiff to be the owner of a contiguous tract of land described in Exhibit "B"; that the Plaintiff asserts a right, interest, and claim to the structural improvement(s) or a portion thereof as said improvement(s) encroach onto the property of the Plaintiff's as denoted in the survey map attached as Exhibit "C". The Plaintiff files this notice in assertion of its claim and its intent to establish the true and correct boundary line between the adjacent properties and for the purpose of putting any prospective purchasers on notice of this conflict. The undersigned counsel has discussed this issue in detail with the Defendant's realtor but to date, has been unable to work towards an amicable resolution.

Done this the 21 day of November, 2007.



Christopher R. Smitherman
Counsel for the Plaintiff
725 West Street
Montevallo, AL 35115
205-665-4357

EXHIBIT "A"

Parcel 28-5-21-4-401-021.000
Deed Book 350
Pg 884

BEGINNING at the interesection of 17th Avenue (Gardner) and Ninth Street (Gilmer), thence S 89°47'38" E a distance of 150.00 feet to a capped rebar set; thence S 0°17'34" W a distance of 180.00 feet to a capped rebar set; thence N 89°47'38" W a distance of 75.00 feet to a capped rebar set; thence N 0°17'34" E a distance of 70.00 feet to a capped rebar set; thence N 89°47'38" W a distance of 75.00 feet to a capped rebar set; thence N 0°17'34" E a distance of 110.00 feet; to the point and place of BEGINNING.

Containing 0.50 acres, more or less:



20071127000538650 3/4 \$20.00
Shelby Cnty Judge of Probate, AL
11/27/2007 01:26:20PM FILED/CERT

EXHIBIT "B"

BEGINNING AT POINT 150 FEET E OF NW CORNER OF BLOCK 204 AND RUN SOUTH 180 FEET, EAST 50 FEET, NORTH 180 FEET, WEST 50 FEET, TO BEGINNING DUNSTON'S MAP OF CALERA, ALABAMA.

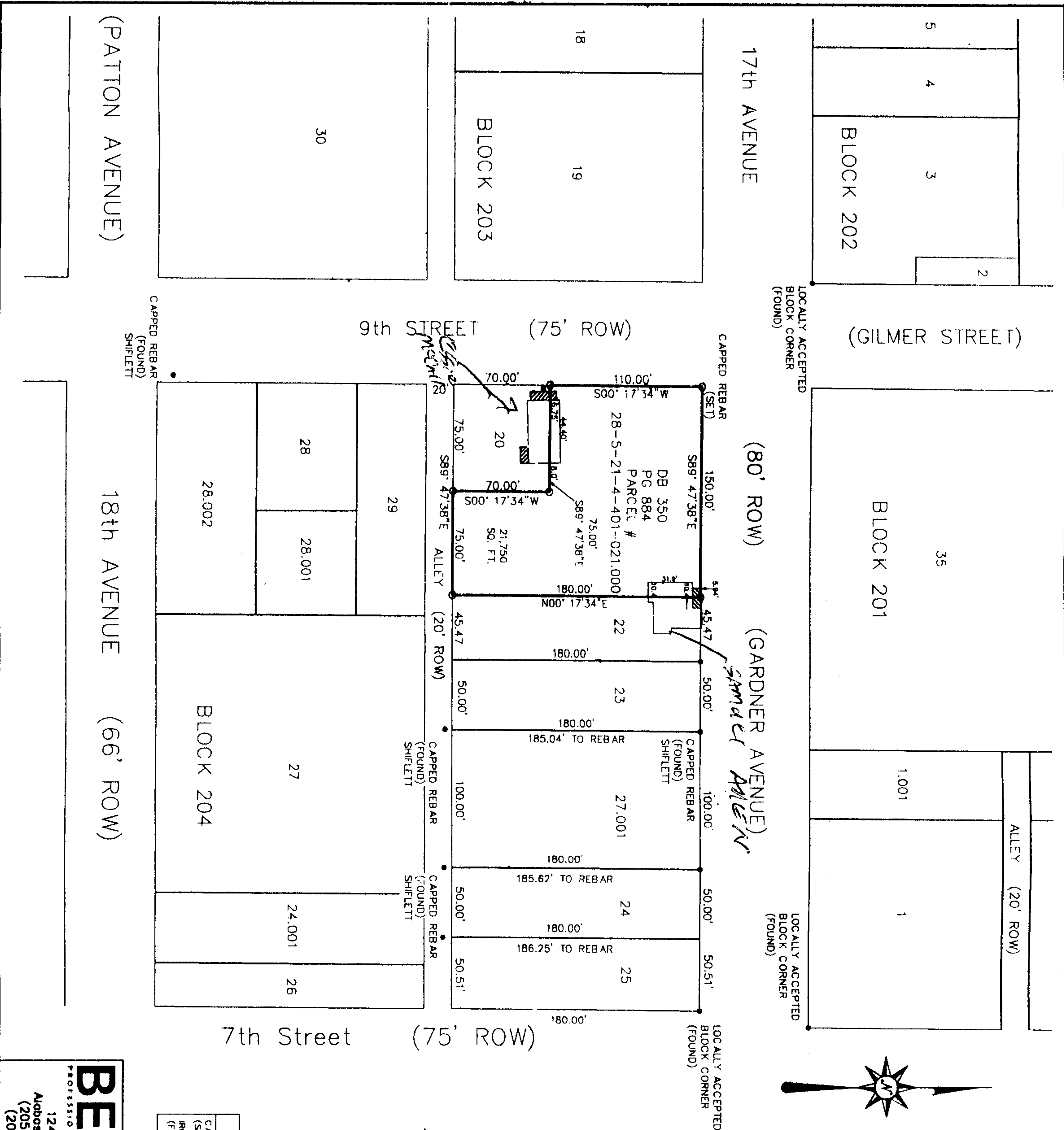
SITUATED IN SHELBY COUNTY, ALABAMA.

