

This instrument was prepared by:

Charles A. Burkhart
Balch & Bingham LLP
1901 6th Ave. North
Birmingham, AL 35203
(205) 251-8100

STATE OF ALABAMA)
SHELBY COUNTY)

**ATTORNEY AFFIDAVIT OF CHARLES A. BURKHART AND
NOTIFICATION OF MECHANIC'S LIEN VOIDED AS A MATTER OF LAW**

Charles A. Burkhart, being duly sworn, deposes and says:

1. My name is Charles A. Burkhart. I have personal knowledge of the facts set forth in this affidavit.
2. I am duly licensed attorney in Alabama and a partner with the Balch & Bingham LLP law firm in Birmingham, AL. I represent Gregory Jones and Iyishia Jones (the "Owners") who own the real property described as:

1071 Greystone Crest Lot 8 Birmingham, Alabama 35242. More particularly described as Lot 8 according to the Amended Map of The Crest at Greystone, as recorded in Map Book 18, Pages 17 A, B, C & D, in the Probate Court of Shelby County Alabama (the "Property").

3. On August 12, 2022, PCA Group LLC ("PCA") filed a mechanics lien against the Property (the "Lien") to secure an alleged indebtedness of \$169,450 "from, to wit, **August 1, 2022**, for materials and labor supplied to the property by PCA Group LLC. .

.”¹

¹ The Lien is attached as Exhibit A. The Owners deny that any money is owed to PCA.

4. Under Alabama law, an action to enforce a lien by mechanics and materialmen must be brought within six months:

“Any action for the enforcement of the lien declared in this division must be commenced within six months after the maturity of the entire indebtedness secured thereby, except as otherwise provided in this division.” ALA. CODE § 35-11-221 (2019). “A debt is mature when it accrues so as to be due and payable.” *Home Fed. Sav. & Loan Ass'n v. Williams*, 158 So. 2d 678, 681 (Ala. 1963).

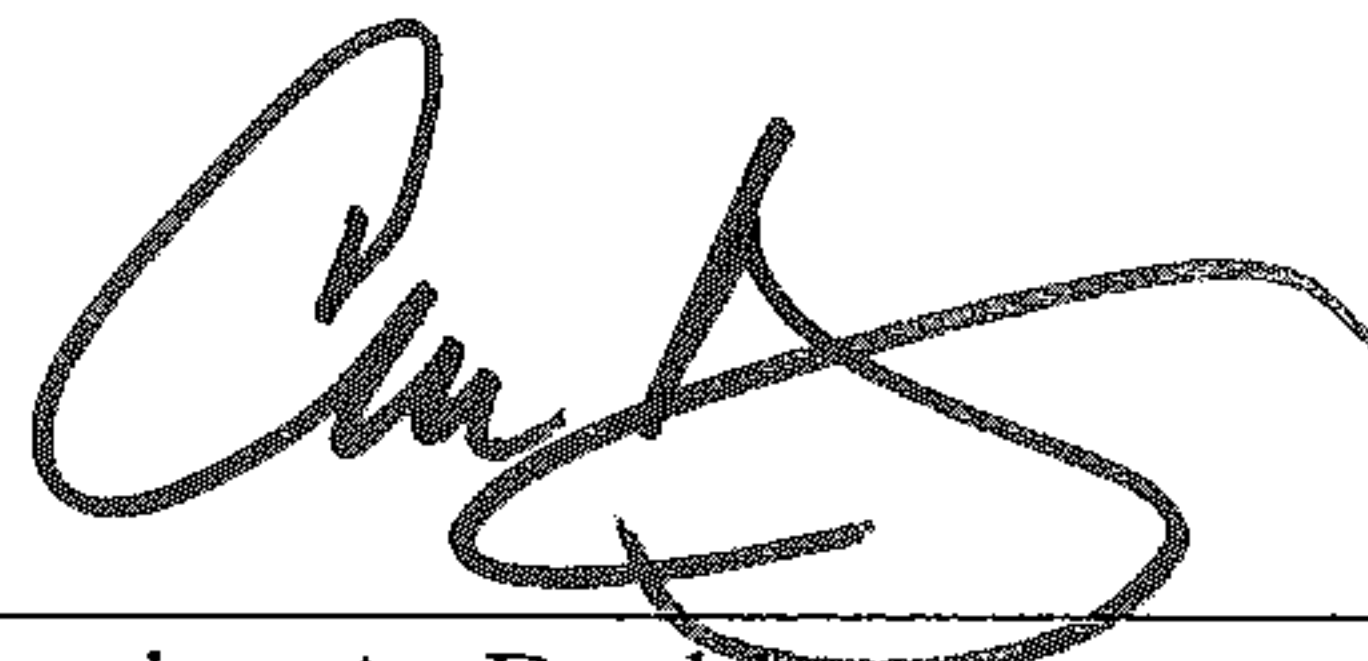
5. I have conducted a review of the AlaCourt filing system for any lawsuits filed in Shelby County Alabama by PCA Group LLC and/or its principal Quenton Jones as of the date of this instrument. As of March 16, 2023, neither PCA nor Quenton Jones has filed any lawsuit to perfect or enforce the Lien naming the Owners as defendants.

