

VERIFIED STATEMENT OF LIEN


20100610000185230 1/5 \$23.00
Shelby Cnty Judge of Probate, AL
06/10/2010 03:21:53 PM FILED/CERT

STATE OF ALABAMA)
COUNTY OF SHELBY)

Ellard Contracting Company, Inc. ("Ellard") files this statement in writing, verified by the oath of Patrick McLaughlin, its President, who has personal knowledge of the facts herein set forth:

That said Ellard claims a lien upon the following property, situated in Shelby County, Alabama, to wit:

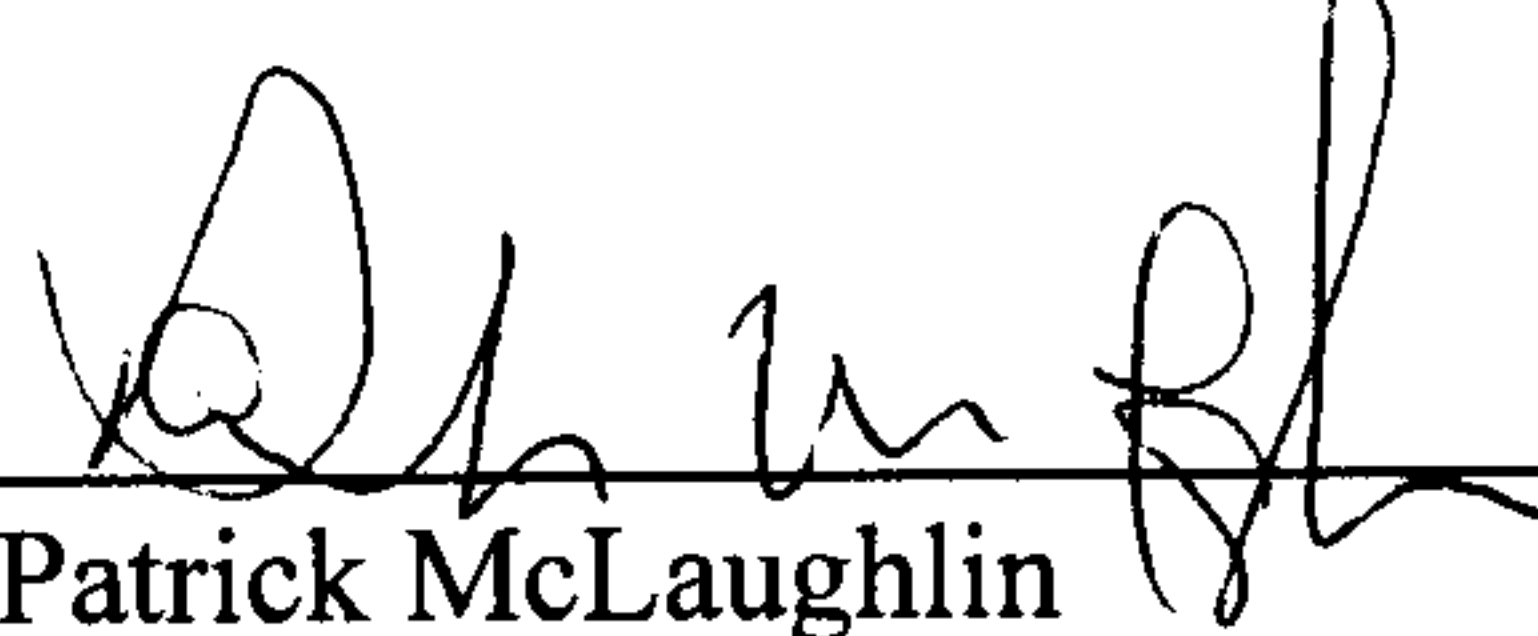
See Attached Exhibit A

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

That said lien is claimed to secure an indebtedness of \$222,557.94, plus interest, from to wit the 24th day of December 2009, and attorneys' fees, for the furnishing of work, services and materials used in the site improvements to the above-described property.

