

IN THE CIRCUIT COURT FOR SHELBY COUNTY, ALABAMA

REGIONS BANK,

Plaintiff

vs.

CV _____

STYLEMARK HOMEBUILDERS, INC,
and Fictitious Defendants A, B, and C,
being those person or entities claiming
any interest in certain real property
located in Shelby County and being more
particularly described in the Mortgage
recorded at Inst. # 20040518000261240
in the Probate Office of Shelby County,
Alabama.


Defendants

NOTICE OF LIS PENDENS

COMES NOW, Greer B. Mallette of Christian & Small, LLP and files notice to all persons concerned pursuant to Code of Alabama (1975) § 34-4-131, *et seq.* that he, as attorney for Regions Bank (hereinafter "Regions" or "Plaintiff"), has filed the above-styled lawsuit claiming therein that Regions has a right or interest in or to certain real estate (the "Property"), said real estate being situated in Shelby County, Alabama, and more particularly described as follows:

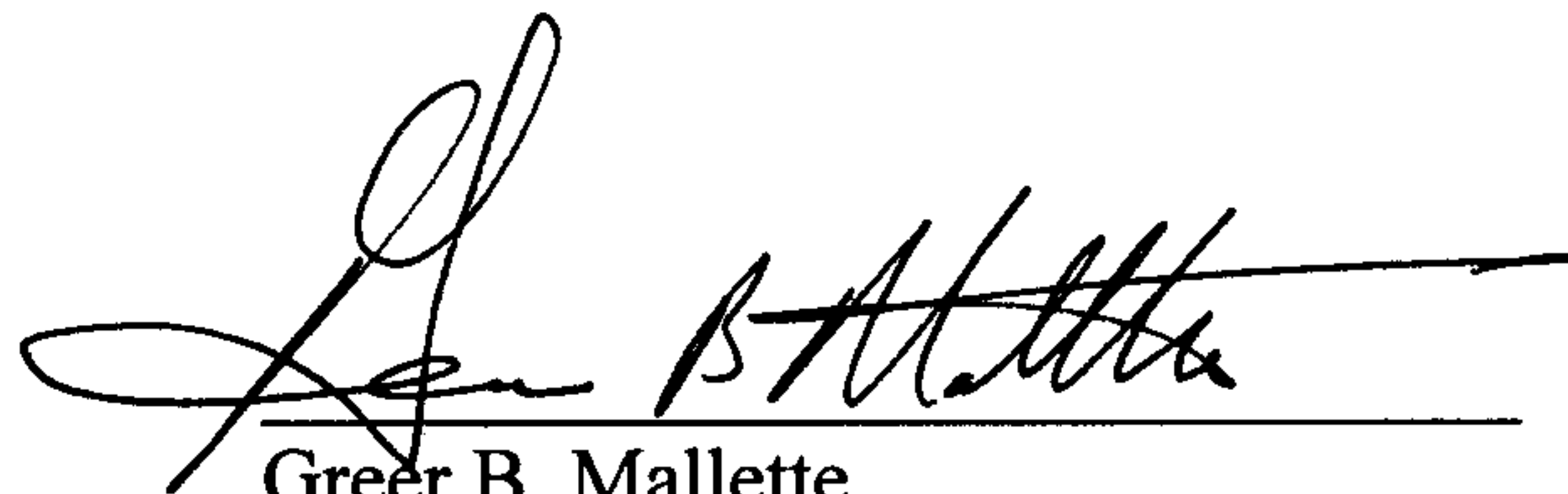
Lot 526, according to the Survey of Final Plat Riverwoods Fifth Sector, Phase II, as recorded in Map Book 33, page 24, in the Probate Office of Shelby County, Alabama.

The nature of the right or claim sought to be enforced by First Commercial in the above action is briefly as follows:


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Shelby Cnty Judge of Probate, AL
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That on or about May 11, 2004, Stylemark executed a promissory note payable to AmSouth Bank and its successors and assigns. Such note is secured by a mortgage given to AmSouth by Defendant upon the Property. Such Mortgage, dated May 11, 2004, was recorded in the Office of the Judge of Probate of Shelby County, Alabama on May 18, 2004 as Instrument No. 20040518000261240 (the "Mortgage"). On January 16, 2008, plaintiff Regions, as successor in interest to AmSouth, filed a document entitled "Discharge of Mortgage" in the Probate Office. Such discharge was filed in error, as the Property has never been purchased or otherwise paid off and there remains a balance owing on the Note. Regions' mortgage interest in the Property is further supported by an "Extension Agreement" entered into by Stylemark on or about June 26th, 2009, extending the payment terms of the original promissory note and re-affirming that the Note was secured by the Mortgage and that, "The remaining collateral consists of Lot 526 Riverwoods, 5th Sector." Regions maintains that it holds a Mortgage interest in the Property. Accordingly, it has sought a rescission and / or reformation of the Discharge of Mortgage.

Done this 17th day of March, 2010.



Greer B. Mallette
Bradley R. Hightower
Attorneys for Plaintiff Regions Bank

OF COUNSEL:
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Birmingham, Alabama 35203
Phone: (205) 795-6588
Fax: (205) 328-7234



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CERTIFICATE OF PROBATE JUDGE

STATE OF ALABAMA

)

:

SHELBY COUNTY

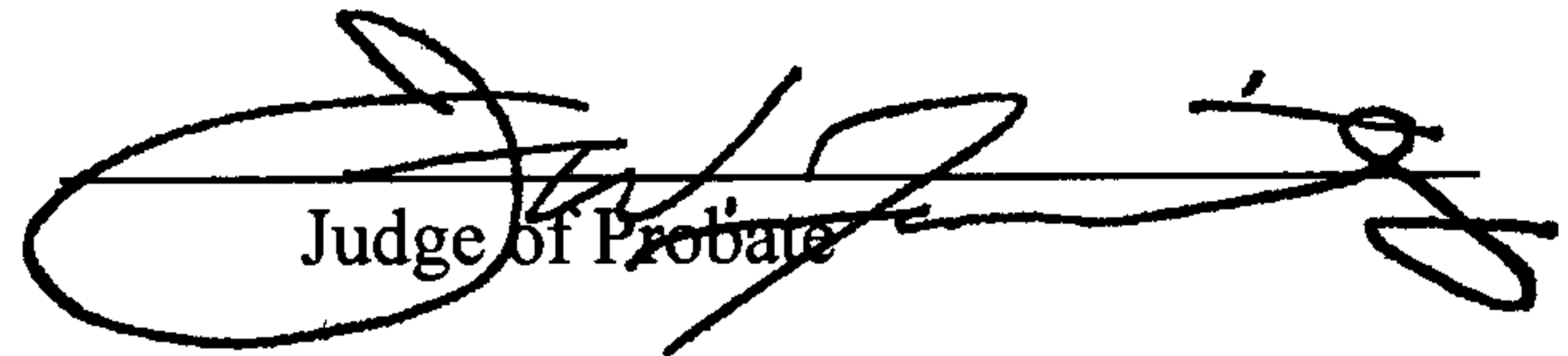
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OFFICE OF THE JUDGE OF PROBATE

I hereby certify that the within lis pendens was filed in this office for record on the
18th day of March, 2010, at 8:50 am o'clock and duly recorded in
at Page _____ and examined.



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Shelby Cnty Judge of Probate, AL
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Judge of Probate