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11/21/2018 10:11:45 AM
ORDER 1/2



ELECTRONICALLY FILED
11/19/2018 2:10 PM
58-CV-2018-900876.00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

KEVIN GIBSON and KARI GIBSON,

Plaintiffs,

v.

**LOT 2, ACCORDING TO THE MAP OF
RIDGECREST SUBDIVISION, PHASE
ONE, SECTOR ONE, AS RECORDED IN
MAP BOOK 34, PAGE 17, AND RE-
RECORDED IN MAP BOOK 39, PAGE
13 IN THE
PROBATE OFFICE OF SHELBY
COUNTY, ALABAMA.**

v.

**SHOAL CREEK BUILDING SERVICES,
LLC. and TRUSTMARK NATIONAL
BANK f/k/a BANKTRUST**

Defendants.

Case No.: CV-2018-900876.00

ORDER

THIS CAUSE comes before the Plaintiff's Motion for Default Judgment. The Defendant, Shoal Creek Building Services, LLC, having been duly served with the summons and complaint in this matter. The Defendant is neither an infant nor an unrepresented incompetent person. The Defendant failed to file an answer within the requisite time or otherwise plead.

That, at the time of the filing of the Complaint, Plaintiff claimed in its own right the fee simple title to, and was in actual possession of, the following described land:

LOT 2, ACCORDING TO THE MAP OF RIDGECREST SUBDIVISION, PHASE ONE, SECTOR ONE, AS RECORDED IN MAP BOOK 34, PAGE 17, AND RE-RECORDED IN MAP BOOK 39, PAGE 13 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.. ("the Property")

That at the time of the filing of the Complaint, no suit was pending to test Plaintiff's title to, interest in, or the right to possession of said land.

That the Plaintiff's Complaint was filed against said land and against any and all persons claiming any title to, interest in, lien or encumbrance on said land or any part thereof, and was to establish the right or title to such land or interest, and to clear up all doubts or disputes concerning the same, and that said Complaint did in all respects comply with the provisions of the Code of Alabama (1975) § 6-6-651.

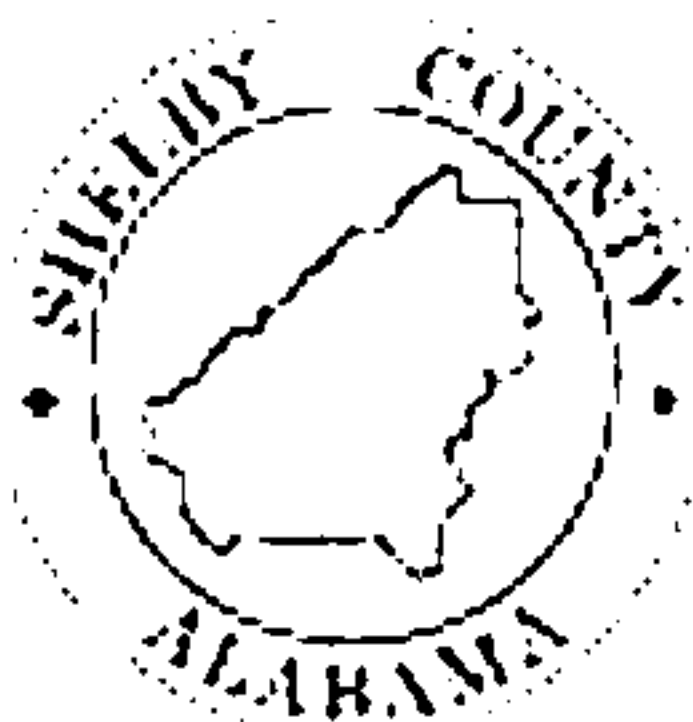
That Plaintiff named in the Complaint all Defendants known to Plaintiff after the exercise of due diligence. That the Plaintiff complied with all of the provisions of the law relative to this proceeding in rem to establish title to the land named herein.

It is therefore ORDERED, ADJUDGED AND DECREED as follows:

- a) That Plaintiff's Motion for Default Judgment against Defendant, Shoal Creek Building Services, LLC., is hereby GRANTED;
- b) Due to Defendant Shoal Creek Building Services, LLC's failure to redeem, any title or interest claimed by Defendant, Shoal Creek Building Services, LLC, is hereby VESTED AND QUIETED in favor of the Plaintiff. Defendant, Shoal Creek Building Services, LLC's claims to the Property are without any right. Defendant Shoal Creek Building Services, LLC, has no estate, right of redemption, title, lien, or interest in or to the Property or any part of the Property. Defendant, Shoal Creek Building Services, LLC, is permanently enjoined from asserting any estate, right of redemption, title, lien, or interest in or to the Property or any part of the Property;
- c) That Plaintiff is entitled to the relief sought in the Complaint and that the fee simple title claimed by the Plaintiff in and to the above described land has been proven and that the Plaintiff is the owner of said land and has a fee simple title thereto, free and clear of all fee interest claims, liens and encumbrances of Defendant Shoal Creek Building Services, LLC., except such easements, covenants, restrictions, servitudes and mineral or similar interests otherwise appearing of record in the Office of the Judge of Probate of Jefferson County, Alabama, and that his title thereto be and is hereby established, and that all doubts and disputes concerning the same be, and are hereby, cleared up as to Defendant Shoal Creek Building Services, LLC;
- d) Costs are taxed as paid.

DONE this 19th day of Nov, 2018


CIRCUIT JUDGE



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
11/21/2018 10:11:45 AM
\$19.00 CHARITY
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Allen S. Bayl