

STATE OF ALABAMA)
COUNTY OF SHELBY)

This instrument prepared by:
J. Andrew Isom, Esq.
Morris & Brumlow, P.C.,
1100 East Park Drive, Suite 402
Birmingham, AL, 35235

VERIFIED STATEMENT OF LIEN

Building Materials Wholesale, Inc. files this statement in writing, verified by the oath of Michael G. Jones, Credit Manager for Building Materials Wholesale, Inc., who has personal knowledge of the facts herein set forth:

That Building Materials Wholesale, Inc. claims a lien upon the following property situated in Shelby County, Alabama, to wit:

SEE EXHIBIT A

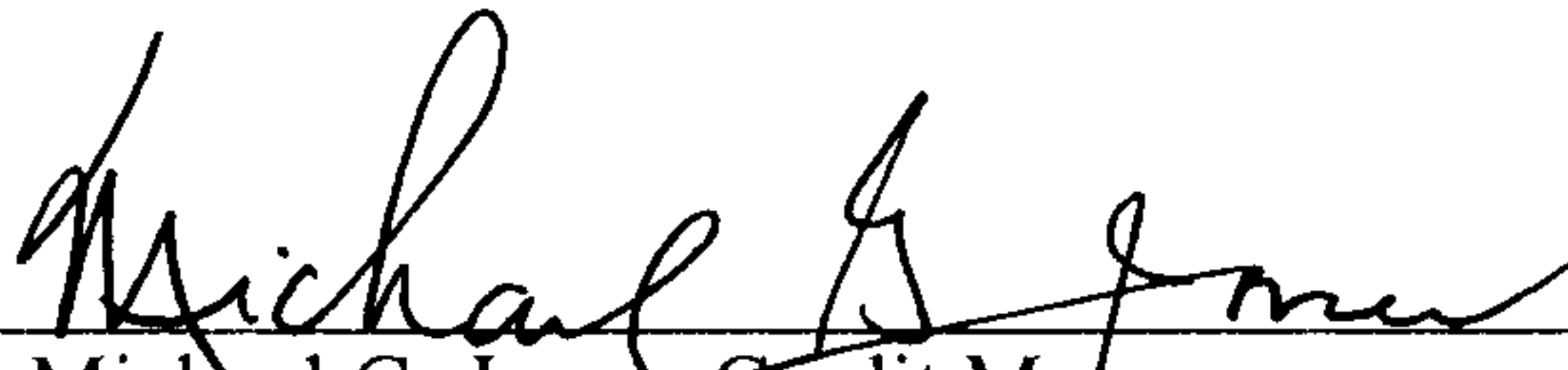
This lien is claimed, separately and severally, as to both the buildings and improvements thereon, and the said land.

That said lien is claimed to secure the indebtedness of **\$28,312.54**, with interest from, to wit, February 15, 2010 for work, labor, and materials furnished to IDP Contracting, LLC in the construction and erection improvements on the hereinabove described real property, plus interest and attorney's fees, if applicable. The first date of delivery of materials was September 21, 2009.

The said real property is owned by AUM Pelham, LLC and whose address is 2098 Royal Fern Lane, Hoover, AL 35244-1463.

VERIFICATION:

Claimant:



Michael G. Jones, Credit Manager
Building Materials Wholesale, Inc..

Before me, RONNIE DEWAYNE DUNN notary public in and for the County of SHELBY, State of Alabama, personally appeared Michael G. Jones, who being duly sworn, doth depose and say: That he has personal knowledge of the facts set forth in the foregoing statement of lien, and that the same are true and correct to the best of his knowledge and belief, and the records of the Claimant.

Sworn to and subscribed before me on this the 28TH day of APRIL, 2010.



