



20240726000231280 1/10 \$53.00  
Shelby Cnty Judge of Probate, AL  
07/26/2024 01:57:08 PM FILED/CERT

STATE OF ALABAMA                    )  
  )  
SHELBY COUNTY                     )     NOTICE OF LIS PENDENS

REFERENCE TO: **Instrument Number 20080818000331310**  
**Instrument Number 20170815000295020**  
**Instrument Number 20190913000337030**  
**Instrument Number 20220112000014190**  
**Instrument Number 20240618000183520**

**TO THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA:**

You are hereby notified that on or about the 17<sup>th</sup> day of July, 2024, **Glenn Charles Moltke**, as assignee of the Final Judgment entered on August 4, 2017, in favor of **Bevely B. Cox** and against **Perry E. Cox, Jr.**, in the action styled as *Perry E. Cox v. Bevely B. Cox*, Case No. 58-DR-1995-169.02, Circuit Court of Shelby County, Alabama, requested and obtained the issuance of a Writ of Execution by the Clerk of the Circuit Court of Shelby County for the undivided one-half (1/2) interest of Perry E. Cox, Jr., in certain real property located in Shelby County, Alabama, and described in that certain Warranty Deed dated and recorded August 18, 2008, as **Instrument Number 20080818000331310** in the Office of the Shelby County, Alabama, Judge of Probate, a copy of which is included in Exhibit A hereto, and the property description in said Warranty Deed is made a part hereof.

The claimant who is filing this notice is Glenn Charles Moltke, the assignee and owner of the Final Judgment entered on August 4, 2017, in favor of Bevely B. Cox and against Perry E. Cox, Jr., a certificate of which was recorded on August 15, 2017, as **Instrument Number 20170815000295020** in the Office of the Shelby County, Alabama, Judge of Probate. Glenn Charles Moltke is the assignee and owner of said Final Judgment pursuant to (1) that certain Assignment of Judgment and Liens dated September 9, 2019, and recorded on September 13, 2019, as **Instrument Number 20190913000337030** in the Office of the Shelby County, Alabama, Judge of Probate; and (2) that certain Assignment of Judgment and Liens dated December 22, 2021, and recorded on January 12, 2022, as **Instrument Number 20220112000014190** in the Office of the Shelby County, Alabama, Judge of Probate.

The undivided one-half (1/2) interest of Perry E. Cox, Jr., in the property that is the subject of this notice is declared in a Final Order entered on February 13, 2023, in the Circuit Court of Shelby County, Alabama, in the civil action styled *Jennie Jo Cox et al. v. Perry Eugene Cox, Jr.*, Civil Action 58-CV-2016-900052.00, which Final Order was recorded on June 18, 2024, as **Instrument Number 20240618000183520**, in the Office of the Shelby County, Alabama, Judge of Probate.

The nature of the dispute or claim regarding title to and ownership of the above-referenced property is set out in the Writ of Execution attached hereto as Exhibit A, which is made a part hereof, and is further premised on the referenced instruments.

This the 26<sup>th</sup> day of July, 2024.



