

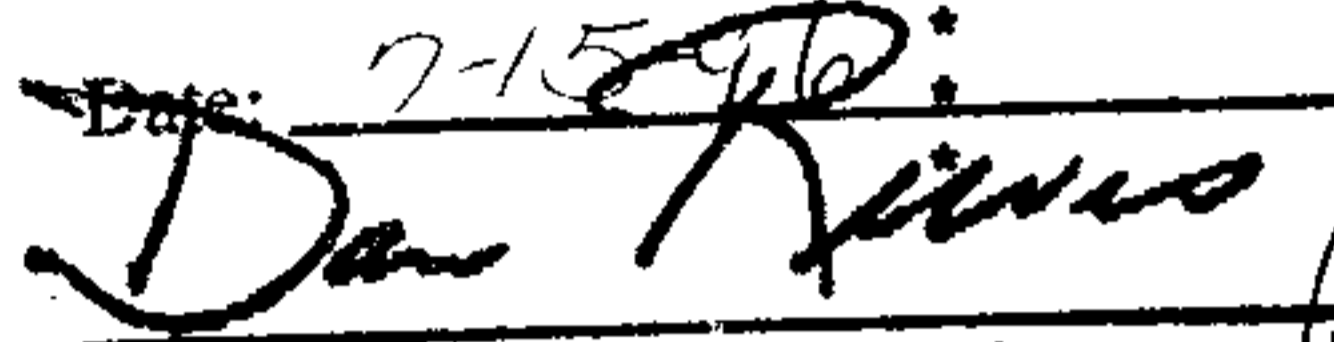
BUILDING MATERIALS WHOLESALE, INC.
PLAINTIFF

VS.