NOTARY PUBLIC

My Commission Expires: 7-11-2013



20100504000136680 1/7 \$29.00
Shelby Cnty Judge of Probate, AL
05/04/2010 12:01:58 PM FILED/CERT

EXHIBIT "A"

LEGAL DESCRIPTION

A parcel of land located in the Southwest Quarter of Section 31, Township 19 South and the Northwest Quarter of Section 6, Township 20 South, Range 2 West, City of Pelham, Shelby County, Alabama; being more particularly described as follows:

Commence at the Southeast Corner of the Southwest Quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama; thence run Northerly along the Quarter line 506.79 feet; thence left $121^{\circ}25'36''$ Southwesterly 935.96 feet to the Point of Beginning; thence continue Southwesterly along the same course 390.00 feet; thence right $129^{\circ}40'07''$ Northeasterly 381.90 feet; thence right $76^{\circ}56'58''$ Easterly 298.62 feet; thence left $90^{\circ}00'00''$ Northerly 65.01 feet; thence left $10^{\circ}19'12''$ Northwesterly 238.95 feet to the new Southerly Right-of-way line of Alabama Highway No. 119, being on a curve to the left, concave Northerly, with a radius of 1979.89 feet, a central angle of $00^{\circ}17'36''$ and a chord length of 10.14 feet; thence right $99^{\circ}43'25''$ to the chord of said curve and run Easterly, then Northeasterly 10.14 feet along the arc of said curve Right-of-Way line; thence an interior angle left of $99^{\circ}43'25''$ from said curve chord Southeasterly 47.08 feet; thence right $90^{\circ}00'00''$ Westerly 7.00 feet; thence left $90^{\circ}00'00''$ Southeasterly 190.41 feet; thence right $10^{\circ}19'12''$ Southerly 69.00 feet; thence right $90^{\circ}00'00''$ Westerly 129.88 feet; thence left $115^{\circ}06'05''$ Southeasterly 213.78 feet to the Point of Beginning.
Together with

- 1) A non-exclusive easement for vehicular and pedestrian ingress and egress over and across those parcels of real property described as follows:
 - i) Commence at the Southeast Corner of the Southwest 1/4 of Section 31; thence run North along the 1/4 section line 506.79 feet; thence left 121 degrees 25 minutes 36 seconds, 517.90 feet; thence 106 degrees 46 minutes 08 seconds right and run in a Northwesterly direction along the Easterly property line of the "Interstate Restaurant Investors" property (which is the Westerly property line of the "Bassett Furniture" property) for a distance of 188.10 feet to the POINT OF BEGINNING; thence continue on last stated course 86.03 feet to an existing joint driveway easement as recorded by Instrument #1994-17716, in the Probate Office of Shelby County, Alabama;



20100504000136680 2/7 \$29.00
Shelby Cnty Judge of Probate, AL
05/04/2010 12:01:58 PM FILED/CERT

thence 90 degrees 00 minutes 00 seconds left 16.22 feet; thence 82 degrees 42 minutes 48 seconds left and leaving said existing easement run a distance of 83.28 feet; thence 90 degrees 00 minutes 00 seconds left 27.0 feet to the point of beginning.

ii) Commence at the Southeast Corner of the Southwest Quarter of Section 31; thence run North along the Quarter line 506.79 feet; thence left 121 degrees 25 minutes 36 seconds, 517.90 feet; thence 106 degrees 46 minutes 08 seconds right and run in a Northwesterly direction along the Westerly property line of "Bassett Furniture" property (which is the Easterly property line of the "Interstate Restaurant Investors" property) for a distance of 188.10 feet to the Point of Beginning; thence continue on last stated course 86.03 feet to an existing joint driveway easement as recorded by Instrument #1994-17716, in the Probate Office of Shelby County, Alabama; thence 90 degrees 00 minutes 00 seconds right, 11.0 feet; thence 97 degrees 17 minutes 12 seconds right and leaving said existing easement run a distance of 86.73 feet to the POINT OF BEGINNING.

