

STATE OF ALABAMA )  
:  
SHELBY COUNTY )

*This instrument prepared by:*  
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Galloway & Scott, LLC  
2200 Woodcrest Place, Suite 310  
Birmingham, AL 35209

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

**NOTICE OF LIS PENDENS**

Notice is hereby given that on the 10th day of September, 2010, a Complaint was filed by the undersigned in the Circuit Court of Shelby County, Alabama, Case No. CV-2010-900908 and that the following are the names of all of the parties to said suit:

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

IVAN PHILLIPS and APRIL PHILLIPS, )  
)  
Plaintiffs, )

v. )

HAROLD GRIFFIN, JAMES T. )  
CHAMBLEE, JOSIE MAE CHAMBLEE, )  
the surface rights to that certain real property located )  
in Shelby County, Alabama which is more )  
particularly described as: A parcel of land situated )  
in the NE ¼ and the SE ¼ of the Southwest ¼ of )  
Section 24, Township 20 South, Range 2 West, )  
Shelby County, Alabama being more particularly )  
described as follows: Begin at the NW corner of the )  
NE ¼ of the SW ¼ of Section 24, Township 20 )  
South, Range 2 West being a 2" hexagon rod found; )  
thence along the North line of said ¼ - ¼ section S )  
87°35'37" E a distance of 602.90 feet to a point; )  
thence S 7°02'07" E leaving said ¼ - ¼ section line, )  
a distance of 125.38 feet to a PK nail set in the )  
centerline of Griffin Lake Road; thence along the )  
centerline of Griffin Lake Road 20.91 feet to a PK )  
nail set along an arc to the left, having a radius of )  
300.00 feet, the chord bearing of which is S 9°01'54" )  
E for a distance of 20.90 feet; thence S 11°01'41" E )  
a distance of 146.39 feet to a PK nail set; thence )  
continue along said centerline 190.80 feet to a PK )  
nail set along an arc to the left, having a radius of )  
300.00 feet, the chord of which is S 29°14'53" E for )  
a distance of 187.60 feet; thence continue along said )  
centerline S 47°28'04" E a distance of 187.80 feet to )  
a PK nail set; thence continue along said centerline )