INTERMOUNTAIN DEVELOPERS, INC.
and FIRST ALABAMA BANK

DEFENDANTS

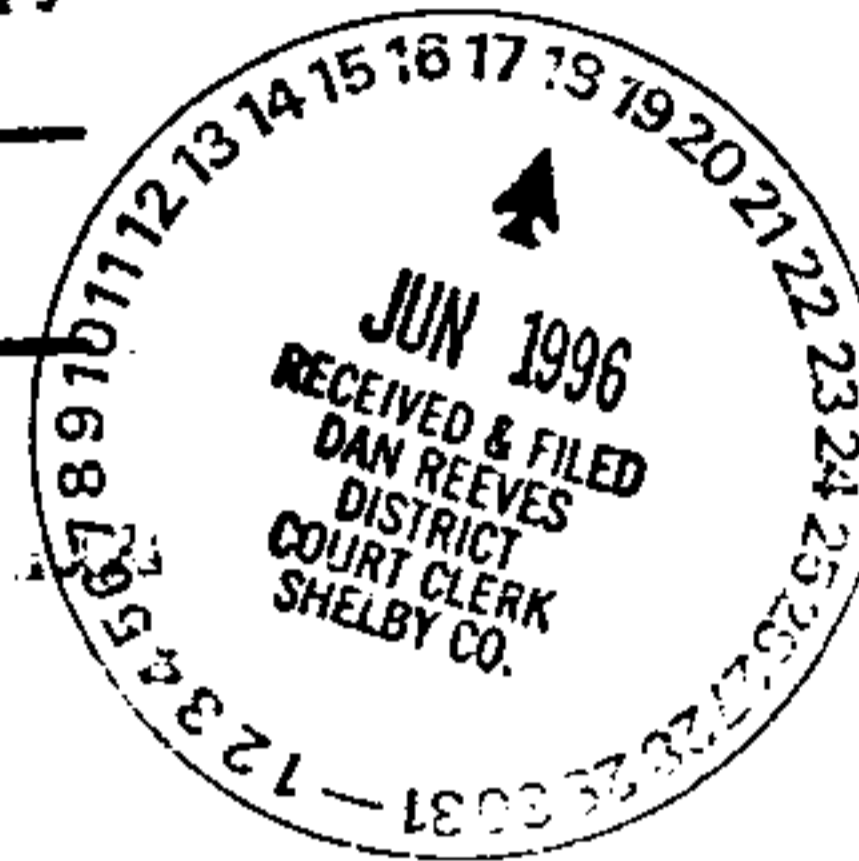
Certified a true and correct copy

Date: 7-15-96

Dan Reeves, Circuit Clerk
Shelby County, Alabama

ORDER

IN THE DISTRICT COURT OF
SHELBY COUNTY, ALABAMA
CIVIL DIVISION

CASE NO. DV-96-191



Inst # 1996-24054

THIS CAUSE coming on to be heard on Plaintiff's Application, Affidavit and Entry of Default and Default Judgment against Defendant, Intermountain Developers, Inc., and the Court having reviewed Plaintiff's affidavit, and the Defendant, Intermountain Developers, Inc., having been duly served, however, failing to file an answer or otherwise making an appearance in this action and the Court being of the opinion that the following default judgment should be entered. It is therefore **ORDERED, ADJUDGED and DECREED**, as follows:

- 1.) That a money judgment is hereby entered in favor of the Plaintiff, Building Materials Wholesale, Inc., and against the Defendant, Intermountain Developers, Inc., in the amount of **\$3,533.80, plus interest** in the amount of **\$95.27**, for a total money judgment of **\$3,629.07**. Judgment is entered without waiver of exemptions as to personal property.
- 2.) That a materialmen's lien in the amount of **\$3,629.08** is hereby fixed and established in favor of the Plaintiff to the extent and ownership of all of the right, title and interest of Intermountain Developers, Inc., in the following described real property located and situated in Shelby County, Alabama, to-wit:

Lot 544, according to the Survey of Eagle Point 5th Sector, as recorded in Map Book 18, Page 138, in the Probate Office of Shelby County, Alabama.

Costs are hereby taxed against the Defendant, Intermountain Developers, Inc., for which let execution issue.

Inst # 1996-24054

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SHELBY COUNTY JUDGE OF PROBATE
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Court notes that answer was filed by James H. Leslie, address of: 2232 Cahaba Valley Avenue, Birmingham, Alabama 35242, admitting everything in the Complaint. The answer filed does not, however, state the relationship of James H. Leslie to Defendant, Intermountain Developers, Inc., nor his authority for filing an answer on behalf of the corporate entity.

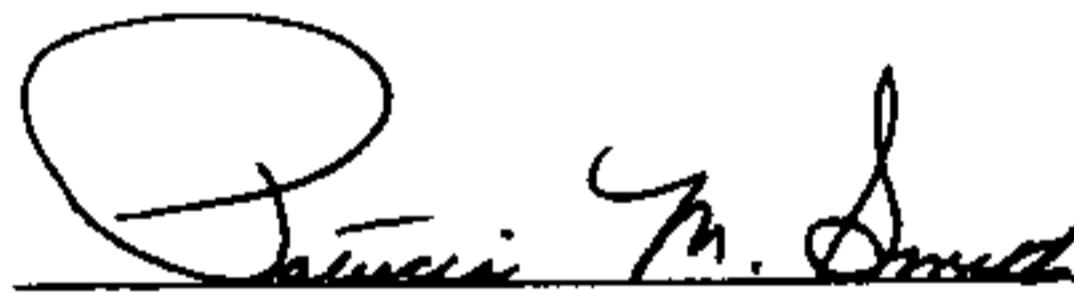
There being no just reason for delay, the entry of this judgment is a final judgment pursuant to Rule 54(b) of the Alabama Rules of Civil Procedure.

Court **ORDERS** case placed on status docket for **AUGUST 28, 1996** to confirm entry of dispositional order as to Defendant, First Alabama Bank.

In accordance with provisions of 35-11-226, Code of Alabama, 1975, all papers and a certified transcript of this judgment are to be transferred to the Clerk of the Circuit Court for further proceedings in that Court regarding sale of the described property in satisfaction of this judgment as provided by statute.