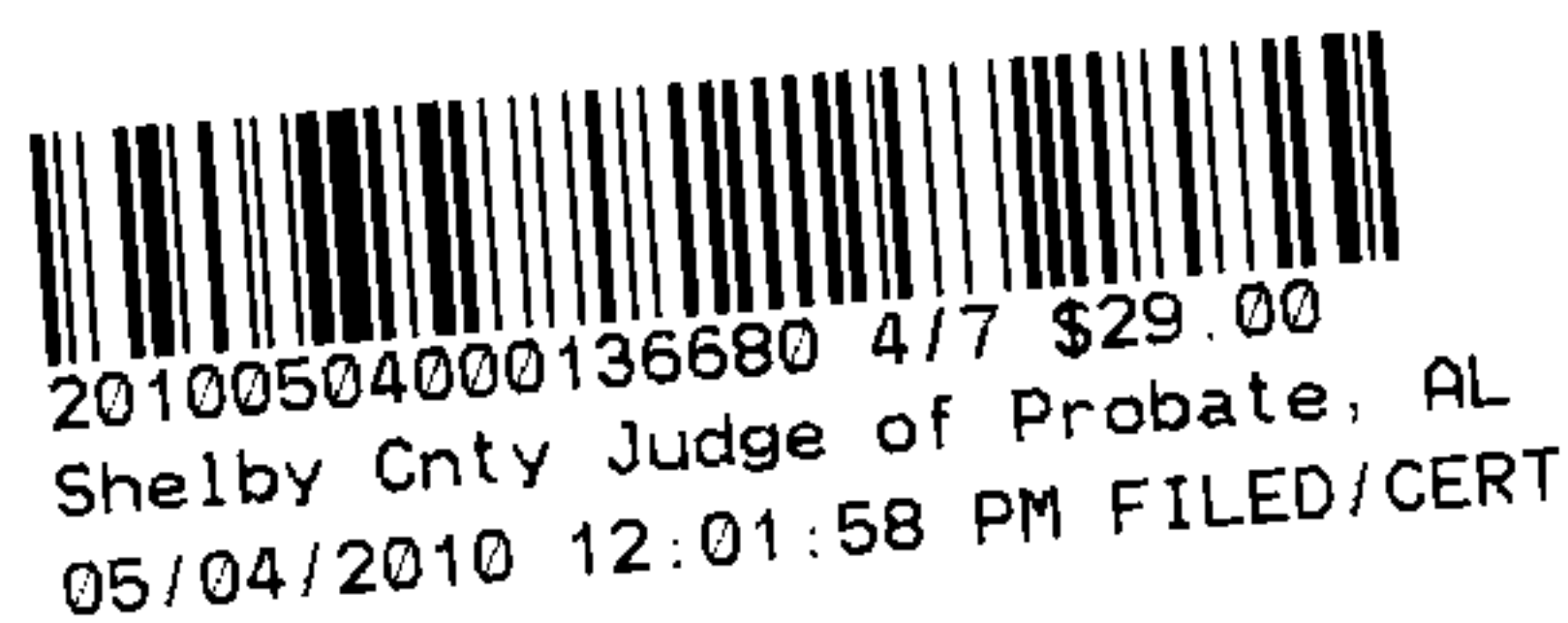
iii) A strip 36 feet in width, extending back from Highway 119, 100 feet along the border between "Bassett Furniture" property and "Interstate Restaurant Investors" property, for the use of a joint driveway. Said joint driveway is to be 36 feet in width, extending back 100 feet from Highway 119, one-half of which is located on the "Bassett Furniture" property and one-half located on the "Interstate Restaurant Investors" property; being further described as follows: Commence at a point 11 feet Westerly and 16.33 feet Easterly of the Northeast and Northwest corners, respectively, of an easement described in Instrument #1999-49463, being the point of beginning of the centerline of the 36 foot wide easement described in Instrument #1994-17716, being on the joint property line of an existing Bassett Furniture Store on the East and property owned by Interstate Restaurant Investors (IRI) on the West; thence run Northwesterly along the property line 100 feet to the old South right-of-way line (80 foot wide right-of-way) of Alabama Highway No. 119, said easement being 36 feet wide, 18 feet on both sides of the above described centerline.

2) An non-exclusive easement for ingress, egress and utilities over and across that portion of the real property known as the Frontage Road described as follows:



20100504000136680 3/7 \$29.00
Shelby Cnty Judge of Probate, AL
05/04/2010 12:01:58 PM FILED/CERT