6. Because (a) any debt would have matured longer ago than six months from the date of the filing of this instrument, and (b) PCA has not filed a lawsuit to perfect and enforce the Lien, the Lien is void and unenforceable as a matter of law.

7. Consequently, under Alabama law, the Lien should be disregarded as a matter of law and should not cloud the Property.

8. The above statements are true and correct to the best of my knowledge.

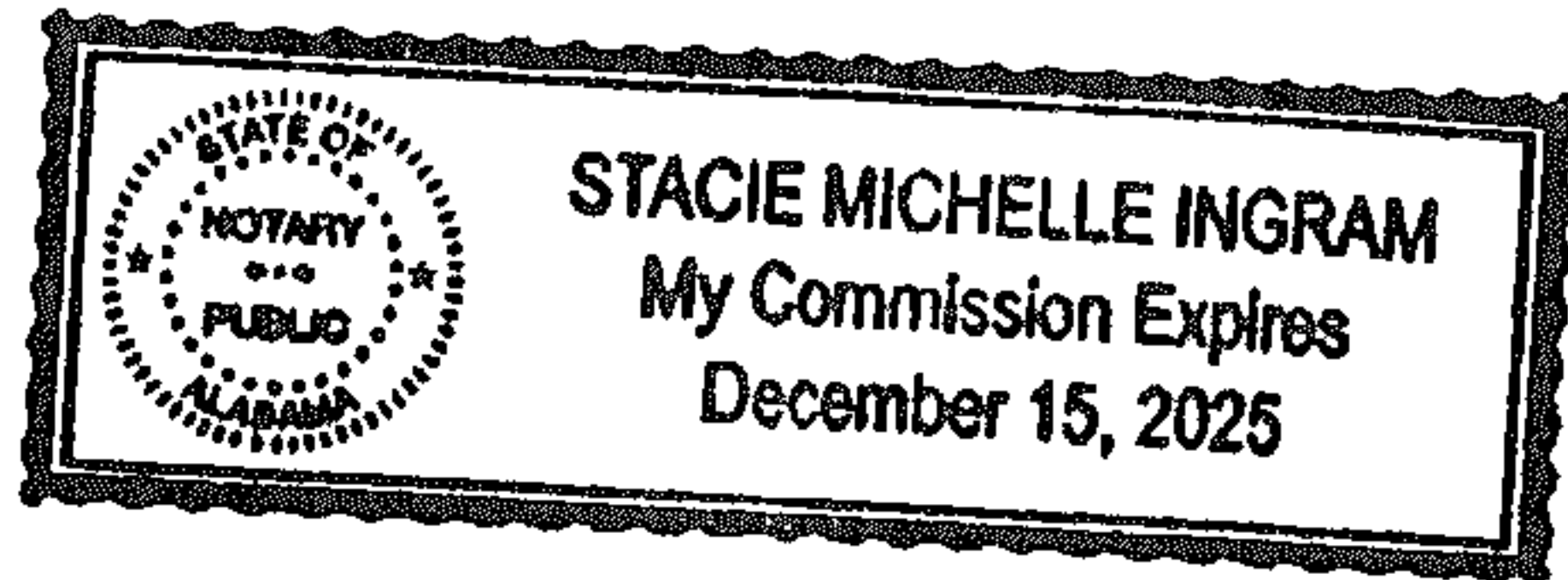
Further affiant sayeth not.

A handwritten signature in black ink, appearing to read 'Charles A. Burkhardt', written over a horizontal line.

Charles A. Burkhardt

SUBSCRIBED, ACKNOWLEDGED AND SWORN TO before me this 16th day of MARCH 2023.

Seal:



Stacie Michelle Ingram
Notary Public in and for the
State of Alabama

20230317000074170 03/17/2023 01:13:07 PM AFFID 4/6

EXHIBIT A



STATE OF ALABAMA)
SHELBY COUNTY)

Prepared by: Kenneth J. Lay
Hood & Lay LLC
1117 South 22nd Street
Birmingham AL 35205

