

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

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

Plaintiff,

vs.

CV-to be determined

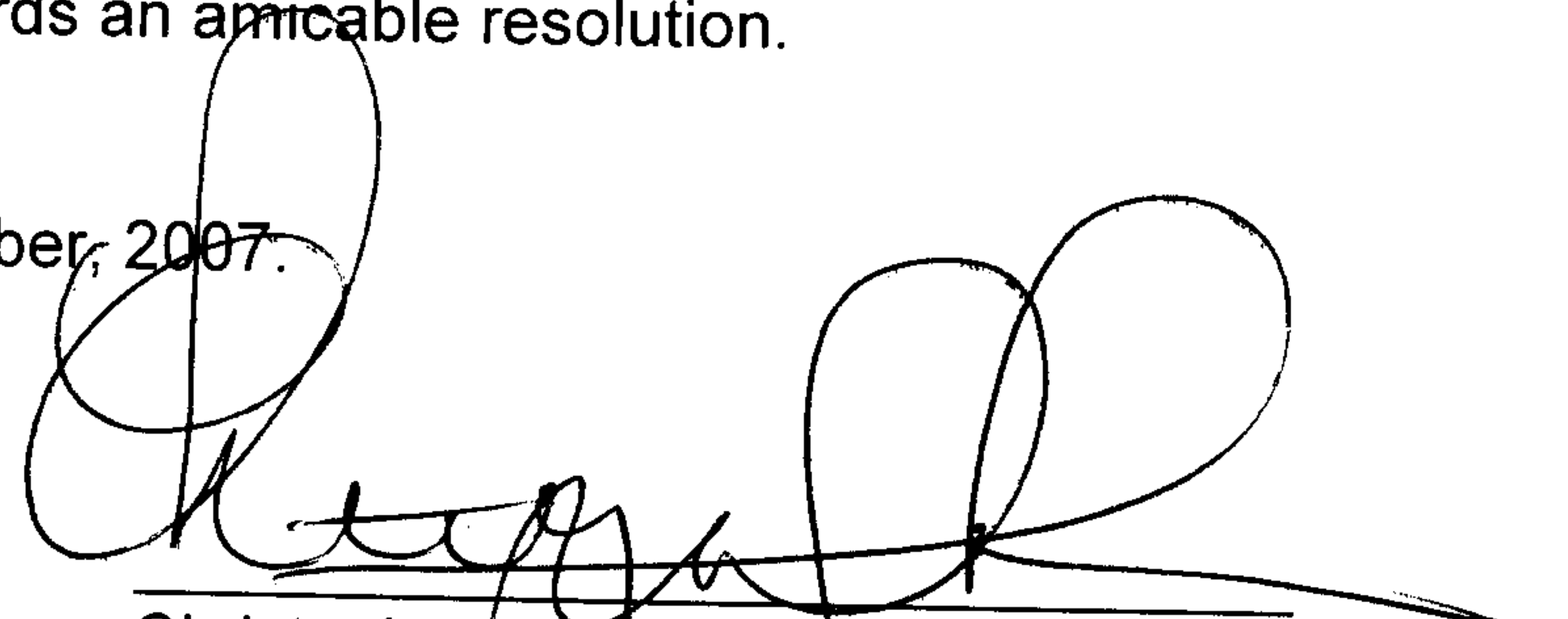
ESSIE JOHNSON MCCALL, IRENE
JOHNSON GILLILAND, AND LORA
JOHNSON KIRKLAND,

Defendants.

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 Plaintiff has sent certified mail to the Defendant Essie Johnson Macall requesting to discussed this issue in detail but to date, has been unable to work towards an amicable resolution.

Done this the 27 day of November, 2007.