- i) A parcel of land situated in the Southwest 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: Commence at the Southeast corner of the Southwest 1/4 of said Section 31; thence run in a Northerly direction along the East boundary of the said Southwest 1/4 for a distance of 506.79 feet; thence turn a deflection angle to the left 121 degrees 25 minutes 36 seconds and run in a Southwesterly direction for a distance of 1,325.96 feet; thence turn a deflection angle to the right 129 degrees 40 minutes 07 seconds and run in a Northeasterly direction for a distance of 683.30 feet to point on a curve to the left and the POINT OF BEGINNING, which is the centerline of the 28.00 foot easement herein described; thence turn an interior angle to the left of 100 degrees 50 minutes 51 seconds to the chord of said curve, said curve having a radius of 1,993.89 feet, a central angle of 05 degrees 28 minutes 31 seconds and a chord distance of 190.47 feet; thence run in a Easterly direction parallel with the South right-of-way line of Alabama Highway No. 119 for a distance of 190.54 feet to the end of the easement herein described.
- ii) A parcel of land situated in the Southwest 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: Commence at the Southeast corner of the Southwest 1/4 of said Section 31; thence run in a Northerly direction along the East boundary of the said Southwest 1/4 for a distance of 506.79 feet; thence turn a deflection angle to the left 121 degrees 25 minutes 36 seconds and run in a Southwesterly direction for a distance of 1,325.96 feet; thence turn a deflection angle to the right of 129 degrees 40 minutes 07 seconds and run in a Northeasterly direction for a distance of 683.30 feet to point on a curve to the left; thence turn an interior angle to the left of 100 degrees 50 minutes 51 seconds to the chord of said curve, said curve having a radius of 1,993.89 feet, a central angle of 05 degrees 28 minutes 31 seconds and a chord distance of 190.47 feet; thence turn in an Easterly direction parallel with the South right-of-way line of Alabama Highway No. 119 for a distance of 190.54 feet to a point on a curve to the left and the POINT OF BEGINNING, which is the centerline of the 28.00 foot easement herein described; thence turn an interior angle to the right 172 degrees 37 minutes 09 seconds from chord of said curve, said curve having a radius of 1,993.89 feet, a central angle of 09 degrees 17 minutes 10 seconds; a chord distance of 322.80 feet; thence run along the arc of said curve parallel to said right-of-way for a distance of 323.16 feet to the end of the easement herein described.



- 2) A non-exclusive easement for driveway access across Buffalo's Cafe described as follows: Commence at the Southeast Corner of the Southwest Quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama; thence run Northerly along the Quarter line 506.79 feet; thence left 121 degrees 25 minutes 36 seconds Southwesterly 517.90 feet; thence right 106 degrees 46 minutes 08 seconds Northwesterly 188.10 feet; thence left 82 degrees 42 minutes 48 seconds Westerly 27.00 feet; thence left 90 degrees 00 minutes 00 seconds Southerly 79.46 feet; thence right 86 degrees 49 minutes 01 seconds Westerly 129.18 feet; thence left 00 degrees 29 minutes 40 seconds Westerly 117.75 feet to the point of beginning of the centerline of a 24 feet wide Access Easement; thence right 85 degrees 55 minutes 12 seconds Northwesterly 208.63 feet to the termination of said easement. It is the intention herein to extend such easement side lines to adjoining easement or property lines to form contiguous and continuous easement rights.
- 4) Beneficial rights for easement(s) for storm water drainage, sanitary sewer and utility easement, described as follows: Commence at the Southeast Corner of the Southwest Quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama; thence run Northerly along the Quarter line 506.79 feet; thence left 121 degrees 25 minutes 36 seconds Southwesterly 517.90 feet; thence right 106 degrees 46 minutes 08 seconds Northwesterly 188.10 feet; thence left 82 degrees 42 minutes 48 seconds Westerly 27.00 feet; thence left 90 degrees 00 minutes 00 seconds Southerly 79.46 feet; thence right 86 degrees 49 minutes 01 seconds Westerly 119.18 feet to the Point of Beginning of the centerline of a twenty foot wide sanitary sewer and utility easement; thence continue Westerly along the same course 10 feet to a Point "A"; thence left 00 degrees 29 minutes 40 seconds Westerly 154.35 feet to a Point "B"; thence right 85 degrees 55 minutes 12 seconds Northwesterly 205.00 feet; thence right 71 degrees 00 minutes 00 seconds Northeasterly 73 feet, more or less, to the Southerly Right-of-Way line of Alabama Highway No. 119 to the termination of said easement. Also commencing at Point "A" and proceeding to Point "B" as the Point of Beginning of the centerline of a twenty foot wide sanitary sewer and utility easement; thence left 83 degrees 45 minutes 35 seconds Southerly 65.01 feet to a Point "C" at the termination of said easement. It is the intention herein to extend such easement side lines to adjoining easement or property lines to form contiguous and continuous easement rights.



