

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

ROBERT EARL BURGIN, JR.,

et al,

Plaintiffs

v.

BRADIE BURGIN,

et al

Defendants.

Case No.: CV 2024-900338

LIS PENDENS

I, an undersigned Plaintiff, namely Robert Earl Burgin, Jr., do hereby certify that the above-captured action is now pending in the Circuit Court of Shelby County, Alabama. Further, that the stated purpose of said action is to determine the legal interests in the subject property located at 1455 Highway 440, Chelsea, Alabama, being situated in Shelby County, Alabama 35043 and legally described as follows: See attached Exhibit A.

A warranty deed purportedly executed by Robert Earl Burgin, Sr., was executed on the 25th day of April, 2023, and was recorded at instrument number 2023-0509000137140 in the Office of the Judge of Probate of Shelby County, Alabama on the 9th day of May, 2023. This deed adds one of his children, namely Bradie Burgin, as a joint tenant with rights of survivorship.

The validity of this deed is in question. At the time of the execution of this instrument, Robert Earl Burgin, Sr., lacked capacity to execute any legal instruments as he was mentally and/or physically incapacitated. Bradie Burgin was his caregiver and by virtue of her confidential relationship, it is alleged that she unduly influenced her father in the execution of this instrument such that the elder Mr. Burgin omitted any interest in the subject property falling to his children in equal proportions despite his wishes to the contrary. Likewise, it is also alleged that the execution was secured through fraudulent activities of the Defendant Bradie Burgin.

This legal notice is executed with the intent to serve as notice that the title to the subject property is currently not marketable due to the aforementioned incapacity of the grantor, the undue influence and duress exerted by the Defendant Bradie Burgin, as well as the Defendant's fraudulent involvement in the execution of the instrument.

Done this the 7th day of March, 2024

Attorney For Plaintiff:

Christopher R. Smitherman

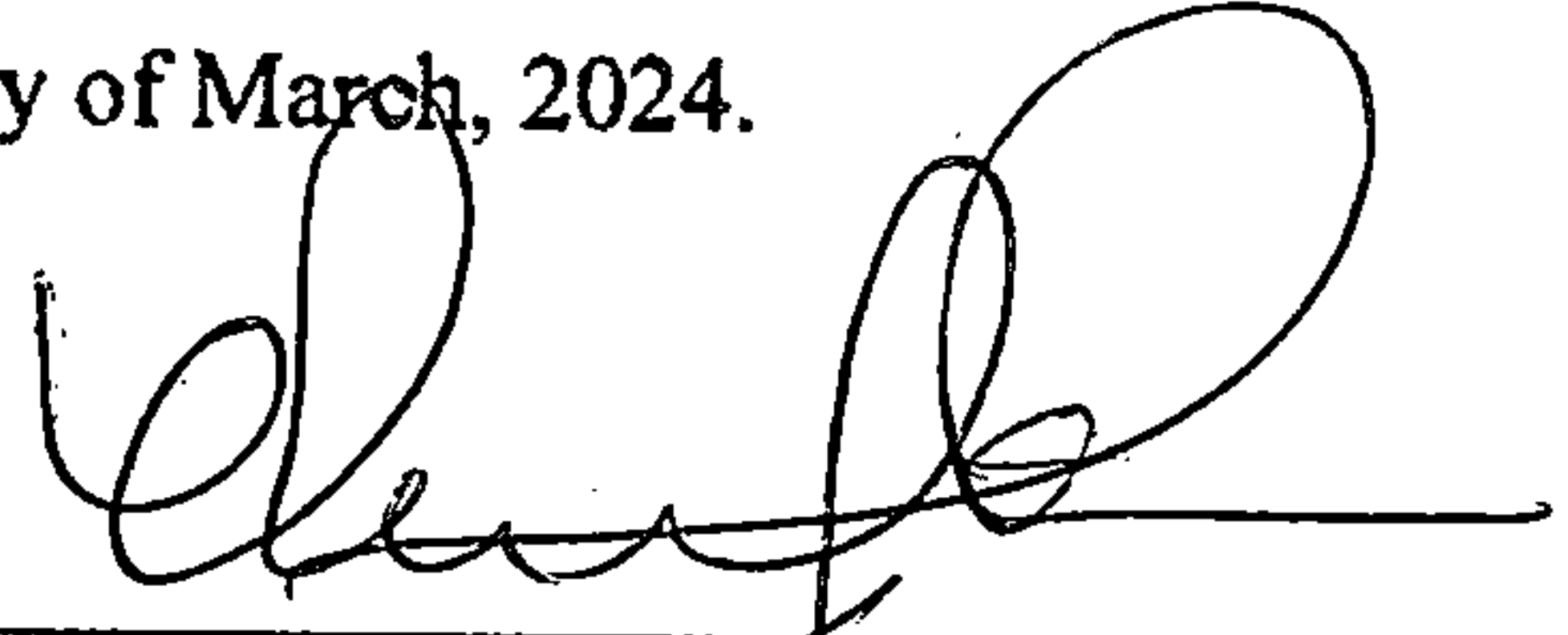
725 West St

Montevallo AL 35115

205-665-4357

Robert Earl Burgin, Jr.

Sworn to and subscribed before me on this the 7th day of March, 2024.



Notary Public

My Commission Expires: 05/01/2024



20240321000076960 2/3 \$28.00
Shelby Cnty Judge of Probate, AL
03/21/2024 10:43:55 AM FILED/CERT



20240321000076960 3/3 \$28.00
Shelby Cnty Judge of Probate, AL
03/21/2024 10:43:55 AM FILED/CERT

EXHIBIT A - LEGAL DESCRIPTION

For the beginning point measure 148 feet in a Northerly direction from the North line of Highway #280, and the West line of the road known as Helms Road right of way and run in a Northwesterly direction a distance of 107 feet 10 inches; thence in a North-Northwesterly direction 124 feet; thence East 105 feet to the West right of way line of the aforesaid Helms Road; thence in a South-Southeasterly direction along the West right of way of said Helms Road 149 feet to point of beginning. Being a part of the NW ¼ of the NE ¼ Section 25, Township 19 South, Range 1 West. Situated in Shelby County, Alabama.