Randall D. Quarles (QUA006)  
An Attorney for Glenn Charles Moltke

**Instrument Prepared By:**

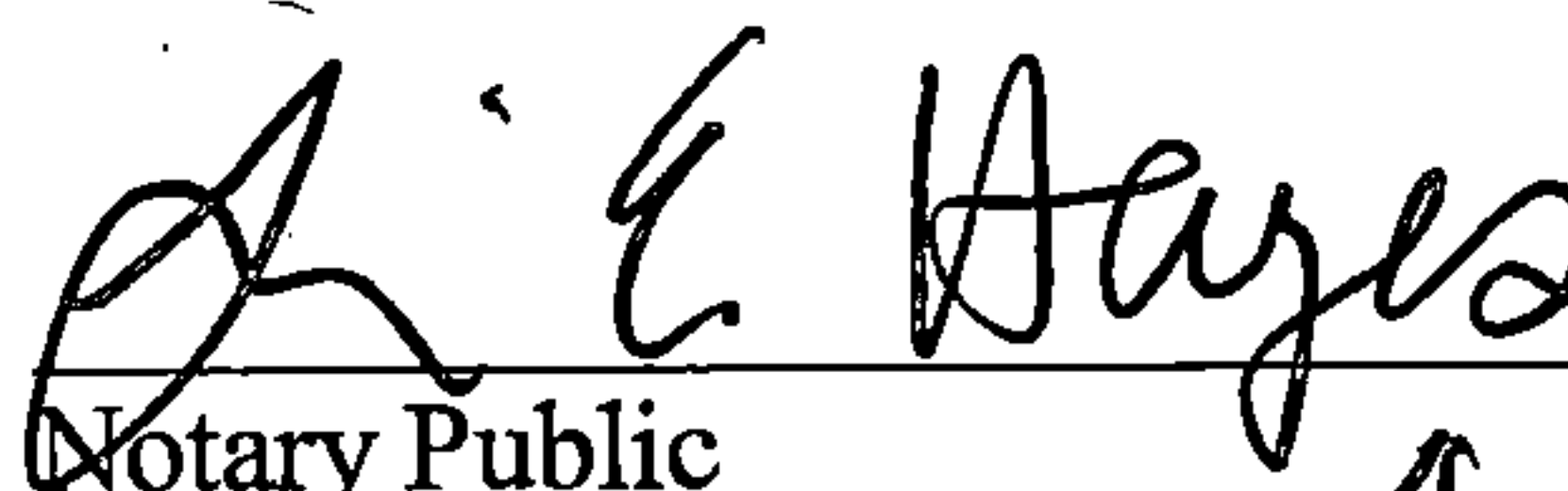
Randall D. Quarles  
QUARLES LAW FIRM, LLC  
300 Office Park Drive, Suite 100  
Mountain Brook, AL 35223  
Telephone: (205) 874-7000  
Telecopier: (205) 874-7002  
rquarles@quarleslawfirm.com

**STATE OF ALABAMA     )**  
**JEFFERSON COUNTY    )**

I, the undersigned, a Notary Public in and for the State of Alabama At Large, hereby certify that RANDALL D. QUARLES, whose name is signed to the foregoing Notice of Lis Pendens, and who is known to me, and who being by me duly sworn, deposed and said on oath that the facts stated in said conveyance are true, and acknowledged before me on this day that, being informed of the contents of the Notice of Lis Pendens, he executed the same voluntarily on the day the same bears date.

