

**IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA
DOMESTIC RELATIONS DIVISION**

KELLY J. SMYER (Hoffman),

Plaintiff,

v.

SYDNEY W. SMYER III,

Defendant.



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Shelby Cnty Judge of Probate, AL
06/25/2007 03:15:28PM FILED/CERT

Case No.: DR-88-196.02

ORDER

This cause came on to be heard on the 16th day of April, 2007 on Plaintiff's petition for rule nisi. Plaintiff was represented by the Hon. John E. Medaris and Defendant was represented by the Hon. Vicki N. Smith. The parties entered into an agreement and based upon the pleadings, herein together with the agreement, the Court is of the opinion that the following order should be entered.

Accordingly, it is ORDERED, ADJUDGED and DECREED, pursuant to agreement and consent of the parties as follows:

1. That the Defendant, Sidney W. Smyer, III, on behalf of Shephard Gap Associates, an Alabama General Partnership, shall actively market for sale, the following described real estate:

The East Half of the Southeast Quarter of Section 14, Township 18 South, Range 1 West, situated in Shelby County, Alabama.

2. That Defendant Sidney W. Smyer, III acknowledges that The Clementine K. Smyer Trust owns approximately 20% of Shephard Gap Associates, an Alabama General Partnership and Shephard Gap Associates' only asset is the property described herein.



3. That Defendant, Sidney W. Smyer, III agrees that once the real estate is sold, The Clementine K. Smyer Trust will receive it's ownership interest out of the proceeds of said sale and shall be paid into the Clerk of Court to be held and disbursed to The Clementine K. Smyer Trust.

4. That Plaintiff, Kelly J. Hoffman agrees that these funds will be used to pay, the minor child of the parties, Clementine Smyer's college expenses.

5. All other provisions of the Final Decree of Divorce remain unchanged, unaltered and in full force and effect.

DONE and ORDERED this the th 18 day of June, 2007.

CIRCUIT JUDGE

RECEIVED AND FILED
MARY H. HARRIS
JUN 19 2007
CIRCUIT & DISTRICT
COURT CLERK
SHELBY CO.