

STATE OF ALABAMA)
:
SHELBY COUNTY)

This instrument prepared by:
Frank C. Galloway III, Esq.
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 9th day of May, 2009, a Complaint was filed by Heartwood 88, LLC, now represented by the undersigned, in the Circuit Court of Shelby County, Alabama, Case No. CV 09-900353 and that the following are the names of all of the parties to said suit:

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

HEARTWOOD 88, LLC,)
)
Plaintiff,)
)
v.)
)
SYLVESTER M. MIZE, BARBARA J. MIZE, and)
FICTITIOUS DEFENDANTS A, B, C, & D being)
those persons or entities claiming an interest)
in certain real property located in Shelby)
County, Alabama being more particularly)
described below,)
)
Defendants.)

Case No. 09-900353

Notice is hereby given that on the 9th day of May, 2009, plaintiff Heartwood 88, LLC, ("Plaintiff") filed a complaint in the Circuit Court of Shelby County, Alabama, (the "Complaint") against defendants Sylvester M. Mize, Barbara J. Mize, and Fictitious Defendants A, B, C, and D (collectively, the "Defendants").

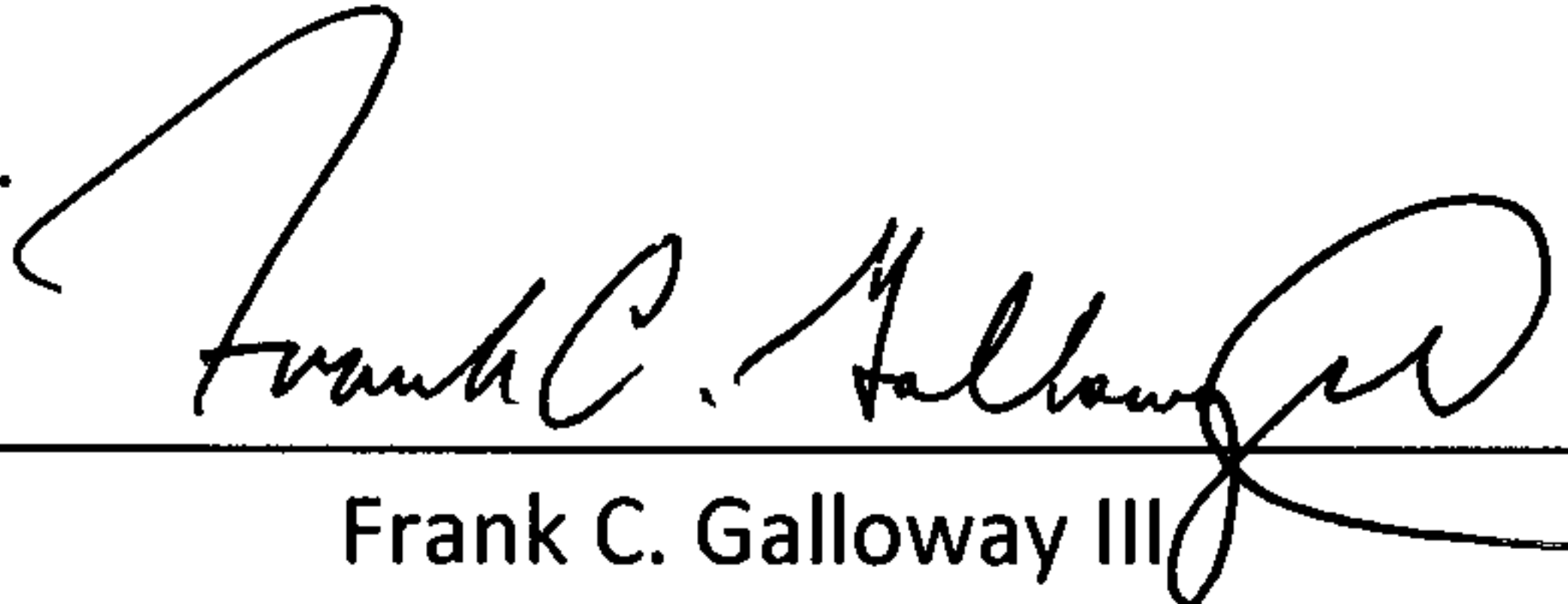
In the Complaint, Plaintiff alleges, among other things, the following:

The real property which is the subject matter of this lawsuit is that property located in Shelby County, Alabama located at 1457 Sequoia Trail, Alabaster, Alabama, has Parcel ID# 58-13-8-27-4-1-46.013, and is more particularly described as:

Lot 39, according to the Survey of Navajo Hills, 7th
Sector, as recorded in Map Book 7, Page 95 in the
Probate Office of Shelby County, Alabama

There is a dispute between Plaintiff and Defendants (as well as the Fictitious Defendants) as to their respective rights, title and interest in the Property. Plaintiff seeks to have title to the Property quieted in its favor and/or have the rights, title and interest of all parties adjudged.

Done this 28th day of September, 2011.


Frank C. Galloway III


Sylvion S. Moss
Attorneys for Plaintiff Heartwood 88, LLC

OF COUNSEL:

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