

STATE OF ALABAMA)
COUNTY OF SHELBY)

NOTICE OF LIS PENDENS

1. Pursuant to Section 35-4-131 of the *Code of Alabama* (1975), notice is hereby given that on the 7th day of February, 2008, a civil action was commenced by the undersigned in the Circuit Court of Jefferson County, Alabama, Case No. CV-2008-900404, styled James C. Davie, Jr., et al. v. Barbarosa Properties, LLC, et al.

2. The Action, as amended, was instituted by James C. Davie, Jr., in his individual capacity and as Trustee of the J. Clayton Davie, Jr. 2004 Irrevocable Trust, as Plaintiff against J. Clayton Davie; Gabe Davie; Barbarosa Properties, LLC; Davie Properties, LLC; Davie Properties, LP; and L. Paul Kassouf & Co., PC, as Defendants. The Action, in part, seeks dissolution and liquidation of Barbarosa Properties, LLC, and Davie Properties, LP, and may therefore affect the title and ownership of the approximately 125 acres of real property in Shelby County, Alabama, more particularly described on Exhibit "A" hereto and incorporated herein by reference.

Respectfully submitted this the 6th day of June, 2008.



One of the Attorneys for Plaintiffs,
James C. Davie, Jr., and
J. Clayton Davie, Jr. 2004 Irrevocable Trust

OF COUNSEL:

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EXHIBIT "A"

PARCEL I: E ½ of SE 1/4; all that part of E ½ of W ½ of SE 1/4 and all that part of NW 1/4 of NW 1/4 of SE 1/4 lying South of center line of Highway 43, also known as Bear Creek Road; said land being located in Section 1, Township 19 South, Range 1 West; Shelby County, Alabama.

PARCEL II: Commence at the SE corner of the SW 1/4 of the SE 1/4 of Section 1, Township 19 South, Range 1 West, Shelby County, Alabama; thence proceed West along the South boundary of said Section for a distance of 606.11 feet to the point of beginning. From this beginning point continue West along the South boundary of said Section 1 for a distance of 100 feet; thence turn an angle of 86 degrees 29 minutes to the right and proceed North for a distance of 586.89 feet; thence turn an angle of 86 degrees 29 minutes to the left and proceed West for a distance of 100 feet; thence turn an angle of 93 degrees 31 minutes to the left and proceed South for a distance of 646.89 feet; thence turn an angle of 86 degrees 29 minutes to the left and proceed East for a distance of 200 feet; thence turn an angle of 93 degrees 31 minutes to the left and proceed North for a distance of 60 feet to the point of beginning.

Subject to 2000 ad valorem taxes and easements, restrictions and rights-of-way of record.

APPROXIMATELY +/- 125 ACRES

(2000-21947)