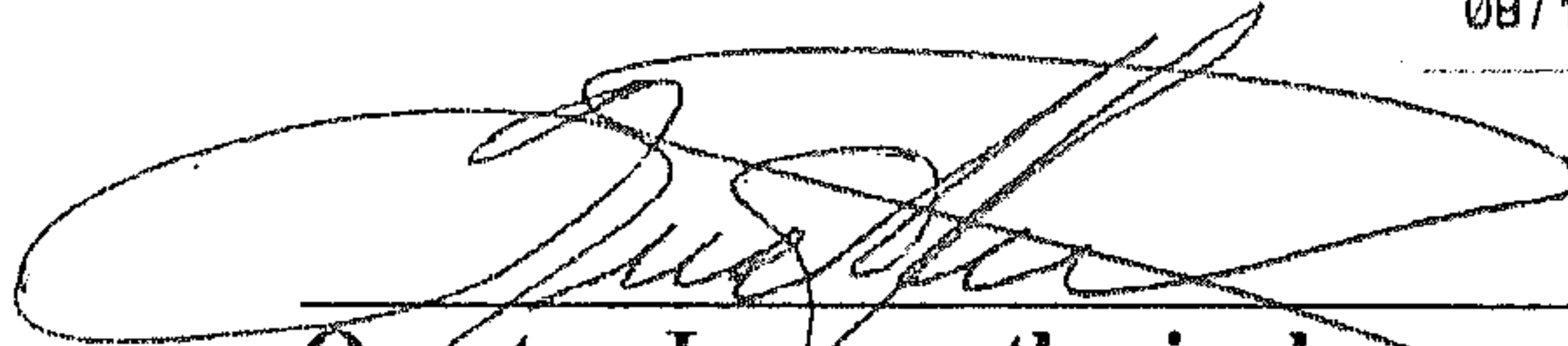
VERIFIED STATEMENT OF LIEN

PCA Group LLC files this statement in writing verified by the oath of Quenton Jones, who has personal knowledge of the facts set forth herein:

That said PCA Group LLC claims a lien upon the following property situated in Shelby County, Alabama, to wit: **1071 Greystone Crest Lot 8 Birmingham, Alabama 35242. More particularly described as Lot 8 according to the Amended Map of The Crest at Greystone, as recorded in Map Book 18, Pages 17 A, B, C & D, in the Probate Court of Shelby County Alabama.**

The lien is claimed, separately and severally, as to both the structures and improvements thereon, and the said land, and all easements, to the degree said land and such easements reflect the ownership rights of the owner(s) of the property.

The said lien is claimed to secure an indebtedness of One Hundred Sixty-Nine Thousand Four Hundred Fifty Dollars **\$169,450.00** with interest, from to wit, **August 1, 2022**, for materials and labor supplied to the property by PCA Group LLC and/or its subcontractors, vendors, and/or material suppliers. Upon information and belief, the name of the owner or proprietor of the property is Gregory Jones.

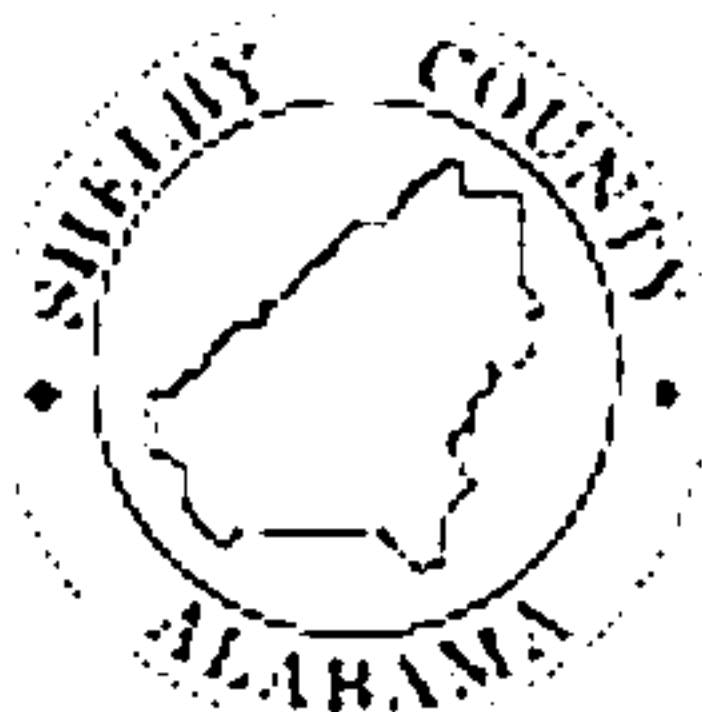

Quenton Jones, authorized representative,
PCA Group LLC

Before me the undersigned, a Notary Public, in and for said County and State,
personally appeared, QUENTON JONES, who under oath, swore that the matters contained in
the foregoing Verified Statement of Lien are true and correct.

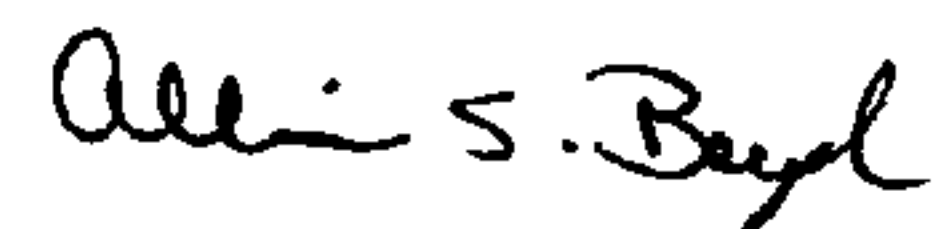
SWORN TO and SUBSCRIBED before me this the 12th day of August 2022.


Notary Public

My Commission Expires: 6/7/2023



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
03/17/2023 01:13:07 PM
\$39.00 JOANN
20230317000074170

 2