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



20071127000538660 2/4 \$20.00
Shelby Cnty Judge of Probate, AL
11/27/2007 01:26:21PM FILED/CERT

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:

EXHIBIT "B"

One house and lot in Block "N" in the town
of Calera, Alabama, according to Dera's Map and survey and described
as beginning at a point 110 feet South of the Northwest corner of
Block "N" according to Dera's Map and Survey of the town of Calera,
Alabama, and on the East side of Gilmer Street, and from said point
of beginning continue thence South along the East margin of Gilmer
Street a distance of 70 feet to an alley; run thence East 75 feet
along the North side of said alley; run thence North 70 feet; run
thence West 75 feet to the point of beginning on the East Side of Gilmer
Street, and being a part of what has heretofore been known as the
Northwest quarter of Block 204 according to J.H. Dunstan's Survey and
map of the town of Calera, Alabama

SIGNED FOR IDENTIFICATION:

Nellie Johnson
Nellie Johnson, Grantor

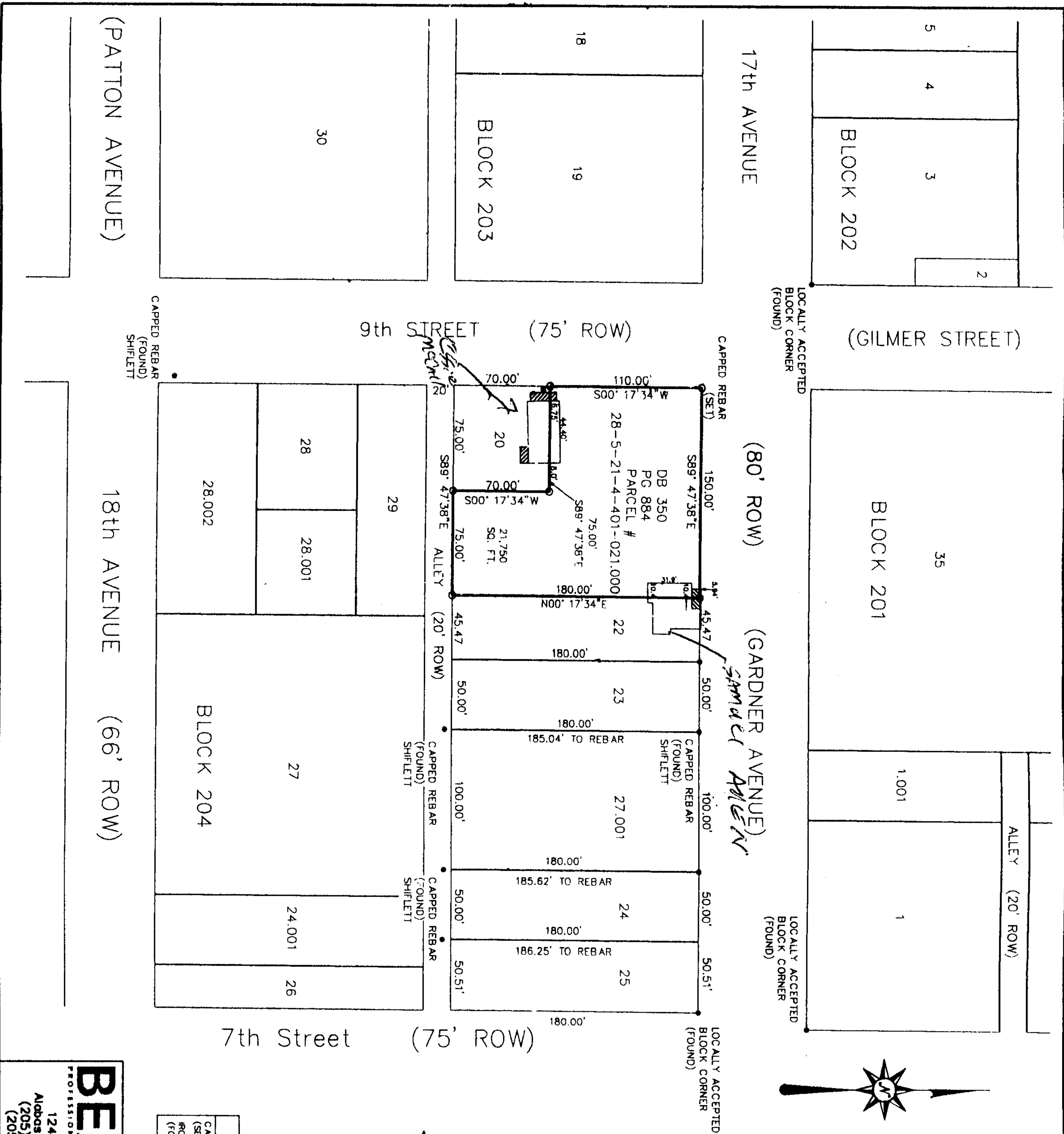
Inst # 1992-27687

11/20/1992-27687
11:34 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
10.00



