

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

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Shelby Cnty Judge of Probate, AL
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SHELBY HOMEBUILDERS, INC.)
)
Plaintiff)
)
v.)
)
DAVID W. BLAKE)
)
Defendent/Counterclaim Plaintiff)

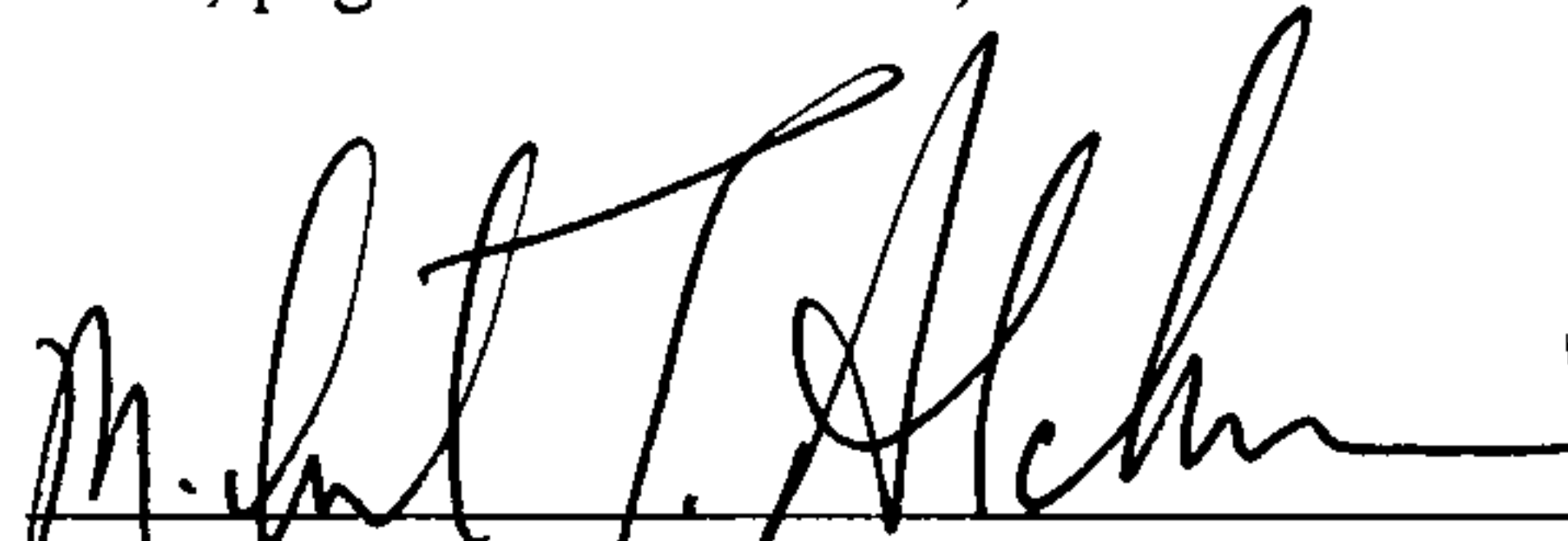
Civil Action No. CV-07-900221

AND

HERBERT J. SCHWENTNER)
)
Third Party Plaintiff)
)
v.)
)
LONG BRANCH, LLC and)
REI PROPERTIES OF ALABAMA,)
LLC)
)
Counterclaim Defendants)

MOTION TO DISMISS
(LOT 231)

David W. Blake, Defendant and Counterclaim Plaintiff, and Herbert J. Schwentner, Third Party Plaintiff, hereby move to dismiss any and all claims of Counterclaim Plaintiff and Third Party Plaintiff as said claims may pertain to Lot 231, according to the Survey of Long Branch Estates, Phase II, Final Plat, as recorded in Map Book 36, pages 93A and 93B, in the Probate Office of Shelby County, Alabama.



Michael T. Atchison (ATC002)

Attorney at Law

P.O. Box 822

Columbiana, AL 35051

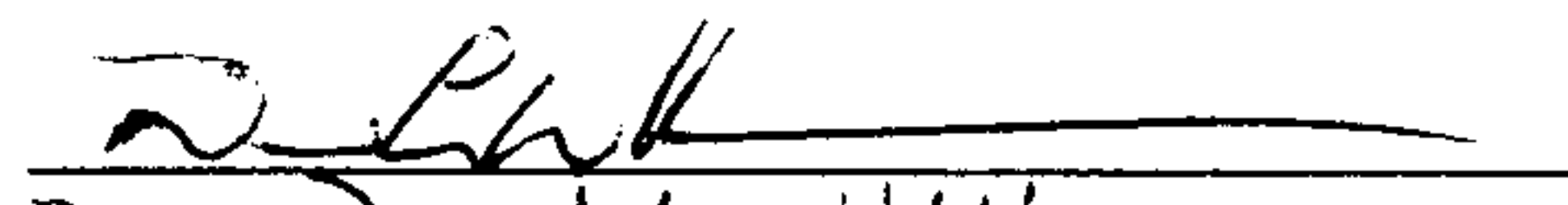
Phone: (205) 669-9268

Fax: (205) 669-6786

Attorney for Defendant and Counterplaintiff,
David W. Blake, and Third Party Plaintiff,
Herbert J. Schwentner

ACKNOWLEDGED:

BancorpSouth Bank


By: David L. Williamson
Its: Sr. Vice President