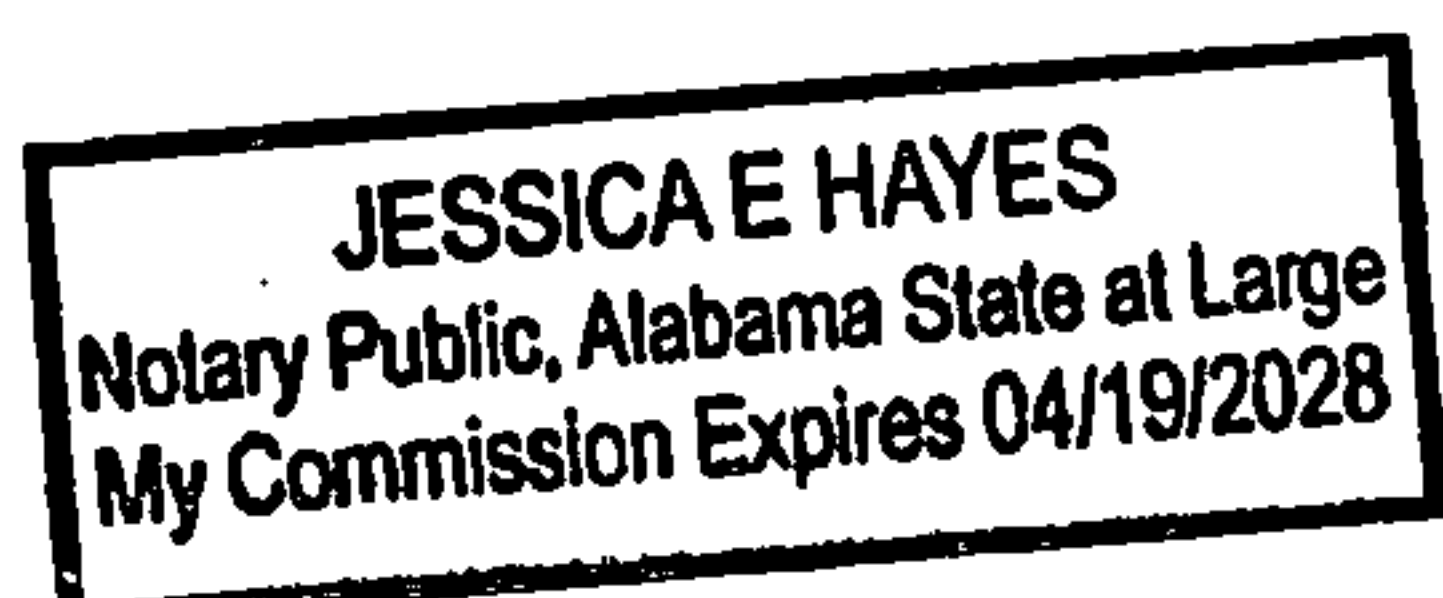
Given under my hand and official seal this 26<sup>th</sup> day of July, 2024.

NOTARIAL SEAL



Notary Public

My commission expires: 4-19-2028





## EXHIBIT A TO NOTICE OF LIS PENDENS

State of Alabama Unified Judicial System Form C-20 Rev. 6/88	<b>WRIT OF EXECUTION</b>	Case Number <b>58-DR-1995-169.02</b>
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IN THE <u>CIRCUIT</u>	COURT OF <u>SHELBY</u>	ALABAMA
<small>(Circuit or District)</small>	<small>(Name of County)</small>	

Glenn Charles Moltke, successor of Beverly B. Cox by assign. Perry E. Cox, Jr.

Judgment Creditor (designated as defendant in caption) Judgment Debtor (designated as plaintiff in caption)

Home Address: 835 Powdermill Hill Rd. Home Address: 1002 Gulf Avenue

City/State/Zip Code: Lawrenceburg, TN 38464 City/State/Zip Code: Carrabelle, FL 32322

Attorney for assignee/judgment creditor Glenn Charles Moltke  
Randall D. Quarles (QUA006)  
QUARLES LAW FIRM, LLC  
300 Office Park Drive, #100  
Mountain Brook, AL 35223  
rqarles@quarleslawfirm.com  
(205) 874-7000

Date of Judgment/forfeiture 08/04/2017  
 Judgment amount \$ \$550,000.00  
 Court costs \_\_\_\_\_  
 Alternate property value \_\_\_\_\_  
 Damages/rent \_\_\_\_\_  
 Other \_\_\_\_\_  
**TOTAL \$ \$550,000.00+legal interest**

**RECEIVED AND FILED**  
**MARY H. HARRIS**  
**JUL 17 2024**  
**CIRCUIT & DISTRICT**  
**COURT CLERK**

**TO ANY LAW ENFORCEMENT OFFICER OF THE STATE OF ALABAMA:**

You are ordered to perform the action specified.

☐ Seize the property described below which is in the possession of \_\_\_\_\_ and restore to \_\_\_\_\_, If this property is not available, seize and sell any personal and real property of \_\_\_\_\_ for the alternate value of the property. ☐ Exemptions as to Personal Property waived.

☐ Restore to \_\_\_\_\_ the described property now in the possession of \_\_\_\_\_ Collect \$ \_\_\_\_\_ for detention of the property.

