

TO BE CROSS REFERENCED UNDER EAGLE'S NEST DEVELOPMENT, LLC

Document prepared by:

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**IN THE OFFICE OF THE JUDGE OF PROBATE OF
SHELBY COUNTY, ALABAMA**

**IN RE: THE CIVIL ACTION FILED IN)
THE CIRCUIT COURT OF)
JEFFERSON COUNTY, ALABAMA)
(BIRMINGHAM CIVIL DIVISION))
Case No. CV2018-900235 AND STYLED:)**

CHRIS WILLIAMS,

Plaintiff,

vs.

ASHLEY COLBURN, *et al.*,

Defendants.


20181019000371600 1/4 \$24.00
Shelby Cnty Judge of Probate, AL
10/19/2018 10:23:25 AM FILED/CERT

LIS PENDENS

Pursuant to ALA. CODE §35-4-130 (1975), *et seq.*, notice is hereby given that on or about January 18, 2018, Plaintiff, Chris Williams commenced a civil action against Defendants, Ashley Colburn, AJ Homes, Inc., et al (said civil action shall be referred to as the "Jefferson County Civil Action"). In the Jefferson County Civil Action, the Plaintiff claimed that the Defendants violated the general partnership/agreement between Plaintiff and AJ Homes, Inc. and Ashley Colburn (one of AJ Homes, Inc.'s shareholder) ("Partnership") inasmuch as the Plaintiff has not been paid his portion of all profits from each development of homes involving, in whole or part, AJ Homes, Inc. and/or Ashley Colburn, which under the Partnership includes the property described herein, and Plaintiff claims a breach of fiduciary duty to the Plaintiff by Defendants.

The Jefferson County Civil Action is still pending.

This notice is being filed in the office of the Judge of Probate of Jefferson County, Alabama to be recorded by said Judge as provided for in ALA. CODE §35-4-130(1975), *et seq.* so that said action shall act as a lis pendens to the property and/or any interest Defendants may claim in the property described on the attached Exhibit A.

Respectfully submitted this the 15th day of October, 2018.


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Attorney for the Plaintiff

OF COUNSEL:

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EXHIBIT A

BEGINNING AT A FOUND 1/2" OPEN PIPE BEING THE NW CORNER OF THE SW 1/4 OF THE NE 1/4 OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 1 WEST; THENCE SOUTH 02 DEGREES 02 MINUTES 34 SECONDS WEST, ALONG THE WEST LINE OF SAID 1/4-1/4, A DISTANCE OF 469.59 FEET TO A POINT; THENCE SOUTH 89 DEGREES 06 MINUTES 09 SECONDS EAST A DISTANCE OF 181.46 FEET TO A POINT; ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 38 DEGREES 54 MINUTES 35 SECONDS A RADIUS OF 170.00 FEET AND A CHORD BEARING OF SOUTH 32 DEGREES 54 MINUTES 00 SECONDS WEST THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 115.45 FEET;

THENCE SOUTH 52 DEGREES 21 MINUTES 18 SECONDS WEST A DISTANCE OF 158.77 FEET TO A POINT;
THENCE NORTH 89 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 1.16 FEET TO A POINT;
THENCE SOUTH 02 DEGREES 02 MINUTES 34 SECONDS WEST A DISTANCE OF 0.94 FEET TO A POINT; ON THE NORTHEASTERLY RIGHT OF WAY LINE OF EAGLE CREST DRIVE;

THENCE SOUTH 36 DEGREES 17 MINUTES 01 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 38.73 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 30 DEGREES 34 MINUTES 16 SECONDS A RADIUS OF 255.00 FEET AND A CHORD BEARING OF SOUTH 20 DEGREES 08 MINUTES 24 SECONDS EAST THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 136.06 FEET;

THENCE SOUTH 04 DEGREES 51 MINUTES 17 SECONDS EAST A DISTANCE OF 94.33 FEET TO A POINT;
THENCE NORTH 86 DEGREES 21 MINUTES 29 SECONDS EAST A DISTANCE OF 182.44 FEET TO A POINT;
THENCE NORTH 37 DEGREES 28 MINUTES 46 SECONDS EAST A DISTANCE OF 151.60 FEET TO A POINT;
THENCE NORTH 40 DEGREES 34 MINUTES 36 SECONDS EAST A DISTANCE OF 17.46 FEET TO A POINT;
THENCE NORTH 39 DEGREES 51 MINUTES 03 SECONDS EAST A DISTANCE OF 19.26 FEET TO A POINT;
THENCE NORTH 38 DEGREES 50 MINUTES 57 SECONDS EAST A DISTANCE OF 102.53 FEET TO A POINT;
THENCE NORTH 38 DEGREES 50 MINUTES 57 SECONDS EAST A DISTANCE OF 35.22 FEET TO A POINT;


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THENCE NORTH 02 DEGREES 20 MINUTES 35 SECONDS EAST A DISTANCE
OF 14.60 FEET TO A POINT;
THENCE NORTH 02 DEGREES 20 MINUTES 35 SECONDS EAST A DISTANCE
OF 101.95 FEET TO A POINT;
THENCE NORTH 28 DEGREES 16 MINUTES 23 SECONDS EAST A DISTANCE
OF 10.94 FEET TO A POINT;
THENCE NORTH 28 DEGREES 16 MINUTES 23 SECONDS EAST A DISTANCE
OF 138.06 FEET TO A POINT;
THENCE NORTH 38 DEGREES 06 MINUTES 51 SECONDS EAST A DISTANCE
OF 118.60 FEET TO A POINT;
THENCE NORTH 02 DEGREES 21 MINUTES 34 SECONDS EAST A DISTANCE
OF 209.16 FEET TO A POINT;
THENCE NORTH 88 DEGREES 48 MINUTES 16 SECONDS WEST A DISTANCE
OF 665.69 FEET TO A POINT;
TO THE POINT OF BEGINNING, CONTAINING 10.07 ACRES OR 438597.03
SQUARE FEET MORE OR LESS.


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