



20080814000328020 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
08/14/2008 02:13:48PM FILED/CERT

STATE OF ALABAMA )  
SHELBY )  
~~JEFFERSON~~ COUNTY )

**VERIFIED STATEMENT OF LIEN**

**COMES NOW Bagby Elevator Company, Inc.**, and files this statement in writing, verified by the oath of Sherry Davis, who has personal knowledge of the facts herein set forth.

That said Bagby Elevator Company, Inc. claims a mechanic's lien upon the property situated in Shelby County, Alabama, known as Cena Homes, 1049 Royal Mile, Hoover, Alabama 35242, Lot 712, Greystone Legacy, owned by Cena Homes, Inc., (hereinafter known as Owner), said property more specifically described as follows in Attachment A, attached hereto and incorporated herein by reference, ~~and~~ (referenced at <sup>Map</sup> Book 30, Page 43 in the Probate Records of Shelby County, Alabama).

This mechanic's lien is claimed, separately and severally, as to both the buildings and improvements thereon, and the said land to the extent of the entire lot or parcel.

That said lien is for the elevator installation, adjustment and associated work performed at Customer's Building. As part of this lien we claim the \$ 6,100.00, presently owed for these services. Interest is accruing on the amount claimed hereby at the amount of 1.5% per month. Interest <sup>has and</sup> will accrue at a rate of one and one half-percent per month on the amount claimed hereby (from 4/1/08).

The names of the owner or proprietor of the said property is Cena Homes, Inc., and/or Sam Daviani doing business at 1290 Legacy Drive, Birmingham, AL 35242.

BAGBY ELEVATOR COMPANY, INC.

4240 First Avenue South

P.O. Box 320919

Birmingham, Alabama 35232-0919

**CLAIMANT**

By Sherry Davis

ITS A.R. & Collections

STATE OF ALABAMA )  
 )  
JEFFERSON COUNTY )

Before me, the undersigned, a Notary Public in and for the County of Jefferson, State of Alabama, personally appeared Sherry Davis for Bagby Elevator Company, Inc., who being duly sworn, doth depose and say: That he has personal knowledge of the facts

set forth in the foregoing statement of lien, and that the same are true and correct to the best of his knowledge and belief.

Subscribed and sworn to before me on this 14<sup>th</sup> day of August 2008 by said Affiant.

Gloria P. Reid  
Notary Public

My Commission Expires Feb. 14, 2009

**This Instrument was prepared by:** **Hunter M. Bagby, Esquire**  
**P.O. Box 320919**  
**Birmingham, AL 35232-0919**



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20070116000022650 1/1 \$12.00  
Shelby Cnty Judge of Probate, AL  
01/16/2007 01:21:46PM FILED/CERT

This instrument was prepared by:  
Clayton T. Sweeney, Attorney  
2700 Highway 280 East, Suite 160  
Birmingham, AL 35223

Send Tax Notice To:  
Cena Homes, Inc.  
P.O. Box 660943  
Birmingham, AL 35266

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STATE OF ALABAMA )  
 :  
COUNTY OF SHELBY )

**GENERAL WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS:** That, for and in consideration of **Two Hundred Sixty-Two Thousand and 00/100 (\$262,000.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **Randall F. Heaton, and wife, Deborah H. Heaton**, (hereinafter referred to as GRANTORS), in hand paid by the GRANTEE herein, the receipt whereof is hereby acknowledged, the GRANTORS do hereby give, grant, bargain, sell and convey unto the GRANTEE, **Cena Homes, Inc.**, (hereinafter referred to as GRANTEE), its successors and assigns, the following described Real Estate, lying and being in the County of **Shelby**, State of Alabama, to-wit:

**Lot 712, according to the Survey of Greystone Legacy, 7th Sector, as recorded in Map Book 30, Page 43 A, B and C, in the Probate Office of Shelby County, Alabama.**

Subject To:

Ad valorem taxes for 2007 and subsequent years not yet due and payable until October 1, 2007. Existing covenants and restrictions, easements, building lines and limitations of record.

**The above recited consideration was paid by mortgage loan closed simultaneously herewith.** TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEE, its successors and assigns forever.

AND SAID GRANTORS, for said GRANTORS, GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEE, and with GRANTEE'S successors and assigns, that GRANTORS are lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any Restrictions pertaining to the Real Estate of record in the Probate Office of said County; and that GRANTORS will, and GRANTORS' heirs, executors and administrators shall, warrant and defend the same to said GRANTEE, and GRANTEE'S successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said GRANTORS have hereunto set their hands and seals this the **10th** day of **January**, 2007.

*Randall F. Heaton*  
Randall F. Heaton

*Deborah H. Heaton*  
Deborah H. Heaton

STATE OF ALABAMA )  
 :  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that **Randall F. Heaton, and wife, Deborah H. Heaton**, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the Instrument they executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 10th day of January, 2007.

*[Signature]*  
NOTARY PUBLIC  
My Commission Expires *6-5-2007*  
*[Notary Seal]*