☒ Seize any real or personal property \_\_\_\_\_ of Perry E. Cox, Jr. (see description below) that will satisfy the total monetary value specified above. ☐ See description for exemption.

☐ Exemption as to personal property waived.

☐ Hold until further court action ☒ Sell and return

☐ Sell property described below previously seized and being held by you.

☐ Collect from \_\_\_\_\_ the court cost amount. If cash cannot be collected, seize and sell any real or personal form which can be made the sum of the costs.

Description: Undivided one-half (1/2) interest owned by Perry E. Cox, Jr., in real property & improvements titled in name of Country Hills Estate, a General Partnership- Perry E. Cox, Sr.; Perry E. Cox, Jr.; conveyed by deed dated & filed 8/18/2008 in Instrument #20080818000331310, Probate Office of Shelby County, Ala., attached hereto as Exhibit 1.

**YOU ARE TO MAKE RETURN OF THIS EXECUTION AND EXPLAIN BELOW HOW YOU PERFORMED THE SPECIFIED ACTION.**

Date issued: 7-17-2024 Mary H. Harris By: gc  
Clerk

Exception Date \_\_\_\_\_  
 Remarks: \_\_\_\_\_

Sheriff \_\_\_\_\_ By Deputy Sheriff \_\_\_\_\_

COURT RECORD: Original ADDRESSEE: Copy



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EXHIBIT I TO WRIT OF EXECUTION  
Shelby County, AL 08/18/2008  
State of Alabama  
Deed Tax: \$1.00

20080818000231310 1/6 \$27.00  
Shelby Cnty Judge of Probate, AL  
08/18/2008 12:45:46PM FILED/CERT

# WARRANTY DEED

STATE OF ALABAMA }  
SHELBY COUNTY }

KNOW ALL MEN BY THESE PRESENTS:

1000<sup>00</sup> 17

That in consideration of Five Hundred and No/ 100 (\$500.00) Dollars cash to the undersigned GRANTOR (whether one or more), in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, We, Perry E. Cox, Sr.; and Perry E. Cox, Jr., (herein referred to as GRANTOR, whether one or more), grant, bargain, sell and convey unto COUNTRY HILLS ESTATE, a General Partnership - Perry E. Cox, Sr. ; Perry E. Cox, Jr. (herein referred to as GRANTEE, whether one or more), the following described real estate, situated in Shelby County, Alabama (the "Property"), to-wit:

LONG LEGAL see EXHIBIT 'A' Previously recorded in BOOK 355 PAGE 271-273  
LONG LEGAL see EXHIBIT 'B' Previously recorded in INST. # 1995-35434  
LONG LEGAL see EXHIBIT 'C' Previously recorded in INST. # 1993-04165  
LONG LEGAL see EXHIBIT 'D' Previously recorded in BOOK 222 PAGE 733

The Northwest one-fourth of Northwest one-fourth (NW- 1/4 of NW-1/4) Section Thirty-Six (36), Township Eighteen (18), Range One (1) East. Previously recorded in BOOK 301 PAGE 759-761 on July 23, 1990.

The Northeast one-fourth of Northwest one-fourth (NE-1/4 of NW-1/4) Section Thirty-Six (36), Township Eighteen (18), Range One (1) East. Previously recorded in BOOK 301 PAGE 762-764.

TO HAVE AND TO HOLD the Property to the said GRANTEE, his, her or their heirs and assigns forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said grantee, his, her or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will, and my (our) heirs, executors and administrators shall warrant and defend the same to the said grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereto set my (our) hand(s) and seal(s) this 18<sup>th</sup> day of August, 2008.





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Perry E. Cox, Sr.  
 Perry E. Cox, Sr.

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Perry E. Cox, Jr.  
 Perry E. Cox, Jr.

