

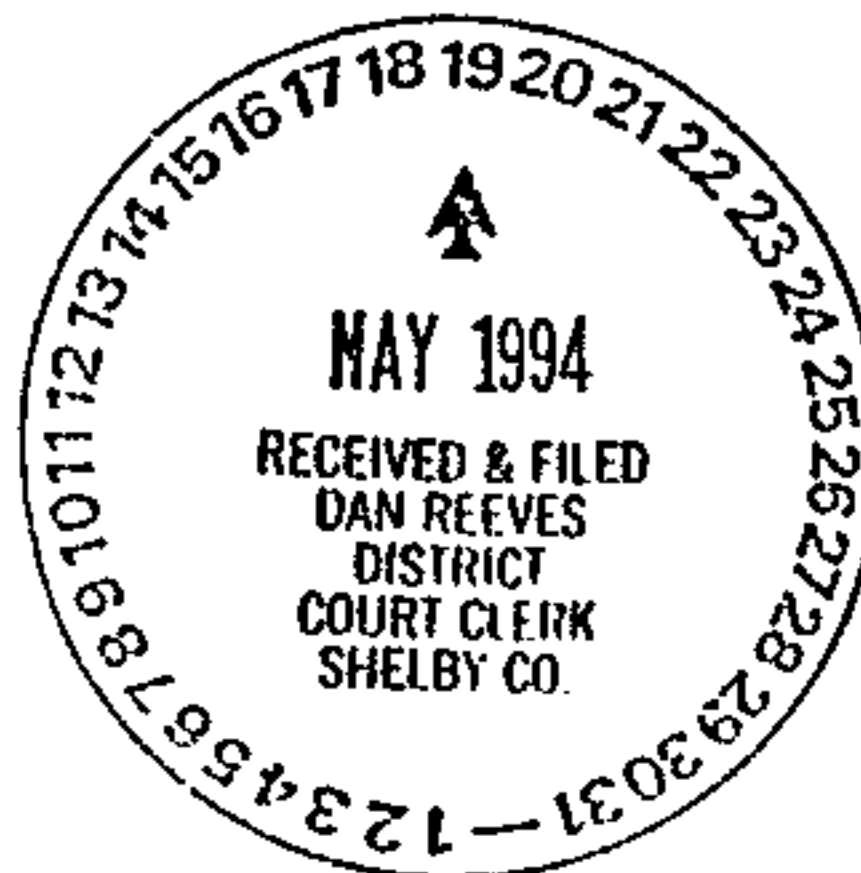
IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

KENNY COSTS,

PLAINTIFF

VS.

JOHN KILLINGSWORTH, AND  
REGINA KILLINGSWORTH,  
DEFENDANTS



CASE NO. DV-94-061

ORDER OF COURT

This case came on for trial on April 8, 1994, and Plaintiff and both Defendants appeared, and

This Court having considered the testimony, exhibits and other evidence in this cause does find in favor of Plaintiff and against both Defendants, and does render Judgment in favor of Plaintiff and against Defendants for the sum of Two Thousand Dollars (\$2,000.00), and costs of this proceeding.

Plaintiff's claim is based on an amount owed under contract. Unfortunately, the document which contains the contract in this case does not, in the Court's opinion, do justice to the legal considerations of building a substantial residential dwelling. The agreement does not address the contractor's obligation to complete the project under budget nor does it address any penalty for going over budget. The Court finds that the Plaintiff substantially performed under the bare-boned agreement which was presented to the Court and Plaintiff is due \$2,000.00, which is the balance of his fee.

Any exhibits offered by the parties will be held during the time allowed for appeal. After that time, and prior to the expiration of 28 days following the date of judgment, either party wishing the return of any exhibits offered should call the Court to make arrangements for the return of said exhibits. Any exhibits not requested within 28 days following the date of judgment or any post judgment motion, shall be disposed of.

Either party may appeal the Judgment of this Court to the Circuit Court of Shelby County, Alabama. Any appeal must be perfected within fourteen (14) days of the date of this Judgment, in the manner provided by law.

DONE AND ORDERED ON THIS THE 18 TH DAY OF MAY, 1994.

Inst # 1994-18870

  
RON JACKSON,  
DISTRICT JUDGE

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12:42 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
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