The name of the owner or proprietor of the said property is **Bent River, LLC**.

ELLARD CONTRACTING COMPANY, INC



Patrick McLaughlin
Its: President

Before me, the undersigned, a notary public in and for the County of Jefferson, State of Alabama personally appeared Patrick McLaughlin 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.

Subscribed and sworn to before me on this the 10th day of June, 2010.



Notary Public

My Commission Expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Feb 24, 2014
~~BONDED THRU NOTARY PUBLIC UNDERWRITERS~~

Exhibit "A"

A part of the Northwest quarter of Section 20, Township 19 South, Range 2 West, being more particularly described as follows:

Parcel I:

Commencing at the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 20; thence North 01 degree 13 minutes 49 seconds West a distance of 297.14 feet to the point of beginning; thence North 89 degrees 27 minutes 19 seconds West a distance of 937.47 feet; thence North 25 degrees 40 minutes 26 seconds East a distance of 45.33 feet; thence North 12 degrees 29 minutes 11 seconds West a distance of 290.64 feet; thence North 17 degrees 01 minutes 24 seconds West a distance of 620.32 feet; thence South 87 degrees 00 minutes 36 seconds East a distance of 346.91 feet; thence South 25 degrees 36 minutes 20 seconds East a distance of 267.53 feet; thence South 13 degrees 14 minutes 41 seconds East a distance of 207.74 feet; thence North 61 degrees 04 minutes 03 seconds East a distance of 211.58 feet; thence North 44 degrees 19 minutes 55 seconds East a distance of 58.95 feet; thence North 61 degrees 49 minutes 30 seconds East a distance of 200 feet; thence South 36 degrees 06 minutes 39 seconds East a distance of 74.45 feet; thence North 57 degrees 42 minutes 41 seconds East a distance of 150.00 feet; thence North 24 degrees 54 minutes 01 seconds East a distance of 150.00 feet; thence North 85 degrees 43 minutes 49 seconds East a distance of 264.97 feet; thence South 42 degrees 36 minutes 40 seconds East a distance of 289.40 feet; thence South 02 degrees 20 minutes 41 seconds East a distance of 102.06 feet; thence South 04 degrees 25 minutes 27 seconds East a distance of 300.50 feet; thence South 26 degrees 34 minutes 53 seconds East a distance of 302.34 feet; thence North 89 degrees 27 minutes 16 seconds West a distance of 605.05 feet to the point of beginning.

LESS AND EXCEPT:

A part of the Northwest 1/4 of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest Corner of Northwest 1/4 of the Northwest 1/4 of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama; thence South 88 degrees 38 minutes 10 seconds East along the North line of said Section 20 a distance of 122.50 feet to a point on the Right of Way for U.S. Interstate 65; thence South 17 degrees 01 minute 24 seconds East along said right of way a distance of 125.63 feet; thence South 17 degrees 01 minute 24 seconds East a distance of 620.32 feet; thence South 12 degrees 29 minutes 11 seconds East along said right of way a distance of 290.64 feet to the point of beginning; thence South 72 degrees 28 minutes 58 seconds East a distance of 70.26 feet; thence South 31 degrees 07 minutes 06 seconds East a distance of 533.11 feet; thence South 46 degrees 33 minutes 05 seconds East a distance of 529.16 feet; thence South 21 degrees 58 minutes 19 seconds East a distance of 65.98 feet; thence South 05 degrees 15 minutes 04 seconds East a distance of 79.87 feet; thence South 52 degrees 40 minutes 52 seconds East a distance of 99.15 feet; thence North 83 degrees 51 minutes 50 seconds East a distance of 88.10 feet; thence North 48 degrees 15 minutes 23 seconds East a distance of 169.00 feet; thence North 70 degrees 37