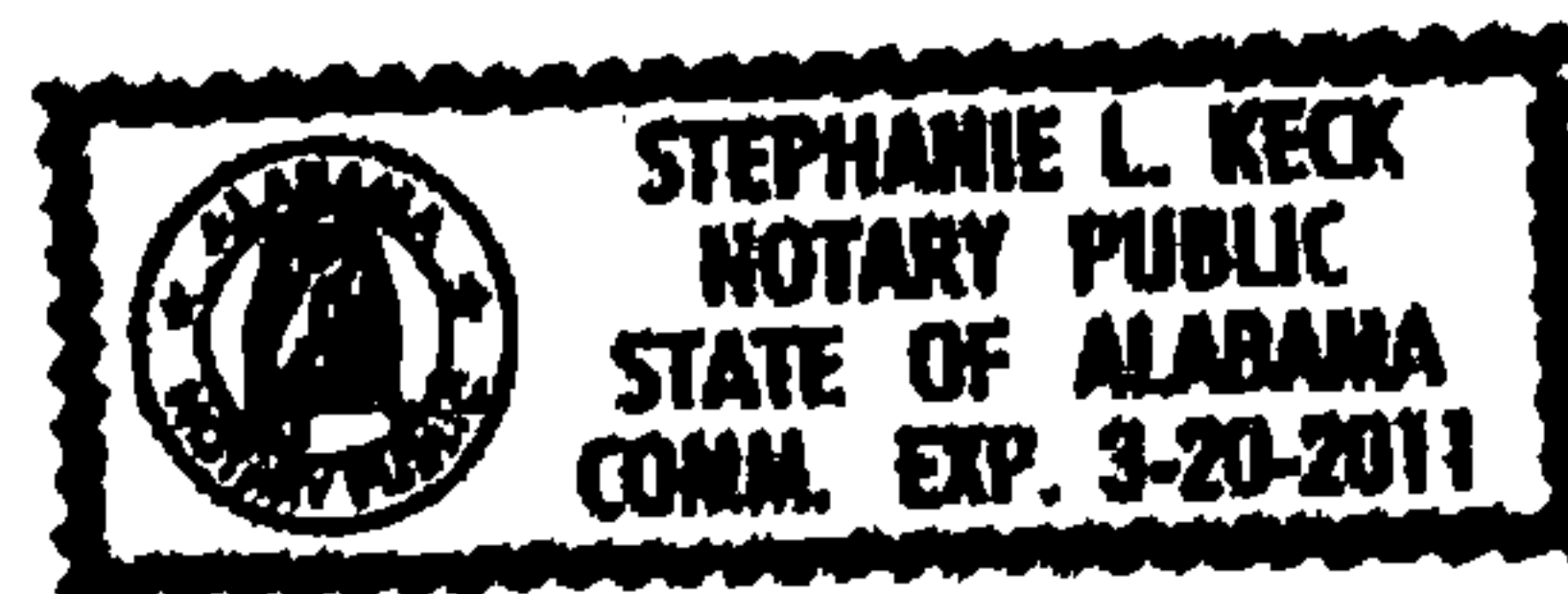
STATE OF ALABAMA  
 SHELBY COUNTY

General Acknowledgment

I, Stephanie Keck a Notary Public in and for said County, in said State, hereby certify that Perry E. Cox, Sr. and Perry E. Cox, Jr. whose names are signed to the foregoing conveyance, and who are is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

