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Shelby Cnty Judge of Probate, AL
06/21/2013 09:39:25 AM FILED/CERT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

DOCKET NO. 1:11CR10

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES W. BAILEY, JR.,

Defendant.

RELEASE OF
NOTICE OF LIS PENDENS

GRANTEE: JAMES W. BAILEY, JR., AVL PROPERTIES, SOUTHERN FINANCIAL SERVICES OF NORTH CAROLINA, 1031 EXCHANGE and/or JAMES H. LUCAS, JR., REAL ESTATE IRA, LLC

Notice is hereby given that the United States of America releases and forever discharges its forfeiture claim against the real property described in Exhibit A, attached hereto, based on the corresponding Notice of Lis Pendens recorded on March 2, 2011, document number 20110302000070840.

ANNE M. TOMPKINS
UNITED STATES ATTORNEY

DRAWN BY AND MAIL TO:

BENJAMIN BAIN-CREED
ASSISTANT UNITED STATES ATTORNEY
Suite 1650, Carillon Building
227 West Trade Street
Charlotte, NC 28202-1675
(704) 344-6222

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I hereby certify that Benjamin Bain-Creed personally appeared before me this the 23 day of May, 2013, and acknowledged the execution of the foregoing instrument.

Lauren Amanda Fowler Hefferon, Notary Public
My Commission Expires: November 19, 2013