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minutes 00 seconds West a distance of 80.00 feet; thence North 19 degrees 23 minutes 00 seconds East a distance of 65.00 feet; thence North 70 degrees 37 minutes 00 seconds West a distance of 26.59 feet; thence North 39 degrees 31 minutes 04 seconds West a distance of 25.00 feet; thence North 50 degrees 28 minutes 56 seconds East a distance of 81.27 feet; thence North 29 degrees 43 minutes 04 seconds East a distance of 60.04 feet; thence North 09 degrees 38 minutes 27 seconds East a distance of 63.09 feet; thence North 27 degrees 39 minutes 10 seconds East a distance of 558.87 feet; thence North 10 degrees 37 minutes 35 seconds East a distance of 83.67 feet; thence North 03 degrees 21 minutes 47 seconds East a distance of 83.08 feet; thence North 07 degrees 13 minutes 47 seconds West a distance of 83.08 feet; thence North 17 degrees 49 minutes 21 seconds West a distance of 83.08 feet; thence North 27 degrees 45 minutes 10 seconds West a distance of 76.52 feet; thence North 30 degrees 41 minutes 51 seconds West a distance of 180.00 feet; thence North 02 degrees 23 minutes 15 seconds East a distance of 82.10 feet; thence North 24 degrees 52 minutes 31 seconds West a distance of 60.71 feet; thence North 15 degrees 04 minutes 29 seconds West a distance of 45.83 feet; thence North 27 degrees 23 minutes 45 seconds East a distance of 60.49 feet; thence North 20 degrees 18 minutes 18 seconds East a distance of 139.00 feet; thence South 42 degrees 36 minutes 40 seconds East a distance of 210.49 feet; to the centerline of the Cahaba River; thence South 02 degrees 20 minutes 41 seconds East along centerline of said river a distance of 102.06 feet; thence South 04 degrees 25 minutes 27 seconds East along the centerline of said river a distance of 300.50 feet; thence South 26 degrees 34 minutes 53 seconds East along the centerline of said river a distance of 302.34 feet; thence South 18 degrees 08 minutes 16 seconds East along the centerline of said river a distance of 242.45 feet; thence South 22 degrees 09 minutes 01 second West along the centerline of said river a distance of 175.08 feet; thence South 47 degrees 51 minutes 27 seconds West along the centerline of said river a distance of 103.45 feet; thence South 39 degrees 46 minutes 47 seconds West along the centerline of said river a distance of 299.63 feet; thence South 20 degrees 29 minutes 37 seconds West along the centerline of said river a distance of 195.32 feet; thence South 12 degrees 59 minutes 35 seconds West along the centerline of said river a distance of 96.25 feet; thence South 23 degrees 16 minutes 43 seconds West along the centerline of said river a distance of 97.04 feet; thence South 37 degrees 55 minutes 03 seconds West along the centerline of said river a distance of 92.17 feet; thence South 59 degrees 16 minutes 20 seconds West along the centerline of said river a distance of 86.48 feet; thence South 74 degrees 00 minutes 49 seconds West along the centerline of said river a distance of 190.97 feet; thence North 85 degrees 47 minutes 49 seconds West along the centerline of said river a distance of 114.43 feet; thence North 34 degrees 15 minutes 46 seconds West along the centerline of said river a distance of 705.38 feet; thence North 42 degrees 51 minutes 18 seconds West along the centerline of said river a distance of 50.28 feet; thence North 28 degrees 58 minutes 39 seconds West along the centerline of said river a distance of 273.83 feet; thence North 39 degrees 58 minutes 18 seconds West along the centerline of said river a distance of 59.87 feet; thence North 29 degrees 49 minutes 41 seconds West along the centerline of said river a distance of 236.56 feet; thence North 02 degrees 58 minutes 00 seconds West along the centerline of said river a distance of 87.68 feet; thence North 09 degrees 32 minutes 41 seconds West along the centerline of said river a distance of 35.00 feet to the right of way for U.S. Interstate Highway 65; thence North 25 degrees 40 minutes 26 seconds East along said right of way a distance of 45.33 feet to the Point of Beginning.



