

1065

IN THE CIRCUIT COURT FOR SHELBY COUNTY,
ALABAMA

PATRICIA A. McBRYDE and
DOROTHY FLOYD,

Plaintiffs,

vs.

DAVID F. FOWLER, individually;
DAVID FOWLER HOMES, INC., an
Alabama Corporation; and
F & G HOME BUILDERS, INC., an
Alabama Corporation;

Defendants.

CIVIL ACTION NO. CV-78-234(E)
(EQUITY)

ORDER OF DISMISSAL

This cause being presented to the Court on Plaintiffs' Notice of Dismissal with prejudice, and examination of the record showing no Answer, Motion for Summary Judgment or other responsive pleading having been filed by any of the Defendants herein, it is

ORDERED, That this cause be and the same hereby is dismissed with prejudice pursuant to Rule 41(a) of the Alabama Rules of Civil Procedure, and it is further

ORDERED, That a copy of this Order be recorded in the Office of the Judge of Probate of Shelby County, Alabama, with costs taxed to the Plaintiff.

Dated: May 25, 1979.

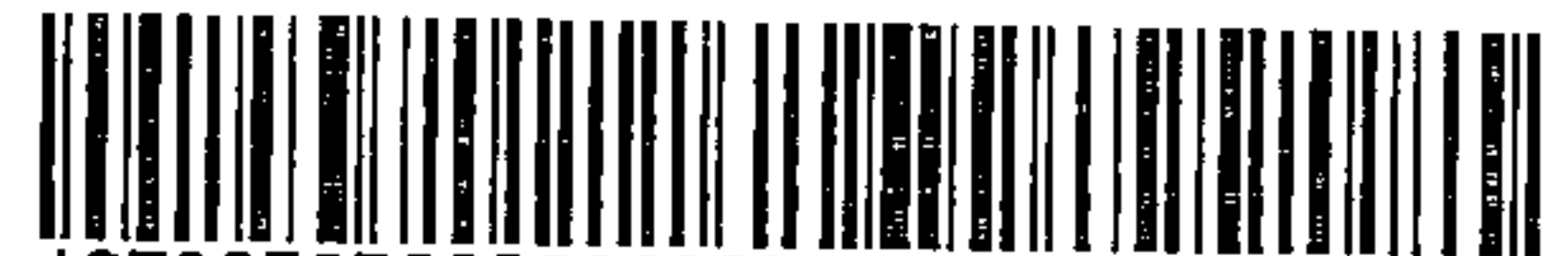
FILED IN OFFICE MAY 25 1979

OF May 1979

Clerk of Court
Shelby County, Alabama

Gerald B. Alden
Circuit Judge

Robert O. Diggers
2824 Linden Ave
Birmingham 35209



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Shelby Cnty Judge of Probate, AL
05/25/1979 12:00:00 AM FILED/CERT

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CIVIL ACTION NO. CV-78-234(E)
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DAVID F. FOWLER, individually;)
DAVID FOWLER HOMES, INC., an
Alabama Corporation; and)
F & G HOME BUILDERS, INC., an
Alabama Corporation,)

Defendants.)

NOTICE OF DISMISSAL

TO: John Galese
Galese and Chambers
3300 Cahaba Road, Suite 102
Birmingham, Alabama 35223

STATE OF ALA. SHELBY CO.
I CERTIFY THIS

13 MAY 25 PM 1:46

JUDGE OF PROBATE

Rec. 3.5
Ind 1.0
4.5

Please take notice that the above styled action is
hereby dismissed with prejudice.

Accordingly, this suit having been dismissed, the Plaintiffs
therein by their attorney of record, Robert O. Driggers, hereby
release the following described property from the lien of lis pendens
recorded in Lis Pendens Book 5, Page 674, in Office of the Judge of
Probate of Shelby County, Alabama:

Lot 7 according to the map and survey of Gentle Forest,
as recorded in Map Book 6, Page 63, in the Office of the
Probate Court of Shelby County, Alabama.

2546

May

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Robert O. Driggers
ROBERT O. DRIGGERS
Attorney for Plaintiffs
1736 Oxmoor Road
Homewood, Alabama 35209