

STATE OF ALABAMA     )  
                              :  
SHELBY COUNTY         )

*This instrument prepared by*  
Frank C. Galloway III  
Galloway & Somerville, LLC  
11 Oak Street  
Birmingham, AL 35213

**IN THE PROBATE COURT OF  
SHELBY COUNTY, ALABAMA**

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**IN THE CIRCUIT COURT OF  
SHELBY COUNTY, ALABAMA**

JAMES A. McMILLAN and ELIZABETH     )  
McMILLAN,                                 )

Plaintiffs,                                 )

v.   )

Case No. CV 06-23

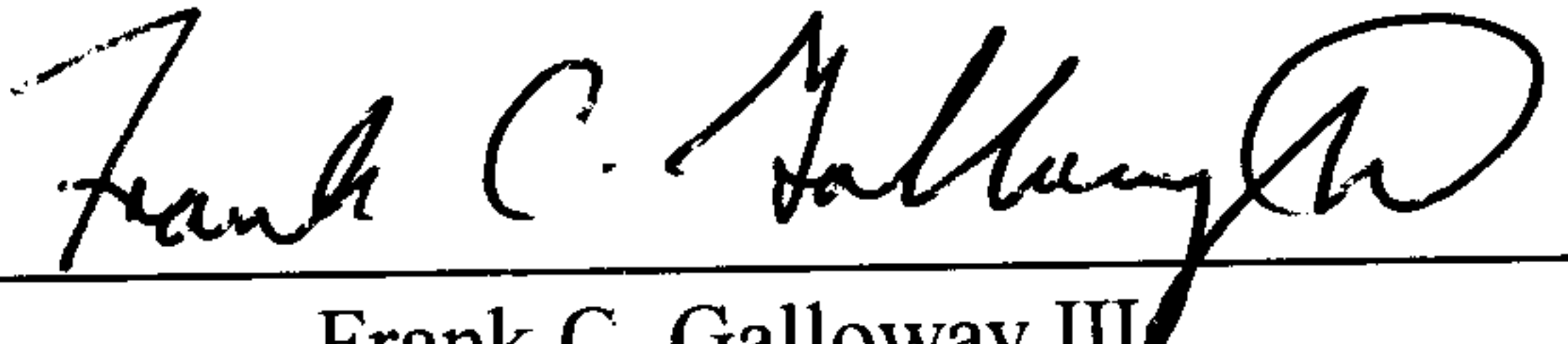
WEATHERLY DEVELOPMENT                 )  
COMPANY, INC., et al.                     )

Defendants.                                 )

**RELEASE OF LIS PENDENS**

COMES NOW, Frank C. Galloway III, as attorney for plaintiffs, James A. McMillan and Elizabeth McMillan and files a release of the Lis Pendens recorded in the Office of the Judge of Probate of Shelby County, Alabama as Instrument # 20060109000014330.

Done this 22<sup>nd</sup> day of April, 2010.

  
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Frank C. Galloway III  
*Attorney for plaintiffs, J James A. McMillan  
and Elizabeth McMillan*

**OF COUNSEL:**  
GALLOWAY & SOMERVILLE, LLC  
11 Oak Street  
Birmingham, AL 35213  
(205) 871-2183

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on:

John E. Medaris, Esq.  
230 Bearden Road  
Pelham, AL 35124

B. Christopher Battles, Esq.  
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Pelham, AL 35124-000

Michael B. Odom, Esq.  
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Birmingham, AL 35203

James A. Bradford Esq.  
Balch & Bingham  
1710 6<sup>th</sup> Avenue North  
Birmingham, AL 35203

Weatherly Development Company, Inc.  
c/o Betty S. Gilbert  
3656 Cahaba Beach Road  
Birmingham, AL 35242

via first class mail this 22<sup>nd</sup> day of April, 2010.

  
OF COUNSEL