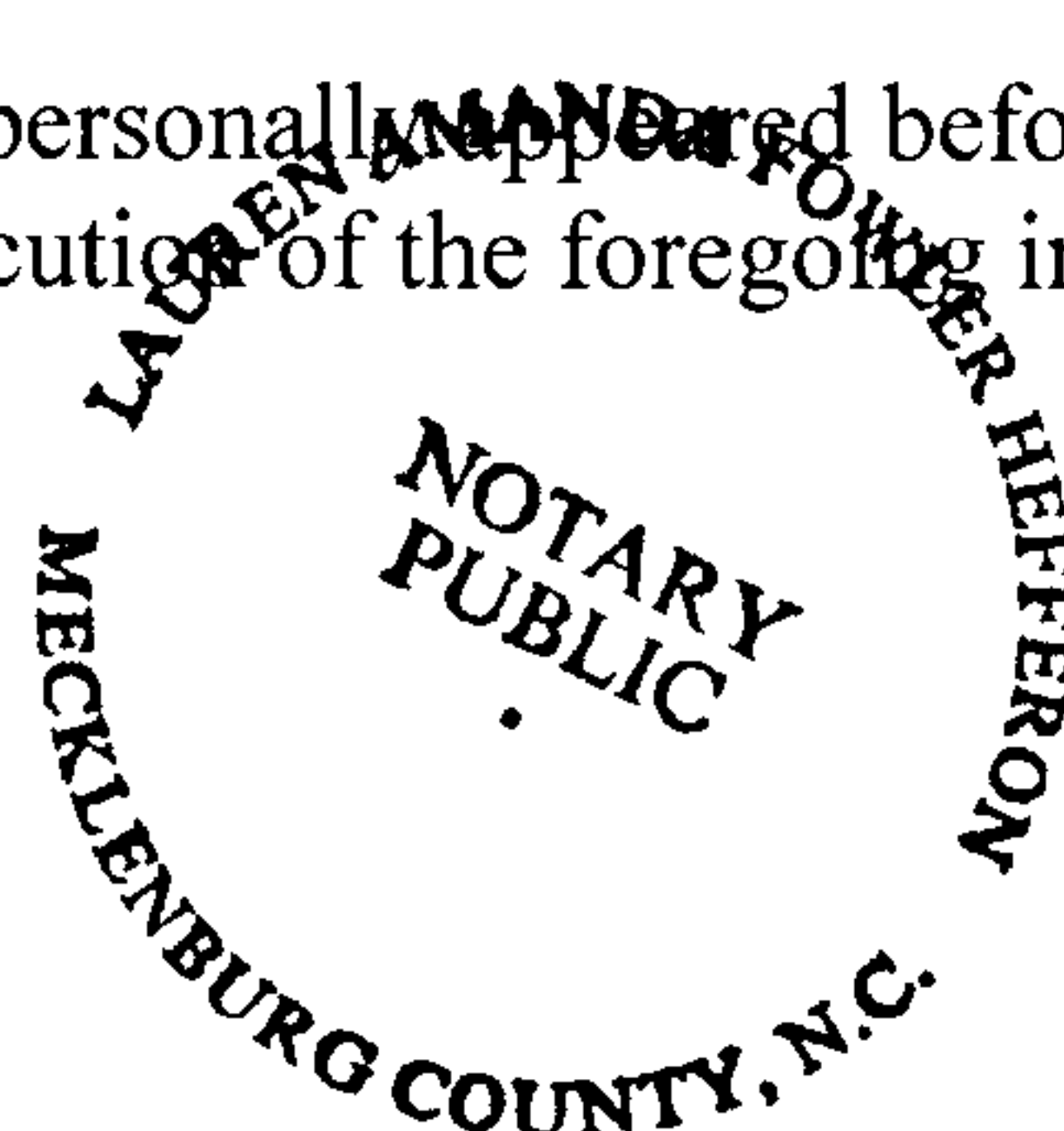


EXHIBIT A

(1) Certain real property located at 22 Harris Lane, Maylene, Alabama, together with all improvements, fixtures, and appurtenances thereon, and more particularly described as follows:

Begin at the SW corner of the NE 1/4 of the NW 1/4 of Section 16, Township 21 South, Range 3 West and run Easterly along the South side of the said 1/4 1/4 for 134.40 feet;

Then turn an angle of 93 degrees 21 minutes 52 seconds to the left and run Northerly for 420.20 feet to the point of beginning;

Then continue Northerly along the last described course for 200.00 feet to a point on the South right of way of Shelby County Road No. 26;

Then turn an angle of 90 degrees 00 minutes 21 seconds to the left and run Westerly along the South right of way of said road for 275.00 feet; then run Southerly for 200.00 feet;

Then turn left and run Easterly for 275.00 feet to the point of beginning; being situated in Shelby County, Alabama.

(2) Certain real property located at 78 Harris Lane, Maylene, Alabama, together with all improvements, fixtures, and appurtenances thereon, and more particularly described as follows:

All that parcel of the N of the NW 1/4 of Section 16, Township 21 S, Range 3 W of the Huntsville Meridian in Shelby County, Alabama, more particularly described as beginning at the NE corner of the NW 1/4 of said Section 16, Township 21 S. Range 3 W; thence along the E boundary of the NW 1/4 of said Section 16 a distance of 350.1 feet to the center of Shelby County Road no. 26 (SACP 4391-A); thence along

the center of said County road, S 67 degrees 52 minutes W 796.2 feet and S 85 degrees 30 minutes W 466.6 feet; thence S 4 degrees 30 minutes E 40.0 feet to the S right-of-way of said road to the point of true beginning; aid point is further identified as being S 85 degrees 30 minutes W 111.6 feet from the P.C. Station 5+67.5 feet on County Road 26 (SACP 4391-A); thence from the point of true beginning S 4 degrees 30 minutes E 567.3 feet; thence N 85 degrees 41 minutes W 532.8 feet to the E right-of-way of County Road 17 (SACP) 80 foot wide right-of-way; thence along the E right-of-way 426.9 feet; thence N. 40 degrees 30 minutes E 100.00 feet to the S right-of-way of County Road 26 (80 foot wide right-of-way); thence along the S right-of-way N 85 degrees 30 minutes E 355.9 feet to the point of true beginning. Said tract contains 5.7 acres, more or less. Said tract is subject to an Alabama Power Company easement along the N boundary.

Less and Except: A parcel of land in the Northwest 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Northwest 1/4 of Section 16, Township 21 South, Range 3 West, Shelby County Alabama, more particularly described as follows: Begin at the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 21 South, Range 3 West, and run Westerly along the South side of the said 1/4 1/4 for 391.97 feet to a point on the East Right of Way of Shelby County Road No. 17; then turn an angle of 92 degrees 26 minutes 06 seconds to the right and run Northerly along the East Right of Way of said road for 103.00 feet to a concrete Right of Way marker on the East Right of Way of said Road No. 17, then turn an angle of 5 degrees 13 minutes 33 seconds to the right and run Northerly along the East Right of Way of said Road No. 17 for 44.00 feet; then turn an angle of 87 degrees 50 minutes 11 seconds to the right and run Easterly for 512.76 feet; then turn an angle of 81 degrees 08 minutes 18 seconds to the right and run Southerly for 97.56 feet to a point on the South side of the Northeast 1/4 of Section 16, Township 21 South, Range 3 West; then turn an angle of 99 degrees 21 minutes 52 seconds to the right and run Westerly for 134.40 feet back to the point of beginning. Also a 30 foot wide easement for ingress and egress from Shelby County Highway 26, the center line of said easement being more particularly described as follows: Commence at the Southwest corner of the Northeast 1/4 of the Northwest 1/4 of Section