20071127000538660 4/4 \$20.00
Shelby Cnty Judge of Probate, AL
11/27/2007 01:26:21PM FILED/CERT

EXHIBIT "C"



STATE OF ALABAMA
COUNTY OF SHELBY

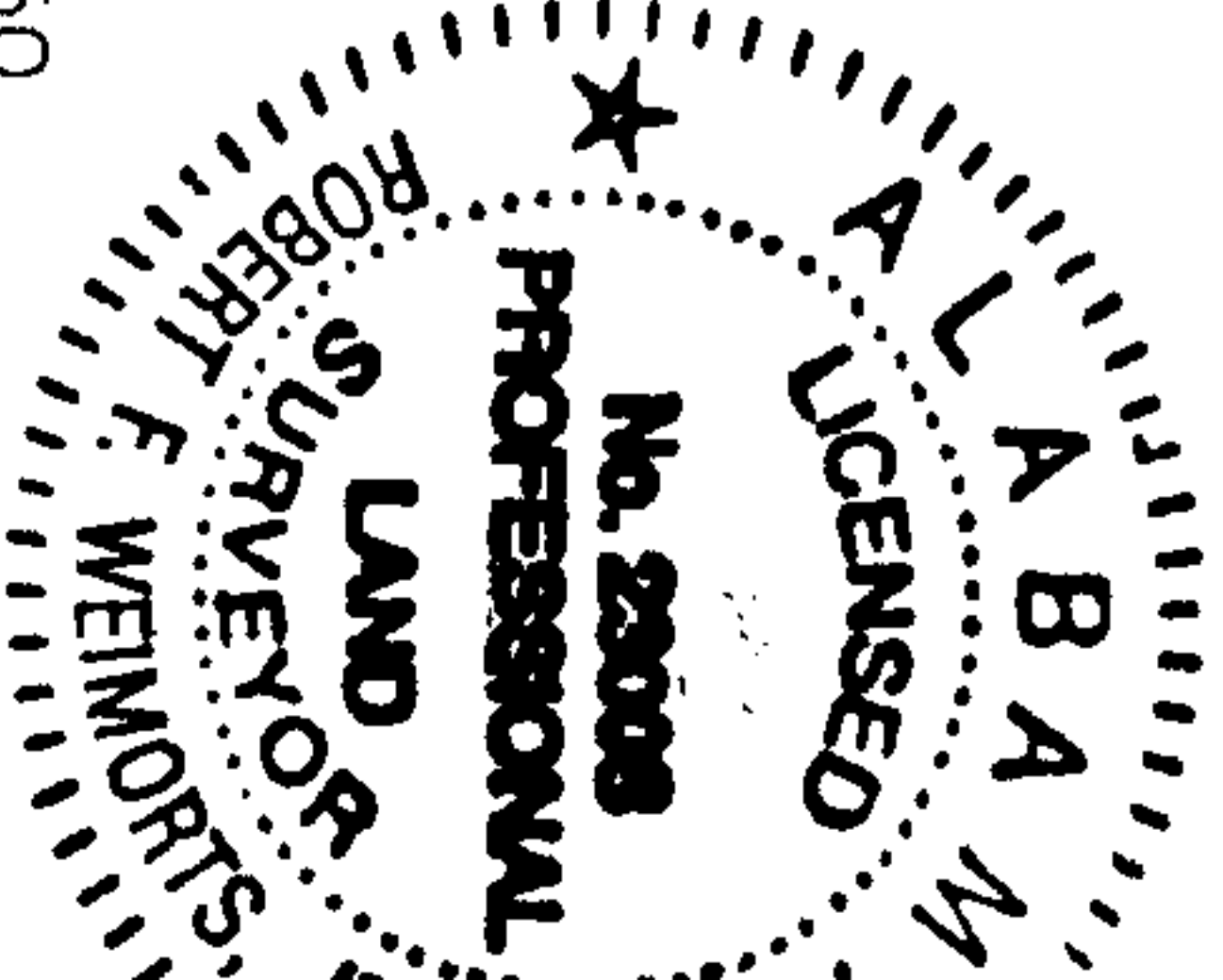
I, ROBERT F. WEIMORTS, JR., A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY CERTIFY (OR STATE) THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, TO THE BEST OF MY KNOWLEDGE, 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, BE WITHIN THE FLOOD AREAS OF ZONE "A" AS DEPICTED ON FIRM PANEL NO. 01117C 0507D AND BEARING AN EFFECTIVE DATE OF SEPTEMBER 29, 2006.