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Parcel II:

Commence at the Southeast corner of the Northwest quarter of the Northwest of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama and run North 01 degree 13 minutes 49 seconds West along the East line of said quarter-quarter Section for 297.14 feet to the point of beginning of the tract of land herein described; thence run North 89 degrees 27 minutes 19 seconds West for 937.47 feet to a point on the East right of way line of Interstate Highway No. 65; thence run South 09 degrees 32 minutes 41 seconds East along said right of way line for 35.00 feet; thence run South 02 degrees 58 minutes 00 seconds East along said right of way line for 87.68 feet to the centerline of the Cahaba River; thence run South 29 degrees 49 minutes 41 seconds East along the centerline of said river for 236.56 feet; thence run South 39 degrees 58 minutes 18 seconds East along the centerline of said river for 59.87 feet; thence run South 28 degrees 58 minutes 39 seconds East along the centerline of said river for 273.83 feet; thence run South 42 degrees 51 minutes 18 seconds East along the centerline of said river for 50.28 feet; thence run South 34 degrees 15 minutes 46 seconds East along the centerline of said river for 705.38 feet; thence run South 85 degrees 47 minutes 49 seconds East along the centerline of said river for 114.43 feet; thence run North 74 degrees 00 minutes 49 seconds East along the centerline of said river for 190.97 feet; thence run North 59 degrees 16 minutes 20 seconds East along the centerline of said river for 86.48 feet; thence run North 37 degrees 55 minutes 03 seconds East along the centerline of said river for 92.17 feet; thence run North 23 degrees 16 minutes 43 seconds East along the centerline of said river for 97.04 feet; thence run North 12 degrees 59 minutes 35 seconds East along the centerline of said river for 96.25 feet; thence run North 20 degrees 29 minutes 37 seconds East along the centerline of said river for 195.32 feet; thence run North 39 degrees 46 minutes 47 seconds East along the centerline of said river for 299.63 feet; thence run North 47 degrees 51 minutes 27 seconds East along the centerline of said river for 103.45 feet; thence run North 22 degrees 09 minutes 01 seconds East along the centerline of said river for 175.08 feet; thence run North 19 degrees 08 minutes 16 seconds West along the centerline of said river for 242.45 feet to a point on the North line of the Northeast 1/4 of the Northwest 1/4 of said Section 20; thence run North 89 degrees 27 minutes 19 seconds West along the North line of said quarter-quarter Section 605.05 feet to the point of beginning; being situated in Shelby County, Alabama.

LESS AND EXCEPT:

A part of the Northwest 1/4 of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest Corner of Northwest 1/4 of the Northwest 1/4 of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama; thence South 88 degrees 38 minutes 10 seconds East along the North line of said Section 20 a distance of 122.50 feet to a point on the Right of Way for U.S. Interstate 65; thence South 17 degrees 01 minute 24 seconds East along said right of way a distance of 125.63 feet; thence South 17 degrees 01 minute 24 seconds East a distance of 620.32 feet; thence South 12 degrees 29 minutes 11 seconds East along said right of way a distance of 290.64 feet to the point of beginning; thence South 72 degrees 28 minutes 58 seconds East a distance of 70.26 feet; thence South 31 degrees 07 minutes 06 seconds East a distance of 533.11 feet; thence South 46 degrees 33 minutes 05 seconds East a distance of 529.16 feet; thence South 21 degrees 58