20100504000136680 5/7 \$29.00
Shelby Cnty Judge of Probate, AL
05/04/2010 12:01:58 PM FILED/CERT

Also commencing at Point "B" and proceeding to Point "C" as the Point of Beginning; thence left 90 degrees 00 minutes 00 seconds Easterly ten feet; thence right 90 degrees 00 minutes 00 seconds Southerly forty feet; thence right 90 degrees 00 minutes 00 seconds Westerly 257 feet, more or less to the East line of a drainage easement recorded in Instrument #1998-7162; thence right 105 degrees Northeasterly, more or less, 43 feet, more or less along said East line of the drainage easement, to the South line of "CAHABA VALLEY STATION"; thence right 75 degrees, more or less, Easterly 235 feet, more or less, to the Point of Beginning.

Commence at the Southeast Corner of the Southwest Quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama; thence run Northerly along the Quarter line 506.79 feet; thence left 121 degrees 25 minutes 36 seconds Southwesterly 517.90 feet; thence right 106 degrees 46 minutes 08 seconds Northwesterly 188.10 feet; thence left 82 degrees 42 minutes 48 seconds Westerly 27.00 feet; thence left 90 degrees 00 minutes 00 seconds Southerly 79.46 feet; thence right 86 degrees 49 minutes 01 seconds Westerly 129.18 feet; thence right 89 degrees 48 minutes 11 seconds Northerly 5.00 feet to the point of beginning of the centerline of a 10 foot wide storm sewer easement; thence left 90 degrees 17 minutes 51 seconds Westerly 92.53 feet; thence left 15 degrees 39 minutes 35 seconds Southwesterly 62.63 feet to the point of termination. It is the intention herein to extend such easement side lines to adjoining easement or property lines to form contiguous and continuous easement rights.

- 5) A non-exclusive easement for driveway access across Cahaba Valley Station, LLC property described as follows: A parcel of land situated in the Southwest one-quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: Commence at the Southeast corner of the Southwest one-quarter of said Section 31; thence run in a Northerly direction along the East boundary of said Southwest one-quarter for a distance of 506.79 feet; thence turn a deflection angle to the left 121 degrees 25 minutes 36 seconds and run in a Southwesterly direction for a distance of 1325.96 feet; thence turn a deflection angle to the right 129 degrees 40 minutes 07 seconds and run in a Northeasterly direction for a distance of 381.90 feet to the POINT OF BEGINNING; thence turn a deflection angle to the right 76 degrees 56 minutes 58 seconds and run in a Northeasterly direction for a distance of 43.63 feet; thence turn an interior angle to the right 103 degrees 03 minutes 02 seconds and run in a Northeasterly direction for a distance of 312.11 feet to the South right-of-way line of Alabama Highway No. 119



20100504000136680 6/7 \$29.00
Shelby Cnty Judge of Probate, AL
05/04/2010 12:01:58 PM FILED/CERT

and a point on a curve to the right; thence turn an interior angle to the right 80 degrees 57 minutes 02 seconds to the chord of said curve, said curve having a radius of 1979.89 feet, a central angle of 00 degrees 43 minutes 30 seconds, a chord distance of 25.05 feet; thence run in a Southwesterly direction along the arc of said curve and along the said right-of-way line for a distance of 25.05 feet; thence leaving said right-of-way, turn an interior angle to the right 98 degrees 54 minutes 23 seconds from chord of said curve and run in a Southwesterly direction for a distance of 272.85 feet to a point on a curve to the right; thence turn an interior angle to the right 225 degrees 08 minutes 23 seconds to the chord of said curve, said curve having a radius of 20.00 feet; a central angle of 81 degrees 24 minutes 15 seconds, a chord distance of 26.09 feet; thence run along the arc of said curve 28.42 feet; thence turn an interior angle to the right 135 degrees 00 minutes 12 seconds from chord of said curve and run in a Southwesterly direction for a distance of 26.72 feet to the POINT OF BEGINNING.



20100504000136680 7/7 \$29.00
Shelby Cnty Judge of Probate, AL
05/04/2010 12:01:58 PM FILED/CERT