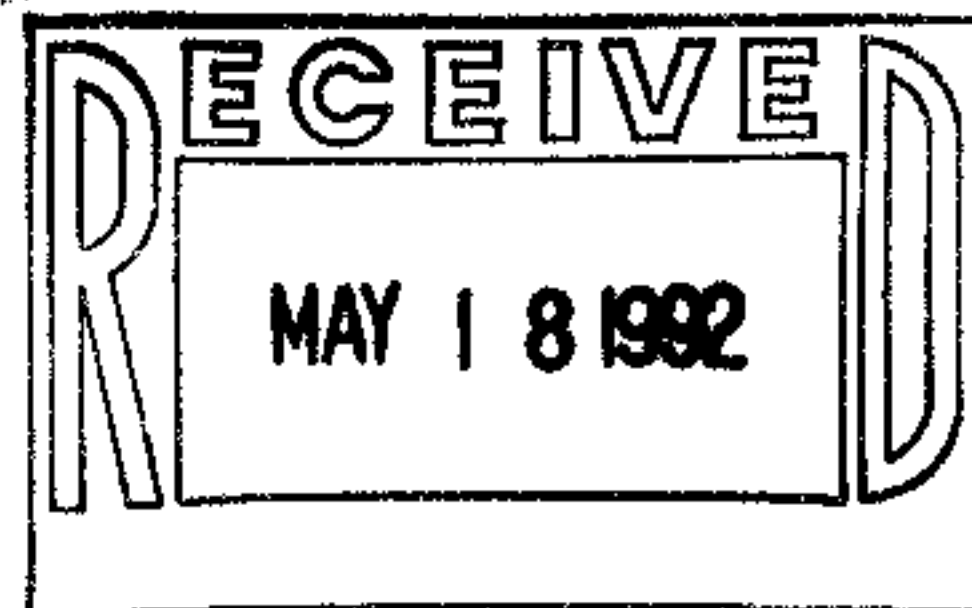


UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION



IN RE:

JOHN T. MATHESON and LESLIE
H. MATHESON,

Debtors,

CASE NO.:
91-08326-RCF-7

CHAPTER 7

9312/7768

FIRST COMMERCIAL BANK,

Plaintiff,

vs.

JOHN T. MATHESON,

Defendants.

A.P. NO.: 92-00052

CONSENT JUDGMENT

Upon the Joint Motion to Approve Settlement Agreement filed by the parties, each of whom is represented by counsel, it is hereby

ORDERED, ADJUDGED and DECREED as follows:

1. Judgment is hereby rendered in favor of the Plaintiff, First Commercial Bank ("First Commercial") and against the Defendant/Debtor, John T. Matheson ("Matheson") in the amount of \$101,252.04. Said Judgment represents the amount that Matheson is justly indebted to First Commercial.

Inst # 1993-29741

09/27/1993-29741
03:06 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.00

Baroley, Arant, Rose & White
1400 PARK PLACE TOWER
B'ham, AL 35203
ATT: Paige Davis

Said judgment is specifically not dischargeable in the instant bankruptcy case and is not subject to, and is specifically excepted from, the discharge granted to Matheson in the instant bankruptcy case.

2. The parties hereto have agreed that the judgment rendered herein may be satisfied to according to a specific payment schedule as follows:

a. Within ten (10) days from the date of this Order, Matheson shall pay to First Commercial, in cash or cash equivalent, the sum of \$5,000.00.

b. Beginning on the fifteenth (15th) of the month next following the initial payment, Matheson shall pay to First Commercial the sum of \$300.00 per month for the next twenty-four (24) months. Thereafter, for the succeeding twenty-four (24) months, Matheson shall pay to First Commercial the sum of \$400.00 per month. Following this first forty-eight (48) month period, Matheson shall pay to First Commercial the sum of \$500.00 per month for the next twenty-four (24) months and, thereafter, the sum of \$575.00 per month for the succeeding seventy-two (72) months.

c. The total amount to be paid to satisfy the judgment entered herein is \$75,200.00. So long as Matheson faithfully makes all payments as and when due, no interest

shall accrue. Should the entire \$75,200.00 amount be fully and timely paid in accordance with the provisions hereof, then upon such occurrence First Commercial shall promptly cause the Judgment entered hereby to be marked "satisfied".

d. Payments are to be made timely, without grace, and the acceptance by First Commercial of any late payment(s) shall rest in First Commercial's sole discretion and shall not, in any event, constitute a waiver or pattern of practice excusing the timeliness of any subsequent payments. Acceptance by First Commercial of any late payment(s) shall constitute a waiver and excuse the untimeliness of said accepted payment(s) and all prior untimely payments.

e. In the event that Matheson shall fail to make any payment as and when due, First Commercial shall be entitled, without notice, to declare in writing to Matheson that the entire judgment amount of \$101,252.04, less any prior payments by Matheson, or his co-debtors or co-obligors, shall be immediately due and payable. Upon such declaration, the entire then unpaid judgment balance shall begin to accrue interest at the rate of 12% per annum. Upon such declaration, First Commercial shall be free without notice, application, or hearing, to execute upon its unpaid judgment balance through any and all available legal means

upon any and all assets and property of Matheson.

3. Leslie H. Matheson, co-debtor/spouse of Matheson is not a party to the instant adversary proceeding and her discharge shall be unaltered and unaffected by this judgment.

4. Costs of this action are taxed as paid.

DONE AND ORDERED at Birmingham, Alabama, this 14th day of May, 1992.

Tamara Mitchell
Tamara Mitchell
United States Bankruptcy Judge

Copies to:

Wm. Allen Smyly, Jr.
Daniel D. Sparks
Debtors/Defendant at: 2720 Dead Hollow Road, Harpersville, AL 35078
Andre' M. Toffel
Clerk, U. S. Bankruptcy Court

STATE OF ALA. JEFFERSON CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON

1993 SEP 24 AM 10:05

RECORDED & \$ MTG. TAX & S
DEED TAX HAS BEEN PD. ON THIS INSTRUMENT

George R. Reynolds
JUDGE OF PROBATE

Inst. # 1993-29741

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SHELBY COUNTY JUDGE OF PROBATE
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