

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

PENNY ENOCH,)
)
 Plaintiff,)
)
 v.) **Civil Action No. 09-444**
)
 DONALD VICKERY and EDDIE)
 VICKERY, d/b/a D & E)
 CONSTRUCTION,)
)
 Defendants.)


ORDER OF TRANSFER OF LIEN

Plaintiff has deposited with the Court funds in the amount of \$8,770.39. Accordingly, this Court hereby ORDERS that the lien on Plaintiff's property (recorded as instrument number 20090107000004350 in the Probate Court of Shelby County, Alabama) be, and it hereby is, transferred to funds deposited with the Court by Plaintiff pursuant to the statutory authority provided by Ala. Code 35-11-233 (1975). Plaintiff's property is described by metes and bounds as follows:

Commence at the NE corner of Section 3 Township 21 South, Range 1 East, City of Wilsonville, Shelby County, Alabama; thence South 88 degrees 37 minutes 43 seconds West, a distance of 14.55 feet; thence South 00 degrees 56 minutes 27 seconds West, a distance of 464.80 feet to the POINT OF BEGINNING; thence continue along the last described course, a distance of 210.00 feet; thence South 89 degrees 05 minutes 05 seconds West, a distance of 628.24 feet; thence North 01 degree 09 minutes 00 seconds West, a distance of 209.89 feet; thence North 89 degrees 05 minutes 05 seconds East, a distance of 635.91 feet to the POINT OF BEGINNING. Situated in Shelby County, Alabama.

The address of said property is 98 Quail Ridge Lane, Wilsonville, Alabama 35186.

Pursuant to Ala. Code 35-11-233 (1975), the Clerk shall make and record a certificate showing the transfer of the lien from the real property to the security and mail


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a copy thereof by registered or certified mail to the lienors named in the claim of lien so transferred at the address stated therein. The Court deems Plaintiff's cash security to be sufficient and the lien is hereby transferred to said security.


A hearing is hereby set on June 18, 2009, at 9:00 a.m. at which time Plaintiff's application for preliminary and permanent injunction shall be heard.

Done and Ordered this 1st day of May, 2009.

s/Hub Harrington
Circuit Judge

STATE OF ALABAMA]
COUNTY OF SHELBY]


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LIEN AFFIDAVIT

COMES NOW, Donald Vickery, as representative of D & E CONSTRUCTION and files this
affidavit And who has personal knowledge of the facts set forth herein:

that the said D & E Construction claims a lien upon the following described property in
Shelby County, Alabama, located at:

98 Quail Ridge Lane, Wilsonville, AL. 35186

And more particularly described as follows, to-wit:


**Commence at the NE corner of Section 3, Township 21 South, Range 1 East,
City of Wilsonville, Shelby County, Alabama; thence South 88 degrees 37 minutes 43 seconds West, a
distance of 14.55 feet; thence South 00 degrees 56 minutes 27 seconds West, a distance of 464.80 feet
to the POINT OF BEGINNING; thence continue along the last described course, a distance of
210.00 feet; thence South 89 degrees 05 minutes 05 seconds West, a distance of 628.24 feet; thence
North 01 degree 09 minutes 00 seconds West, a distance of 209.89 feet; thence North 89 degrees 05
minutes 05 seconds East, a distance of 635.91 feet to the POINT OF BEGINNING. Situated in Shelby
County, Alabama.**


This lien is claimed, separately and severally, both as to the land, buildings and improvements located
thereon. Said lien is claimed to secure an indebtedness of \$ 6,089.00 with interest as allowed by law from
March 22, 2008, for labor supplied by D & E Construction on the above described real property. Also
\$ 1,000.00 in Attorney's fee. Upon information and belief, the name of the owner of the above described
real property and improvements is:

Penny L. Enoch
8715 Cedar Spring Circle
Leeds, AL. 35094

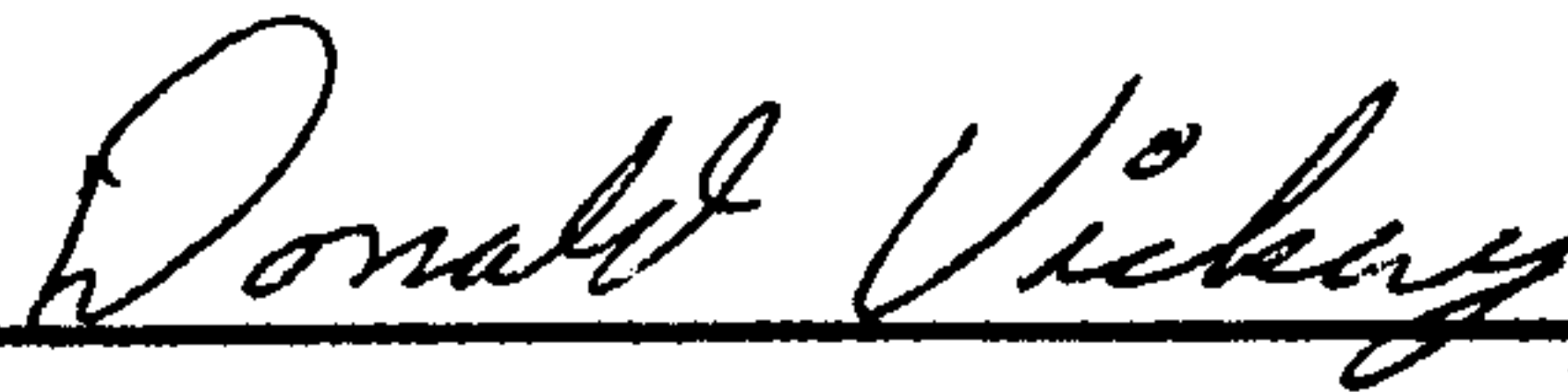

DONALD VICKERY
D & E CONSTRUCTION

**STATE OF ALABAMA]
COUNTY OF SHELBY]**


20090107000004350 2/2 \$14.00
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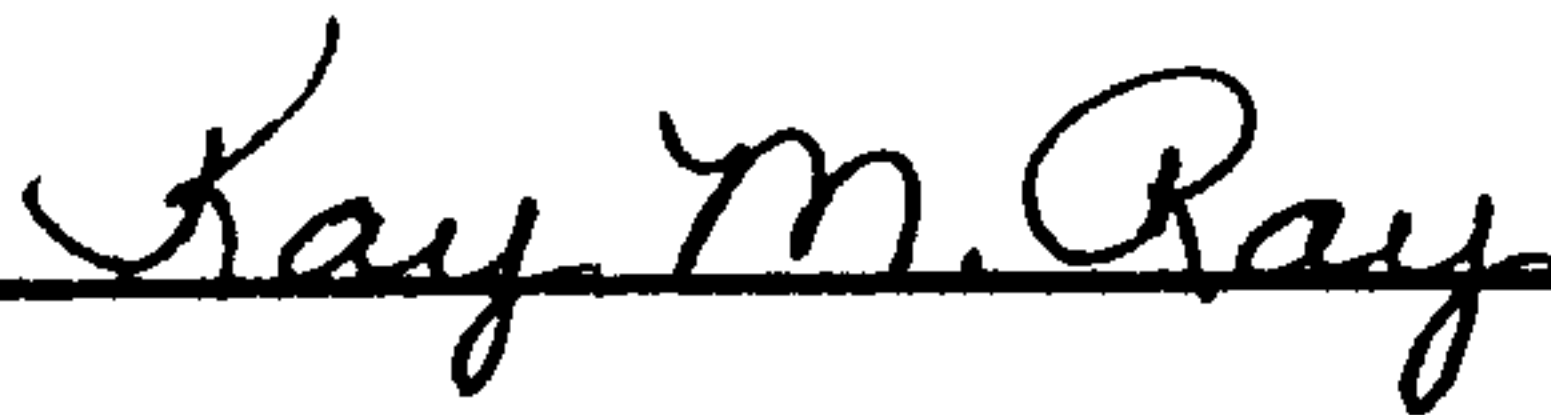

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Before me, The Undersigned, a notary public in and for the county of Shelby, State
Alabama, personally appeared Donald Vickery who being duly sworn, doth depose and
say that he has personal knowledge of the facts set foregoing statement of lien, and that
the same are true and correct to the best of his knowledge and belief.



**Donald Vickery
D & E Construction**

Subscribed and sworn to before me on this the 7th day of January, 2009



NOTARY PUBLIC

My commission expires 02/11/2010



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CERTIFICATE TRANSFERRING LIEN

Pursuant to the Order of Transfer of Lien entered in case CV-2009-444, styled Penny Enoch vs. Donald Vickery and Eddie Vickery d/b/a D & E Construction, a copy attached hereto, lien recorded in the Probate Court of Shelby County, instrument number 20090107000004350 is hereby transferred to funds deposited with the Shelby County Circuit Clerk's Office in the amount of \$8,770.39 dollars. Said lien is hereby transferred to said security.

Entered this the 7th day of May, 2009.

Mary H. Harris

**Mary H. Harris
Circuit Clerk**