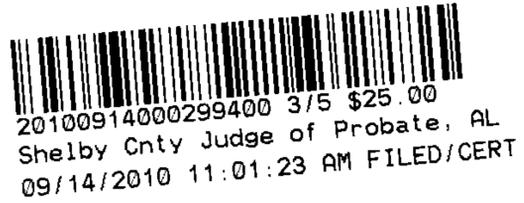


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S 68°46'05" E for a distance of 181.63 feet; thence )  
 continue along said centerline N 89°55'54" E a )  
 distance of 142.93 feet to a PK nail set at the )  
 intersection of Griffin Lake Road and Griffin Road; )  
 thence along the centerline of Griffin Road, leaving )  
 Griffin Lake Road 69.20 feet to a PK nail set along )  
 an arc to the left, having a radius of 500.00 feet, the )  
 chord of which is S 60°37'59" W for a distance of )  
 69.15 feet; thence continue along said centerline S )  
 56°40'05" W a distance of 72.40 feet to a PK nail )  
 set; thence continue along said centerline 51.81 feet )  
 to a PK nail set along an arc to the left, having a )  
 radius of 500.00 feet, the chord of which is S )  
 53°41'58" W for a distance of 51.79 feet; thence )  
 continue along said centerline S 50°43'52" W a )  
 distance of 161.63 feet to a PK nail set; thence )  
 continue along said centerline 60.05 feet to a PK nail )  
 set along an arc to the right, having a radius of )  
 1500.00 feet, the chord of which is S 51°52'40" W )  
 for a distance of 60.05 feet; thence continue along )  
 said centerline S 53°01'29" W a distance of 202.55 )  
 feet to a PK nail set; thence continue along said )  
 centerline 227.37 feet to a PK nail set along an arc to )  
 the right, having a radius of 1500.00 feet, the chord )  
 of which is S 57°22'02" W for a distance of 227.15 )  
 feet; thence continue along said centerline S )  
 61°42'34" W a distance of 105.12 feet to a point; )  
 thence continue along said centerline 82.98 feet to a )  
 PK nail set along an arc to the left, having a radius )  
 of 1000.00 feet, the chord of which is S 59°19'56" W )  
 for a distance of 82.96 feet; thence continue along )  
 said centerline S 56°57'18" W a distance of 95.69 )  
 feet to a PK nail set; thence continue along said )  
 centerline 27.35 feet to a PK nail set along an arc to )  
 the left, having a radius of 250.00 feet, the chord of )  
 which is S 53°49'16" W for a distance of 27.33 feet; )  
 thence continue along said centerline S 50°41'15" W )  
 a distance of 95.19 feet to a PK nail set; thence )  
 leaving the centerline of Griffin Road N 39°18'45" )  
 W a distance of 30.00 feet an iron pin found, capped )  
 EDG, on the Northern Right-of-Way of Griffin Road )  
 as recorded with the Judge of Probate, Shelby )  
 County, Alabama on the Yellowleaf Creek Farms )  
 Subdivision in Map Book 41 Page 83; thence along )  
 said Right-of-Way S 50°41'15" W a distance of )  
 63.73 feet to an iron pin found, capped EDG; thence )  
 continue along said Right-of-Way 161.47 feet to the )  
 intersection of the Northern Right-of-Way of Griffin )  
 Road and the Western line of the SE ¼ of the SW ¼ )  
 of Section 24, Township 20 South, Range 2 West to )  
 an iron pin set along an arc to the right, having a )  
 radius of 175.00 feet, the chord of which is S )  
 77°07'15" W for a distance of 155.80 feet; thence )  
 leaving said Right-of-Way and along the Western )

  
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line of the SE ¼ and the NE ¼ of Section 24, )  
 Township 20 South, Range 2 West N 2°16'12" E a )  
 distance of 1,432.13 feet to the POINT OF )  
 BEGINNING. Less and Except prescriptive Rights- )  
 of-Way for Griffin Lake Road and Griffin Road. )  
 (the "Property") All being situated in Shelby )  
 County, Alabama, and FICTITIOUS )  
 DEFENDANTS A, B, C, D, E, F, G, H, I, J, )  
 K, L and M, being ANY AND ALL )  
 UNKNOWN PARTIES claiming any )  
 present, future, contingent, reversionary, )  
 remainder right, title or interest in the )  
 Property, )  
 )  
 Defendants. )



Case No. CV 2010 – 900908

Notice is hereby given that on the 10th day of September, 2010, plaintiffs Ivan and April Phillips (referred to hereinafter as "Plaintiffs") filed a complaint in the Circuit Court of Shelby County, Alabama, (the "Complaint") against defendants Harold Griffin, James T. Chamblee, Josie Mae Chamblee (collectively referred to hereinafter as "Defendants"). In the Complaint, Plaintiffs allege among other things, the following:

1. The real property which is the subject matter of this lawsuit is that property located in Shelby County, Alabama which is more particularly described as:

A parcel of land situated in the NE ¼ and the SE ¼ of the Southwest ¼ of Section 24, Township 20 South, Range 2 West, Shelby County, Alabama being more particularly described as follows: Begin at the NW corner of the NE ¼ of the SW ¼ of Section 24, Township 20 South, Range 2 West being a 2" hexagon rod found; thence along the North line of said ¼ - ¼ section S 87°35'37" E a distance of 602.90 feet to a point; thence S 7°02'07" E leaving said ¼ - ¼ section line, a distance of 125.38 feet to a PK nail set in the centerline of Griffin Lake Road; thence along the centerline of Griffin Lake Road 20.91 feet to a PK nail set along an arc to the left, having a radius of 300.00 feet, the chord bearing of which is S 9°01'54" E for a distance of 20.90 feet; thence S 11°01'41" E a distance of 146.39 feet to a PK nail set; thence continue along said centerline 190.80 feet to a PK nail set along an arc to the left, having a radius of 300.00 feet, the chord of which is S 29°14'53" E for a distance of 187.60 feet; thence continue along said centerline S 47°28'04" E a distance of 187.80 feet to a PK nail set; thence continue along said centerline 185.88 feet to a PK nail set along an arc to the left, having a radius of 250.00 feet, the chord of which is S 68°46'05" E for a distance of 181.63 feet; thence continue along said centerline N 89°55'54" E a distance of 142.93 feet to a PK nail set at the intersection of Griffin Lake Road and Griffin Road; thence along the centerline of Griffin Road,