Court mailed a copy of the Court Order, this date, to Gregory M. Deitsch, Counsel for Plaintiff, to Defendant, Intermountain Developers, Inc., and to Defendant, First Alabama Bank.

DONE and ORDERED this 18TH DAY OF JUNE, 19 96.



PATRICIA M. SMITH, DISTRICT COURT JUDGE

Certified a true and correct copy

Date: 7-15-96


Dan Reeves, Circuit Clerk
 Shelby County, Alabama

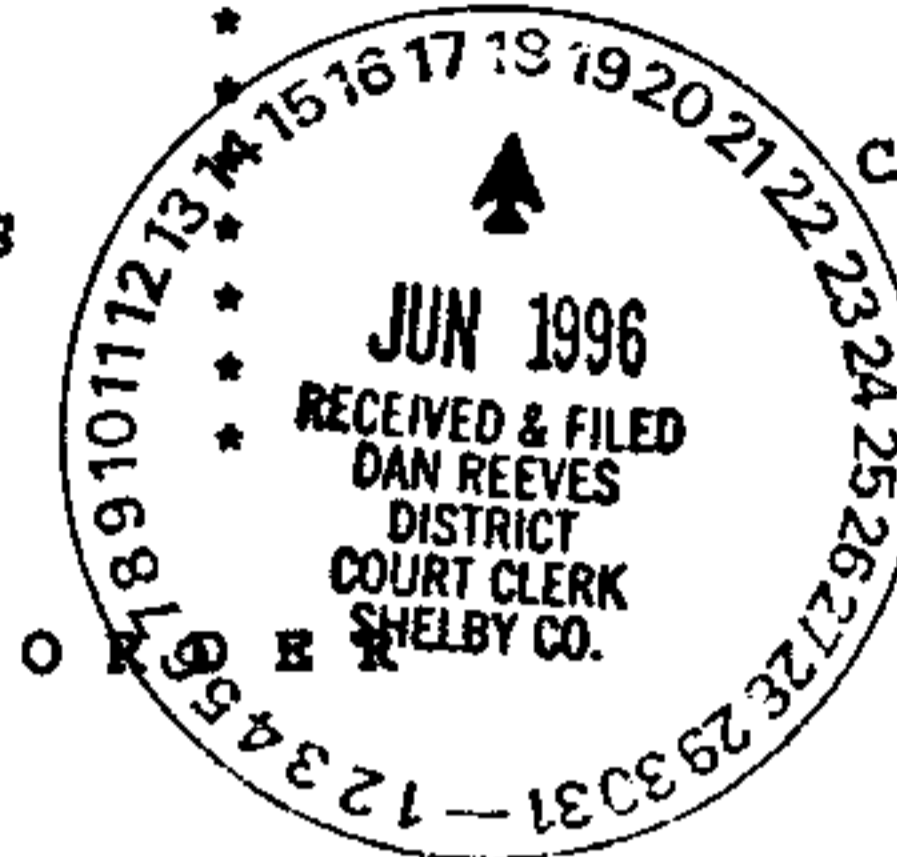
BUILDING MATERIALS WHOLESALE, INC.
PLAINTIFF

VS.

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DEFENDANTS

IN THE DISTRICT COURT OF
SHELBY COUNTY, ALABAMA
CIVIL DIVISION

CASE NO. DV-96-191



This Court's Order of May 24, 1996, is set aside as null and void. Case remains assigned to Hon. Patricia M. Smith.

The Clerk is **ORDERED** to change Judge's Identification Number and forward case, as necessary, to Judge Smith's Office for further proceedings as appropriate.

DONE THIS 17TH DAY OF JUNE, 19 96.

PATRICIA M. SMITH, DISTRICT COURT JUDGE

Certified a true and correct copy

Date: 7-15-96

Dan Reeves, Circuit Clerk
Shelby County, Alabama

Inst # 1996-24054

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