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Shelby Cnty Judge of Probate, AL
10/25/2021 02:51:23 PM FILED/CERT

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ALFA MUTUAL INSURANCE COMPANY,)

Plaintiff,)

vs.)

CASE NO.: 2:21-cv-1374-GMB

CHRISTOPHER SIMS and TONJA M. SIMS,)
et al.)

Defendants.)

NOTICE OF LIS PENDENS

COMES NOW CAPITAL ONE BANK, a Defendant in the above captioned cause, by and through its counsel of record, and in accordance with § 6-9-211, Code of Alabama (1975), hereby gives notice of the following:

On the September 10, 2021, an interpleader action was instituted by ALFA Mutual Insurance Company in the Circuit Court of Shelby County, Alabama, Case No. 58-CV-2021-900525, and that the following are all parties to said suit, to wit:

ALFA Mutual Insurance Company – Plaintiff

Christopher Sims; Tonja M. Sims; Cenlar Mortgage; Capital One Bank; Compass Bank; Internal Revenue Service; Attorney Frank C. Ellis, Jr.; State of Alabama, Department of Revenue; Eagle Point Homeowners Assoc. - Defendants

On October 15, 2021, the above referenced state court action was removed to federal court upon Notice of Removal filed by the United States Department of Treasury Internal Revenue Service and assigned case number 2:21-cv-1374-GMB.

The following described real estate situated in Shelby County, Alabama, is involved in said suit, to wit:



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LOT 1529 according to the Survey of Eagle Point – 15th Sector, as recorded
in Map Book 26, Page 35, in the Probate Office of Shelby County, Alabama.
Mineral and mining rights excepted.

The nature of the lien, right, or interest sought to be enforced by Defendant Capital One

Bank is as follows:

The debt secured by judgment recorded in Instrument Number
20111024000316240 of the Probate Court of SHELBY County, Alabama
from Tonja M. Sims to CAPITAL ONE BANK (USA), N.A.

Witness my signature this the 19th day of October, 2021.

Respectfully submitted,

John Nathan (NAT004)

Abby Labat Smith (SMI376)

Davis Vinson (VIN021)

Joseph M. Rich, Jr. (RIC108)

OF COUNSEL:

Nathan & Nathan, P.C.

P.O. Box 1715

Birmingham AL 35201

(205) 323-5400

STATE OF ALABAMA
COUNTY OF JEFFERSON

Personally appeared before me, a Notary Public in and for the state and county aforesaid,
the above signed Attorney for the named creditor/lien holder, a duly authorized representative for
said creditor/lienholder, with whom I am personally acquainted, and who acknowledged that
he/she is the Attorney of record for the creditor/lienholder and that he/she has executed the
foregoing instrument on behalf of the named creditor/lienholder as his/her free act and deed, as
their attorney in fact, with authority to execute same.

SWORN TO AND SUBSCRIBED before me,
a Notary Public, in and for said County in said State,
this 19 day of October, 2021.

Notary Public

My Commission Expires: 3/10/23

