

**NOTICE OF LIS PENDENS**

COUNTY OF SHELBY

STATE OF ALABAMA

Donna E. Barber, Charles Matthew Barber, and Hannah Madeline Barber, legatees of the Estate of Ann H. Barber, deceased, hereby give notice of their lien upon, right to or interest in, the following described property in Shelby County, Alabama.

**Property Description:**

Lot 25, in Shelby Shores, First Addition, according to the Map of Shelby Shores, First Addition, as recorded in Map Book 5, Page 29, in the Probate Office of Shelby County, Alabama.

**Address:** 56 Circle Two, Shelby, Alabama, 35143

**Owners of Record:** Howard M. and Ann H. Barber

**Tax Parcel Number:** 31 3 06 0 001 006.000

The above described property is presently occupied by Jeffrey M. Barber, the son of Howard M. and Ann H. Barber and the Personal Representative of the Estate of Ann H. Barber. While serving in the capacity of Personal Representative, Jeffrey M. Barber has caused certain assets of the Estate of Ann H. Barber and assets of the Ann H. Barber Testamentary Irrevocable Trust dated January 27, 1996, to be misapplied. Donna E. Barber, Charles Matthew Barber, and Hannah Madeline Barber have filed the Motion of Legatees Donna E. Barber, Charles Matthew Barber, and Hannah Madeline Barber to Compel Payment of Legacies in the Probate Court of Shelby County, Alabama, in the action designated In the Matter of the Estate of Ann H. Barber, Deceased, Case No. 042-245. Assets of the estate and the testamentary trust of Ann H. Barber have been



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Shelby Cnty Judge of Probate, AL  
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misapplied by Jeffrey M. Barber to his own account leaving insufficient assets with which to fulfill Ann H. Barber's testamentary bequests to Donna E. Barber, Charles Matthew Barber, and Hannah Madeline Barber. The above described property is one of the remaining assets of the estate of Ann H. Barber. In a petition filed in the Probate Court of Shelby County, Alabama, in Case No. 042-245, Donna E. Barber, Charles Matthew Barber, and Hannah Madeline Barber have petitioned the Probate Court to sell the above-described property, including any interest claimed by Jeffrey M. Barber, and to pay the proceeds of the sale to Donna E. Barber, Charles Matthew Barber, and Hannah Madeline Barber. All interested persons are hereby notified of this petition and the claim of Donna E. Barber, Charles Matthew Barber, and Hannah Madeline Barber to the above described property.

Dated this 3<sup>rd</sup> day of May 2010.

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