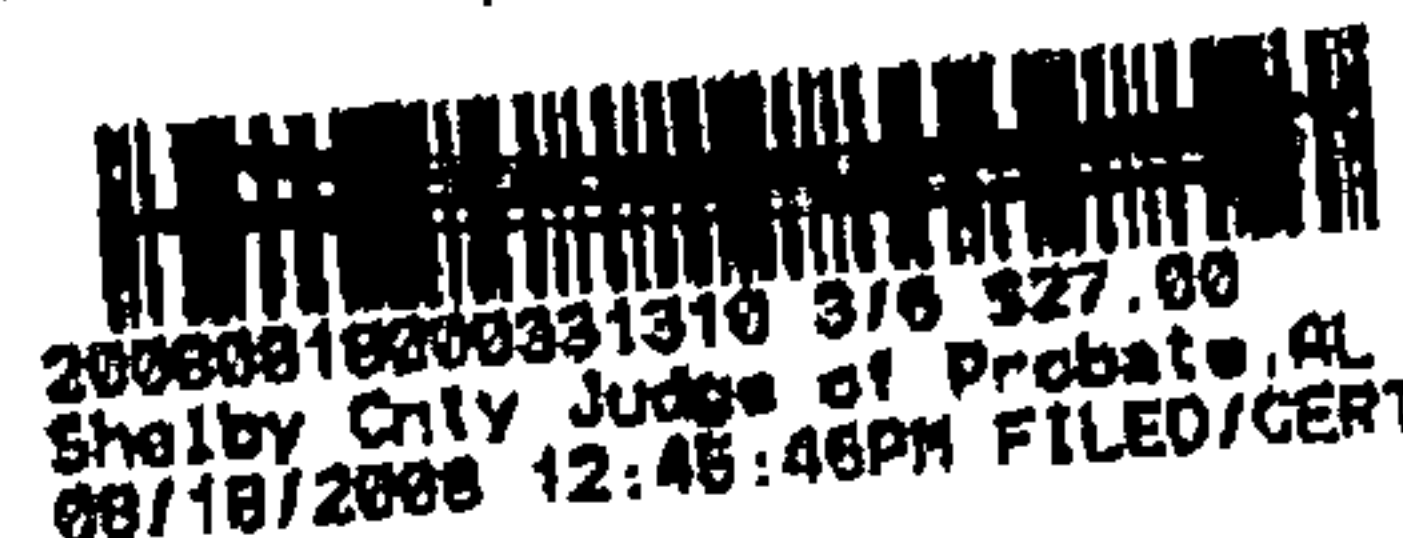
Given under my hand and official seal, this 18<sup>th</sup> day of Aug, 2008.

Stephanie L. Keck  
 Notary Public





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**"EXHIBIT A"****PARCEL A**

The NW 1/4 of the NE 1/4 of Section 36, Township 18 South, Range 1 East, Shelby County, Alabama.

This conveyance includes an easement for ingress and egress over and across existing road across SW 1/4 of the NE 1/4, Section 36, Township 18 South, Range 1 East, to Shelby County road #55.

**PARCEL B**

TRACT I: SW 1/4 of NE 1/4 of Section 36, Township 18 South, Range 1 East, Shelby County, Alabama.

TRACT II: A part of the NW 1/4 of SE 1/4 of Section 36, Township 18 South, Range 1 East, more particularly described as follows: Commencing at the N.E. corner of said 1/4-1/4 Section and run West 434 feet for point of beginning; thence continue West along North boundary of said 1/4-1/4 Section 600 feet; thence turn left 90 deg. and run South 160 feet; thence turn left 90 deg. and run East 400 feet; thence turn left and run northeasterly in a straight line 256.13 feet to point of beginning. Situated in Shelby County, Alabama.

**PARCEL C**

The SE 1/4 of NW 1/4 of Section 36, Township 18 South, Range 1 East, Shelby County, Alabama.

This conveyance includes an easements for ingress and egress over and across existing road across SW 1/4 of NE 1/4, Section 36, Township 18 South, Range 1 East, to Shelby County road #55.

SUBJECT TO : (1) Ad Valorem taxes for the current year.  
(2) Rights of way of transmission lines of record.  
(3) To easements for ingress and egress to lands East and West of the above described lands, along existing road through said land and rights of other parties to use of said easements.  
(4) Fence Northwest of the Southeast side of Tract II as shown by survey of Artis D. Cousins dated June, 1980.