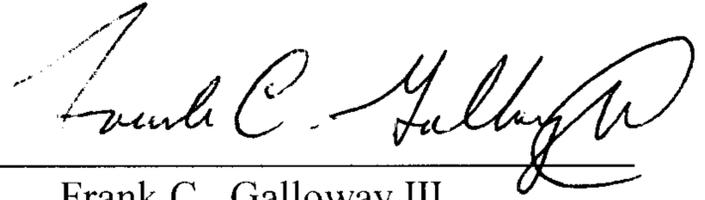


leaving Griffin Lake Road 69.20 feet to a PK nail set along an arc to the left, having a radius of 500.00 feet, the chord of which is S 60°37'59" W for a distance of 69.15 feet; thence continue along said centerline S 56°40'05" W a distance of 72.40 feet to a PK nail set; thence continue along said centerline 51.81 feet to a PK nail set along an arc to the left, having a radius of 500.00 feet, the chord of which is S 53°41'58" W for a distance of 51.79 feet; thence continue along said centerline S 50°43'52" W a distance of 161.63 feet to a PK nail set; thence continue along said centerline 60.05 feet to a PK nail set along an arc to the right, having a radius of 1500.00 feet, the chord of which is S 51°52'40" W for a distance of 60.05 feet; thence continue along said centerline S 53°01'29" W a distance of 202.55 feet to a PK nail set; thence continue along said centerline 227.37 feet to a PK nail set along an arc to the right, having a radius of 1500.00 feet, the chord of which is S 57°22'02" W for a distance of 227.15 feet; thence continue along said centerline S 61°42'34" W a distance of 105.12 feet to a point; thence continue along said centerline 82.98 feet to a PK nail set along an arc to the left, having a radius of 1000.00 feet, the chord of which is S 59°19'56" W for a distance of 82.96 feet; thence continue along said centerline S 56°57'18" W a distance of 95.69 feet to a PK nail set; thence continue along said centerline 27.35 feet to a PK nail set along an arc to the left, having a radius of 250.00 feet, the chord of which is S 53°49'16" W for a distance of 27.33 feet; thence continue along said centerline S 50°41'15" W a distance of 95.19 feet to a PK nail set; thence leaving the centerline of Griffin Road N 39°18'45" W a distance of 30.00 feet an iron pin found, capped EDG, on the Northern Right-of-Way of Griffin Road as recorded with the Judge of Probate, Shelby County, Alabama on the Yellowleaf Creek Farms Subdivision in Map Book 41 Page 83; thence along said Right-of-Way S 50°41'15" W a distance of 63.73 feet to an iron pin found, capped EDG; thence continue along said Right-of-Way 161.47 feet to the intersection of the Northern Right-of-Way of Griffin Road and the Western line of the SE ¼ of the SW ¼ of Section 24, Township 20 South, Range 2 West to an iron pin set along an arc to the right, having a radius of 175.00 feet, the chord of which is S 77°07'15" W for a distance of 155.80 feet; thence leaving said Right-of-Way and along the Western line of the SE ¼ and the NE ¼ of Section 24, Township 20 South, Range 2 West N 2°16'12" E a distance of 1,432.13 feet to the POINT OF BEGINNING. Less and Except prescriptive Rights-of-Way for Griffin Lake Road and Griffin Road. (the "Property")

2. There is a dispute between Plaintiffs and Defendants (as well as the Fictitious Defendants) as to who has rights, title and any form of interest in the Property.

3. The referenced lawsuit is an ejectment and *in rem* quiet title action.

Done this 13<sup>th</sup> day of September, 2010.



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Frank C. Galloway III  
*Attorney for Plaintiffs*



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