

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

MARTHA C. HIGHTOWER,

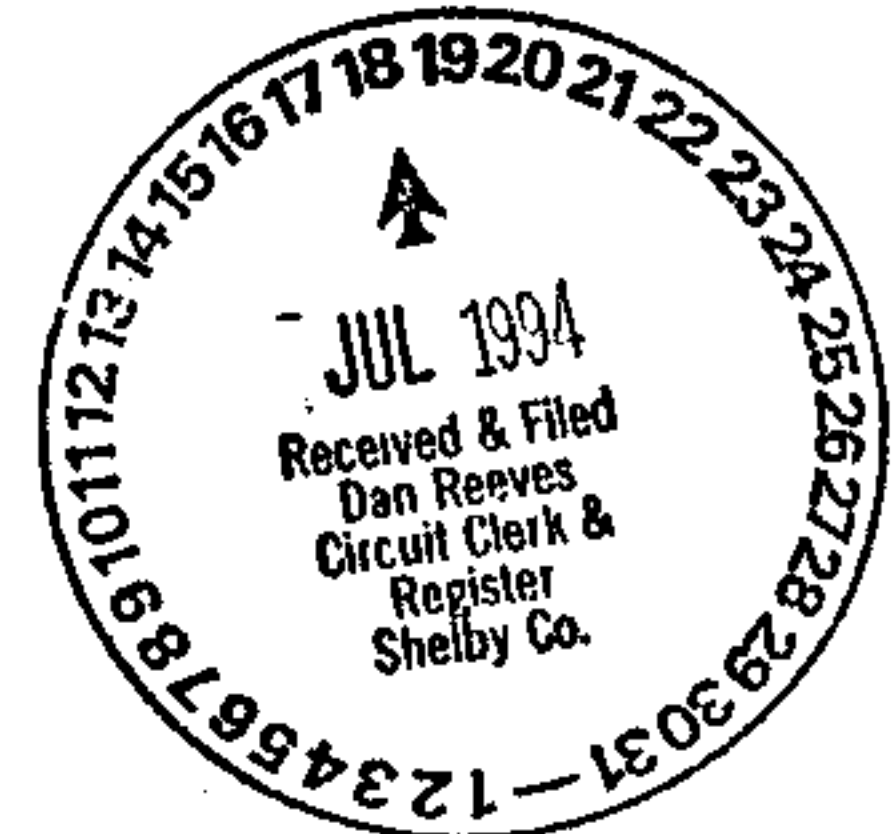
Plaintiff,

VS.

AMSOUTH BANK, N.A.,

Defendant.

CASE NUMBER  
CV 93-654



CONSENT JUDGMENT

This cause having come on for hearing upon the joint motion for entry of judgment filed by the respective parties, the Court does hereby ORDER, ADJUDGE and DECREE as follows:

1. That as of the date of the commencement of this action, the parties did each respectively hold valid mortgages upon the premises located at 105 Woodcliff Circle, Birmingham, Alabama, 35243 located in Shelby County, Alabama, and more particularly described as follows:

Lot 27, Block 2, Gross' addition to Altadeena South, second phase of first sector, as recorded in Map Book 6, Page 17, in the Probate Office of Shelby County, Alabama.

2. That the mortgage held by plaintiff Martha C. Hightower upon said premises, and recorded at Book 171, Page 171 in the Probate Court of Shelby County, Alabama, executed by Fred E. Hightower, Jr. and wife, Kathleen J. Hightower as borrowers, holds a first and prior position over both mortgages held by AmSouth Bank, N.A. upon said premises which are recorded at Book 376, Page 290 and at Book 337, Page 831, respectively, in the Probate Court

FILED IN OPEN COURT

THIS 18<sup>th</sup> DAY OF JULY 1994

CIRCUIT JUDGE

William K. Upham

15554-664-23591

of Shelby County, Alabama. Those mortgages are similarly executed by Fred E. and Kathleen Hightower jointly and by Kathleen Hightower individually.

DONE and ORDERED this 18<sup>th</sup> day of July, 1994, by consent of the parties, with costs of Court taxed to the parties, as paid.


  
CIRCUIT COURT JUDGE

Approved for entry:

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WILLIAM KENT UPSHAW  
Attorney for Plaintiff

Inst # 1994-23591

07/28/1994-23591  
09:55 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 HCD 11.00

  
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JAMES H. GREER  
Attorney for Defendant