This being that same property conveyed to Samuel Allen, by deed dated 3/17/1951, filed 8/25/1952 in Book 154 Page 557



20071127000538650 4/4 \$20.00
Shelby Cnty Judge of Probate, AL
11/27/2007 01:26:20PM FILED/CERT

EXHIBIT "C"



STATE OF ALABAMA
COUNTY OF SHELBY

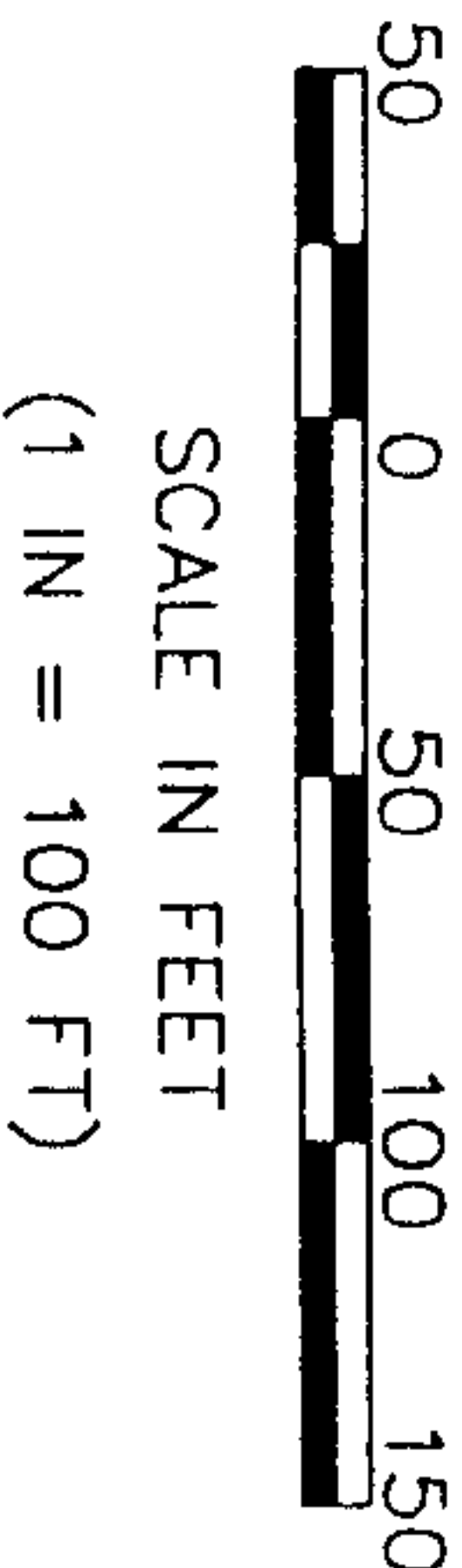
I, ROBERT F. WEIMORTS, JR., A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY CERTIFY (OR STATE) THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, FOR A PARCEL OF LAND SITUATED IN THE SE 1/4 OF SE 21, TOWNSHIP 22 SOUTH, RANGE 2 WEST, AND THAT THIS IS A AND CORRECT PLAT OF PARCEL 28-5-21-4-401-021.000, SHELBY COUNTY, ALABAMA.

I FURTHER STATE, THAT I HAVE CONSULTED THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP(S) (FIRM), AND FOUND THE ABOVE DESCRIBED PROPERTY, TO BE WITHIN THE FLOOD AREAS OF ZONE "A" AS DEPICTED ON FIRM PANEL NO. 01177C 0507D AND BEARING AN EFFECTIVE DATE OF SEPTEMBER 29, 2006.

I FURTHER STATE THAT THE BUILDINGS ON SAID PREMISES ARE WITHIN THE LINES OF SAME AND THERE ARE NO VISIBLE ENCROACHMENTS OF BUILDINGS, RIGHT OF WAYS, EASEMENTS, OR JOINT DRIVEWAYS OVER OR ACROSS SAID LAND EXCEPT THOSE DEPICTED IN THIS DRAWING.

Robert F. Weimorts, Jr., PLS
AL Reg # 23008

LEGEND	
CAPPED IRON (SET)	○
IRON PIN (FOUND)	●



BEACON
PROFESSIONAL SERVICES, INC.
124 Oakbrooke Lane
Alabaster, Alabama 35007
(205) 685-5300 phone
(205) 685-5303 fax

PROJECT
28-5-21-4-401-021.000
MORTGAGE SURVEY

Party Onsite: _____
Drawn by: _____
Checked by: _____
Approved by: _____
Date: 10/12/07
Type: MORTGAGE
Owner: SCOTT L. MOORE
Street Address: 883 17th St
Beating Reference: _____