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minutes 19 seconds East a distance of 65.98 feet; thence South 05 degrees 15 minutes 04 seconds East a distance of 79.87 feet; thence South 52 degrees 40 minutes 52 seconds East a distance of 99.15 feet; thence North 83 degrees 51 minutes 50 seconds East a distance of 88.10 feet; thence North 48 degrees 15 minutes 23 seconds East a distance of 169.00 feet; thence North 70 degrees 37 minutes 00 seconds West a distance of 80.00 feet; thence North 19 degrees 23 minutes 00 seconds East a distance of 65.00 feet; thence North 70 degrees 37 minutes 00 seconds West a distance of 26.59 feet; thence North 39 degrees 31 minutes 04 seconds West a distance of 25.00 feet; thence North 50 degrees 28 minutes 56 seconds East a distance of 81.27 feet; thence North 29 degrees 43 minutes 04 seconds East a distance of 60.04 feet; thence North 09 degrees 38 minutes 27 seconds East a distance of 63.09 feet; thence North 27 degrees 39 minutes 10 seconds East a distance of 558.87 feet; thence North 10 degrees 37 minutes 35 seconds East a distance of 83.67 feet; thence North 03 degrees 21 minutes 47 seconds East a distance of 83.08 feet; thence North 07 degrees 13 minutes 47 seconds West a distance of 83.08 feet; thence North 17 degrees 49 minutes 21 seconds West a distance of 83.08 feet; thence North 27 degrees 45 minutes 10 seconds West a distance of 76.52 feet; thence North 30 degrees 41 minutes 51 seconds West a distance of 180.00 feet; thence North 02 degrees 23 minutes 15 seconds East a distance of 82.10 feet; thence North 24 degrees 52 minutes 31 seconds West a distance of 60.71 feet; thence North 15 degrees 04 minutes 29 seconds West a distance of 45.83 feet; thence North 27 degrees 23 minutes 45 seconds East a distance of 60.49 feet; thence North 20 degrees 18 minutes 18 seconds East a distance of 139.00 feet; thence South 42 degrees 36 minutes 40 seconds East a distance of 210.49 feet; to the centerline of the Cahaba River; thence South 02 degrees 20 minutes 41 seconds East along centerline of said river a distance of 102.06 feet; thence South 04 degrees 25 minutes 27 seconds East along the centerline of said river a distance of 300.50 feet; thence South 26 degrees 34 minutes 53 seconds East along the centerline of said river a distance of 302.34 feet; thence South 18 degrees 08 minutes 16 seconds East along the centerline of said river a distance of 242.45 feet; thence South 22 degrees 09 minutes 01 second West along the centerline of said river a distance of 175.08 feet; thence South 47 degrees 51 minutes 27 seconds West along the centerline of said river a distance of 103.45 feet; thence South 39 degrees 46 minutes 47 seconds West along the centerline of said river a distance of 299.63 feet; thence South 20 degrees 29 minutes 37 seconds West along the centerline of said river a distance of 195.32 feet; thence South 12 degrees 59 minutes 35 seconds West along the centerline of said river a distance of 96.25 feet; thence South 23 degrees 16 minutes 43 seconds West along the centerline of said river a distance of 97.04 feet; thence South 37 degrees 55 minutes 03 seconds West along the centerline of said river a distance of 92.17 feet; thence South 59 degrees 16 minutes 20 seconds West along the centerline of said river a distance of 86.48 feet; thence South 74 degrees 00 minutes 49 seconds West along the centerline of said river a distance of 190.97 feet; thence North 85 degrees 47 minutes 49 seconds West along the centerline of said river a distance of 114.43 feet; thence North 34 degrees 15 minutes 46 seconds West along the centerline of said river a distance of 705.38 feet; thence North 42 degrees 51 minutes 18 seconds West along the centerline of said river a distance of 50.28 feet; thence North 28 degrees 58 minutes 39 seconds West along the centerline of said river a distance of 273.83 feet; thence North 39 degrees 58 minutes 18 seconds West along the centerline of said river a distance of 59.87 feet; thence North 29 degrees 49 minutes 41 seconds West along the centerline of said river a distance of 236.56 feet; thence North 02 degrees 58 minutes 00 seconds West along the centerline of said river a distance of 87.68 feet; thence North 09 degrees 32 minutes 41 seconds West along the centerline of said river a distance of 35.00 feet to the right of way for U.S. Interstate Highway 65; thence North 25 degrees 40 minutes 26 seconds East along said right of way a distance of 45.33 feet to the Point of Beginning.