16, Township 21 South, Range 3 West; thence in an Easterly direction along the South line of said 1/4 1/4 Section a distance of 137.22 feet; thence 93 degrees 21 minutes 52 seconds left, in a Northwesterly direction a distance of 97.56 feet; thence 81 degrees 08 minutes 18 seconds left in a Northwesterly direction, a distance of 57.55 feet to the Point of Beginning of herein described center line; thence 105 degrees 18 minutes 48 seconds right, in a Northeasterly direction, a distance of 102.22 feet; thence 24 degrees 10 minutes 30 seconds left, along said center line, in a Northwesterly direction, a distance of 420.52 feet to the Southerly Right of Way of said Highway 26 and end of herein described center line.

Begin at the SW corner of the NE 1/4 of the NW 1/4 of section 16, Township 21 South, Range 3 West and run Easterly along the South side of the said 1/4 1/4 for 134.40 feet; then turn an angle of 93 degrees 21 minutes 52 seconds to the left and run Northerly for 420.20 feet to the point of beginning; then continue Northerly along the last described course for 200.00 feet to a point on the South right of way of Shelby County Road No. 26; then turn an angle of 90 degrees 00 minutes 21 seconds to the left and run Westerly along the South right of way of said road for 275.00 feet; then run Southerly for 200.00 feet; then turn left and run Easterly for 275.00 feet to the point of beginning; being situated in Shelby County, Alabama.

(3) Certain real property located at 122 Harris Lane, Maylene, Alabama, together with all improvements, fixtures, and appurtenances thereon, and more particularly described as follows:

A parcel of land in the Northwest 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Northwest 1/4 of Section 16, Township 21 South, Range 3 West, Shelby County Alabama, more particularly described as follows:

Begin at the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 21 South, Range 3 West, and run Westerly along the South side of the said 1/4 1/4 for 391.97 feet to a point on the Ear Right of Way of Shelby County Road No. 17;

Then turn an angle of 92 degrees 26 minutes 06 seconds to the right and run Northerly along the East Right of Way of said road for 103/00 feet to a concrete Right of Way marker on the East Right of Way of said Road no. 17, then turn an angle of 5 degrees 13 minutes 33 seconds to the right and run Northerly along the East Right of Way of said Road no. 17 for 44.00 feet;

then turn an angle of 87 degrees 50 minutes 11 seconds to the right and run Easterly for 512.76 feet;

then turn an angle of 81 degrees 08 minutes 18 seconds to the right and run Southerly for 97.56 feet to a point on the South side of the Northeast 1/4 of Section 16, Township 21 South, Range 3 West;

Then turn an angle of 993 degrees 21 minutes 52 seconds to the right and run Westerly for 134.40 feet back tot eh point of beginning;

also a 30 foot wide easement for ingress and egress from Shelby County Highway 26, the center line of said easement being more particularly described as follows:

Commence at the Southwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 16, Township 21 South, range 3 West;

thence in an Easterly direction along the South line of said 1/4 1/4 Section, a distance of 137.22 feet;

thence 93 degrees 21 minutes 52 seconds left, in a Northwesterly direction a distance of 97.56 feet;

then 81 degrees 08 minutes 18 seconds left in a Northwesterly direction, a distance of 57.55 feet to the Point of Beginning of herein described center line;

thence 105 degrees 18 minutes 48 seconds right, in a Northeasterly direction, a distance of 102.22 feet;

thence 24 degrees 10 minutes 30 seconds left, along said center line, in a Northwesterly direction, a distance of 420.52 feet to the Southerly Right of Way of said Highway 26 and end of herein described center line.