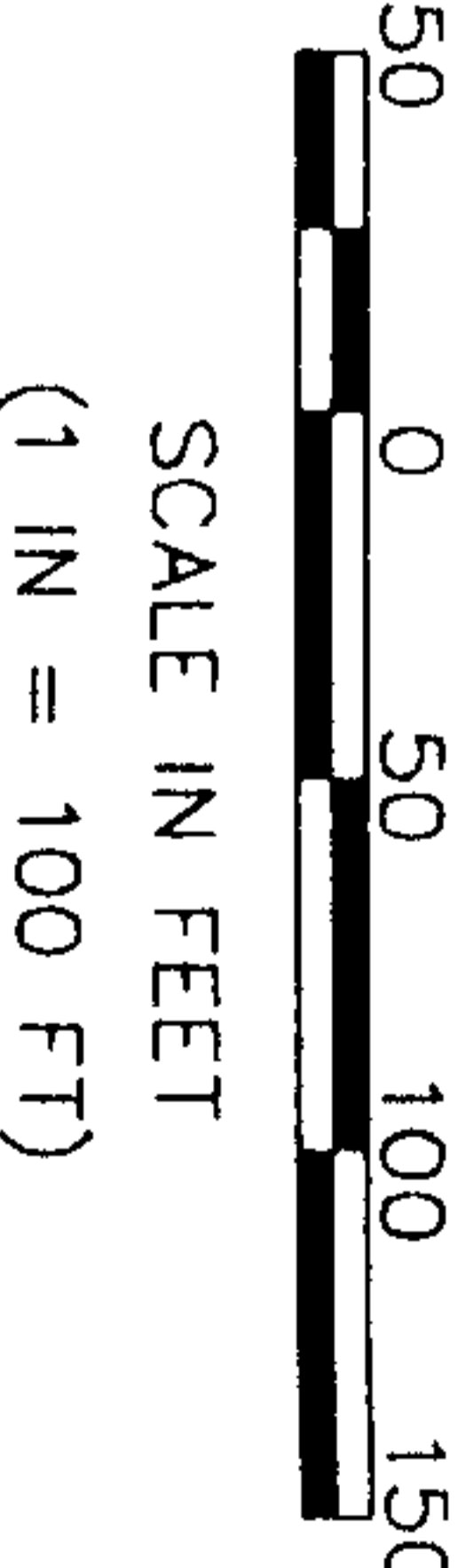
I FURTHER STATE THAT THE BUILDINGS ON SAID PREMISES ARE WITHIN THE LINES OF SAME AND THERE ARE NO VISIBLE ENCROACHMENTS OF BUILDINGS, RIGHT OF WAYS, EASEMENTS, OR JOINT DRIVEWAYS OVER OR ACROSS SAID LAND EXCEPT THOSE DEPICTED IN THIS DRAWING.

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

[Signature]



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



SCALE IN FEET
(1 IN = 100 FT)

| | |
|---|---|
| BEACON PROFESSIONAL SERVICES, INC. | |
| 124 Oakbrooke Lane Auburn, Alabama 36807 (205) 685-5300 phone (205) 685-5303 fax | |
| PROJECT 28-5-21-4-401-021.000 MORTGAGE SURVEY | DATE 10/12/07 |
| Drawn by: [Signature] Checked by: [Signature] Approved by: [Signature] | Street Address: 17th St Bearing Reference: [Blank] |