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**Exhibit 'B'**

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**Parcel I:**

The west 9.90 acres of the SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ; Section 36, Township 18 Range 1 East, more particularly described as follows:

Begin at the northwest corner of said quarter-quarter Section and run east along the north line of said quarter-quarter Section a distance of 340.54 feet; thence turn right 89 degrees 09 minutes 04 seconds and run south a distance of 1284.45 feet to the south line of said quarter-quarter Section; thence turn right 90 degrees 08 minutes 26 seconds and run west along the south line of said quarter-quarter Section a distance 329.80 feet to the southwest corner of said quarter-quarter Section; thence turn right 89 degrees 23 minutes and run north along the west line of said quarter-quarter Section distance of 1288.73 feet to the point of beginning.

This conveyance includes an easement for ingress and egress over and across existing road across SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , SE  $\frac{1}{4}$  of NW $\frac{1}{4}$ , SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 36, Township 18 South, Range 1 East to Shelby County Road #55.

**Parcel II:**

The East 29.50 acres of the SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 36, Township 18, Range 1 East, more particularly described as follows: Begin at the northeast corner of said quarter-quarter section, and run west along the north line of said quarter-quarter Section a distance of 1021.63 feet; thence turn left 90 degrees 50 minutes 56 seconds and run south a distance of 1284.45 feet to the south line of said quarter-quarter Section; thence turn left 89 degrees 51 minutes 34 seconds and run east along the south line of said quarter-quarter Section a distance of 989.38 feet to the southeast corner of said quarter-quarter Section; thence turn left 88 degrees 41 minutes 35 seconds and run north along the east line of said quarter-quarter Section a distance of 1272.15 feet to the point of beginning.

This conveyance includes an easement for ingress and egress over and across existing road, across SW $\frac{1}{4}$  of NW $\frac{1}{4}$  and the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 36, Township 18 South, Range 1 East to Shelby County Road #55.





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**Exhibit 'C'****Legal Description**

Property situated partly in the NE1/4 of the SW1/4 and partly in the NW1/4 of the SE1/4 of Sec.36-T18S-R1E and being more particularly described as follows:

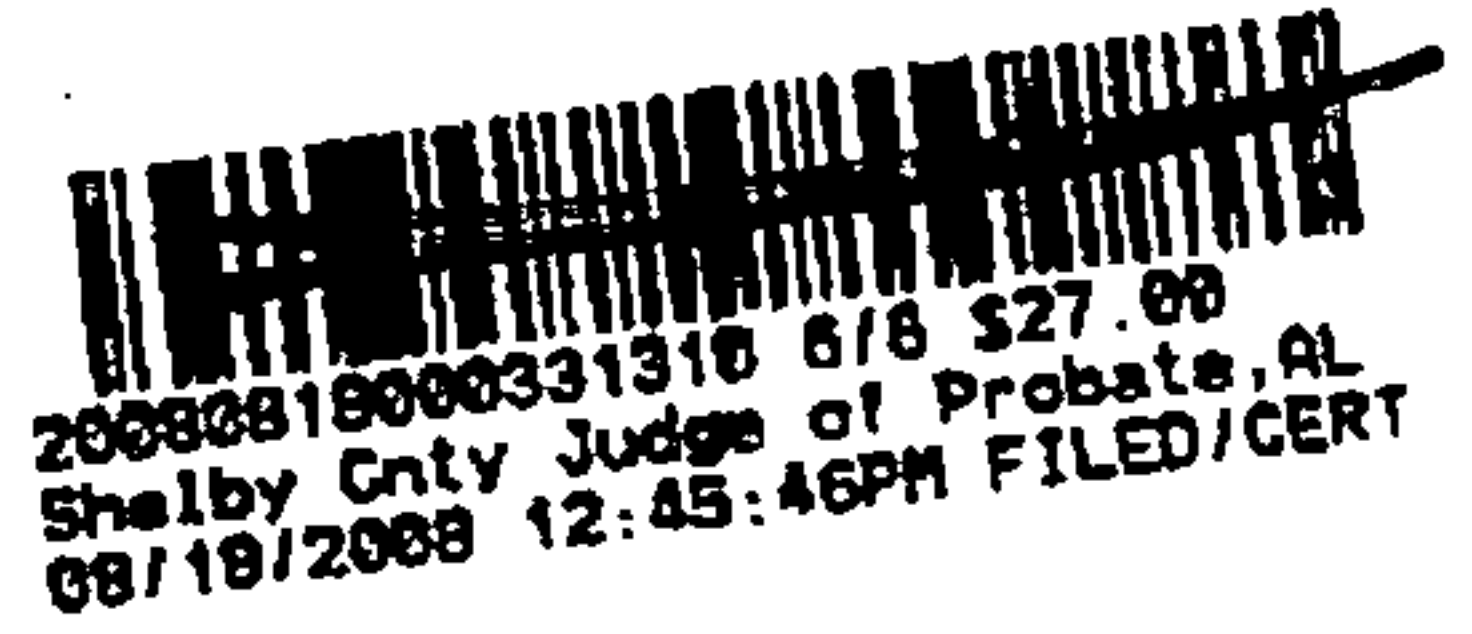
Commence at the NW Cor. of the NE1/4 of the SW1/4 of said section and run N89-30-00E along the north line of said 1/4-1/4 a distance of 1134.63 ft. to the point of beginning; thence, run N89-03-28E 185.14 feet; thence, run N89-25-43E 196.01 ft.; thence, run S03-35-35W 173.98 ft.; thence, run N88-39-29E 48.37 ft.; thence, run S29-15-43W 200.67 ft.; thence, run S86-54-12E 268.90 ft. to the north side of Merryhill Farm Road; thence, run S63-22-09E 62.58 ft. to the south side of Merryhill Farm Road; thence, run S28-52-46W 1021.50 ft.; thence, run S86-39-43W 457.55 ft.; thence, run S89-48-21W 473.52 ft.; thence, run N00-57-00W 10.29 ft. to the centerline of Merryhill Farm Road; thence, run N89-48-21E along said centerline 247.94 ft.; thence, run S89-04-16E along said centerline 145.93 ft. to the PC of a curve to the left having a radius of 94.00 ft. and a delta of 69-04-00; thence, run along said curve 113.31 ft. to the PT of said curve; thence, run N21-51-44E along said centerline 50.75 ft. to a curve to the right having a radius of 566.69 ft. and a delta of 16-46-00; thence, run along said curve 165.83 ft. to the PT of said curve; thence, run N38-37-44E along said centerline 49.45 ft.; thence, run N43-19-03E along said centerline 303.71 ft.; thence, run N07-11-47W 176.62 ft.; thence, run N02-08-11W 615.81 ft. to the point of beginning.  
Containing 13.48 acres.





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**EXHIBIT 'D'**  
**LEGAL DESCRIPTION**



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A part of the  $\text{se}1/4$  of the NE  $1/4$  of section 36, Township 18 South, Range 1 East, and described as follows: Begin at the NW corner of said  $1/4-1/4$  section, thence North  $87^{\circ}48'$  East a distance of 356.70 feet; thence South  $69^{\circ}74'$  East a distance of 291.65 feet to the West right-of-way line of Highway #55; thence South  $22^{\circ}06'$  West along said right-of-way a distance of 803.95 feet to the point of a curve to the right having a central angle of  $23^{\circ}48'$ , a radius of 1287.73 feet; thence along the arc of said curve a distance of 534.91 feet to the West line of said  $1/4-1/4$  Section; thence North  $1^{\circ}23'$  East along said West line a distance of 1274.79 feet to the point of beginning; being situated in Shelby County, Alabama.

Subject to easements and restrictions of record, and current state, county and city taxes.

**TO PROTECT YOUR RIGHTS, IT IS IMPORTANT THAT YOU ACT PROMPTLY. IF YOU HAVE ANY QUESTIONS, YOU SHOULD CONSULT A LAWYER.**