

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA
EIGHTEENTH JUDICIAL CIRCUIT

UNION STATE BANK,	}	
	}	
Plaintiff,	}	
	}	
VS.	}	Civil Action No. _____
	}	
BRANCHWOOD PROPERTIES &	}	
ASSOCIATES, L.L.C.; MERCHANTS	}	
AND FARMERS BANK d/b/a M&F	}	
BANK and Fictitious Defendants A, B	}	
and C, those individuals, partnerships,	}	
corporations, limited liability companies	}	
or other entities whose wrongful	}	
conduct caused or contributed to cause	}	
the injuries and damages to the Plaintiff,	}	
	}	
Defendants.	}	

NOTICE OF LIS PENDENS

Notice is hereby given that Union State Bank commenced a civil action against Branchwood Properties & Associates, L.L.C. and Merchants and Farmers Bank d/b/a M&F Bank, on the 1st day of ^{March}~~February~~, 2010, in which Plaintiff claims a right, title, interest, or claim in and to the following described property situated in Shelby County, Alabama, to wit:


Commence at the Southeast Corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34, Township 21 South, Range 2 West, Shelby County, Alabama, and run North 00°27'59" East for 135.50 feet to the point of beginning being on the north right-of-way of Alabama Highway No. 70; from said point of beginning continue North 00°27'59" East for 1190.93 feet; thence run North 88°05'18" West for 315.42 feet; thence run South 00°39'16" West for 861.07 feet; thence run South 86°01'42" East for 163.70 feet; thence run

South 03°43'38" West for 343.31 feet to the north right-of-way of Alabama Highway No. 70; thence run along north right-of-way North 85°34'02" East for 174.92 feet to the point of beginning.

Less and except the following:

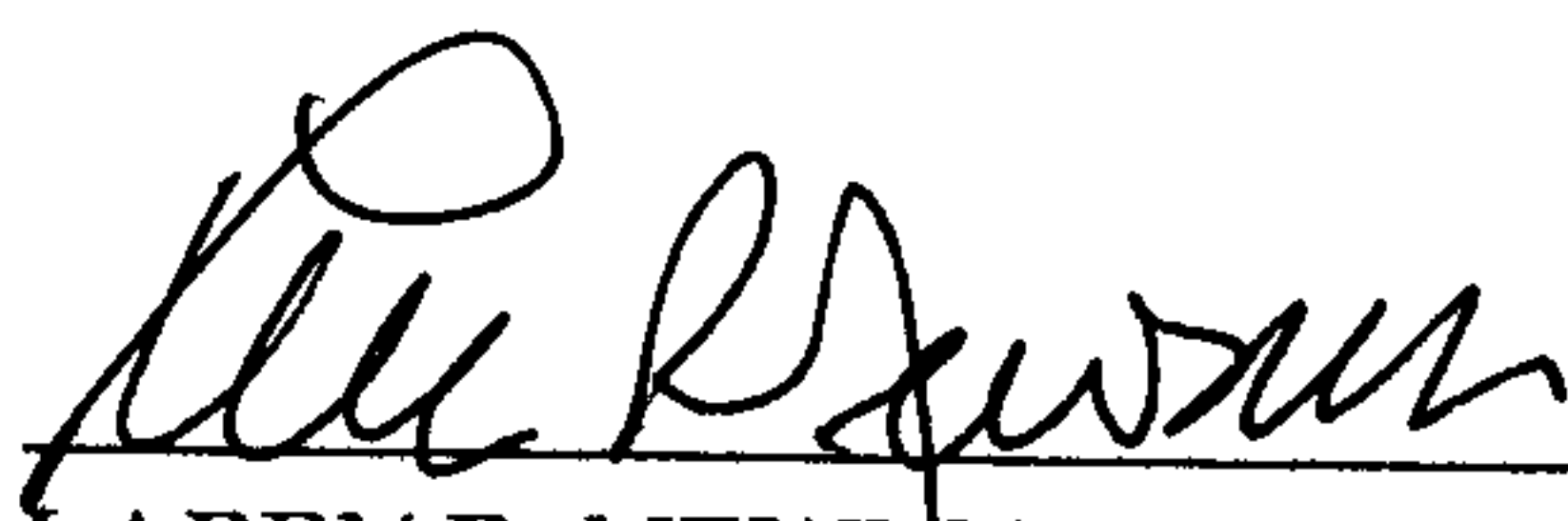
Commence at the Southeast Corner of the NW¼ of the SE¼ of Section 34, Township 21 South, Range 2 West, Shelby County, Alabama, and run North 00°27'59" East for 135.50 feet to the north right-of-way of Alabama Highway No. 70; thence leaving said right of way, run North 00°27'59" East for 1026.23 feet to the point of beginning; from said point of beginning, continue North 00°27'59" East for 165.71 feet; thence run North 88°05'18" West for 315.42 feet; thence run South 00°39'15" West for 173.58 feet; thence run South 89°41'59" East for 315.89 feet to the point of beginning.

In the aforesaid civil action Union State Bank alleges, among other things, that it has a granted right to an unfettered easement for ingress to and egress from property it owns over and across the above described property.


JAMES H. GREER – GRE 016

Attorney for Plaintiff

Key, Greer, Harrison, Casey & Smith
2163 Highway 31 South, Suite 101
Pelham, AL 35124
Telephone: 205.987.2211


LARRY R. NEWMAN – NEW 005

Attorney for Plaintiff

Newman Law Firm, PC
Post Office Box 26202
Birmingham, AL 35260-0202
Telephone: 205.942.5466