

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

CITY OF ALABASTER, ALABAMA,

Plaintiff,

v.

MATTIE S. TAYLOR and Annette
Skinner, Tax Collector.

Defendants.

Case No. PR-2003-000521

ORDER

This Court has before it the Motion to Allow Claims by First National Bank of Shelby County and A&S Bail Bonding Co., Inc. or, in the Alternative, to set Aside Order of Condemnation (the "Motion" - a copy of which is attached hereto as Exhibit A) filed by Frank C. Galloway III, in his capacity as court appointed guardian ad litem for unknown parties in this matter. After reviewing the Motion, this Court finds that the portion of the Motion seeking to allow claims by First National Bank of Shelby County (the "Bank") and A&S Bail Bonding Co., Inc. ("A&S") is well taken. Accordingly, by a copy of this order being sent to counsel for the Bank, Michael A. Harrison and counsel for A&S, Richard M. Breibart, respectively, said entities will be given thirty (30) days from the date of this Order to file a claim against the proceeds due to defendant Mattie S. Taylor. Should said parties fail to, or elect not to, file such a claim, then their liens against the real property shall be voided.

As for the aspect of the subject Motion to set aside the Order of Condemnation, it is DENIED as the two potential claimants are hereby afforded an opportunity to protect their interests.

Done this 7 day of ^{April}~~March~~ 2004.

I certify this to be a true and
correct copy *Catrina [signature]*

Probate Judge
Shelby County

[Signature]

Probate Court Judge

c: All counsel of record
Michael A. Harrison, Esq.
Richard M. Breibart, Esq.

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SHELBY COUNTY, ALABAMA**

CITY OF ALABASTER, ALABAMA,

Plaintiff,

v.

**MATTIE S. TAYLOR and Annette
Skinner, Tax Collector.**

Defendants.

Case No. PR-2003-000521

**MOTION TO ALLOW CLAIMS BY FIRST NATIONAL BANK OF SHELBY
COUNTY AND A&S BAIL BONDING CO., INC. OR, IN THE ALTERNATIVE, TO
SET ASIDE ORDER OF CONDEMNATION**

COMES NOW, the undersigned, Frank C. Galloway III, in his capacity as court appointed guardian ad litem for unknown parties and asserts as follows:

At the February 11, 2004 ascertainment hearing of the subject case, the undersigned became aware that there are two (2) outstanding parties that have cognizable legal claims to the subject property, First National Bank of Shelby County (the "Bank") and A&S Bail Bonding Co., Inc. ("A&S"). Subsequent to the ascertainment hearing, the undersigned has confirmed with the law offices of Breibart & Ingram, P.C. that A&S has a mortgage on the subject property that it will satisfy for payment of \$225.00. The Bank has a recorded judgment against Defendant Mattie Taylor that encumbers the subject property. Counsel for the Bank, Mike Harrison, represented to the undersigned that there is a \$3,674.63 balance owing on this judgment debt.

Neither the Bank nor A&S was made a party to this case in accordance with §18-1A-72 of the Code of Alabama (1975). Accordingly, pursuant to §18-1A-292 of the Code of Alabama (1975), the undersigned moves this Court to allow the Bank and A&S to file claims to the condemnation proceeds. Alternatively, as the Bank and A&S are necessary parties to the

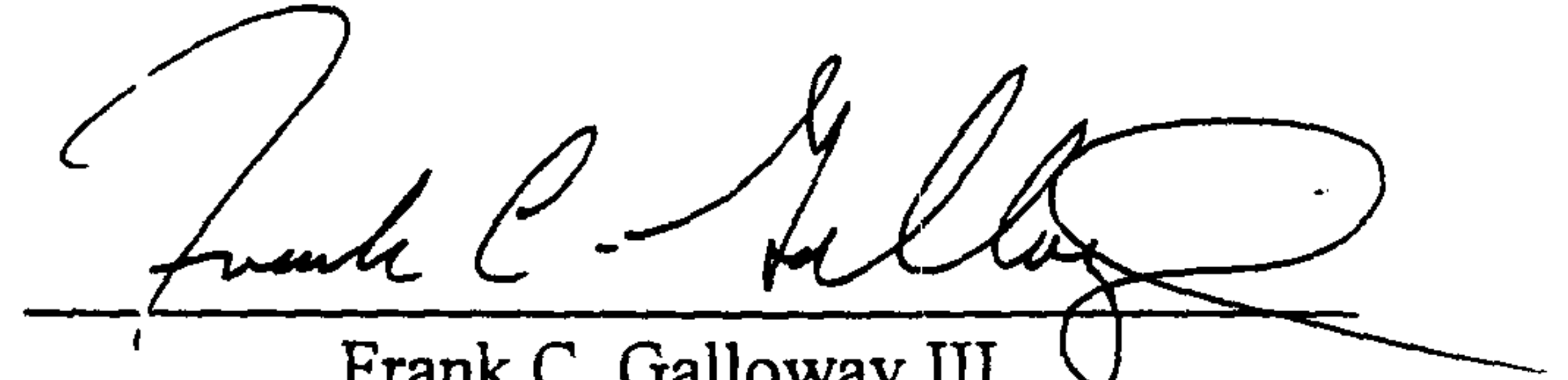
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PROBATE JUDGE'S OFFICE

adjudication of this case, the undersigned moves that this Court set aside its Order of Condemnation in this case and require that the condemnor add them as defendants to this matter.

Done this 17th day of February 2004.


Frank C. Galloway III
Guardian Ad Litem

OF COUNSEL:

GALLOWAY & SOMERVILLE, LLC

11 Oak Street

Birmingham, AL 35213

(205) 871-2183

NO ORAL ARGUMENT REQUESTED

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on:

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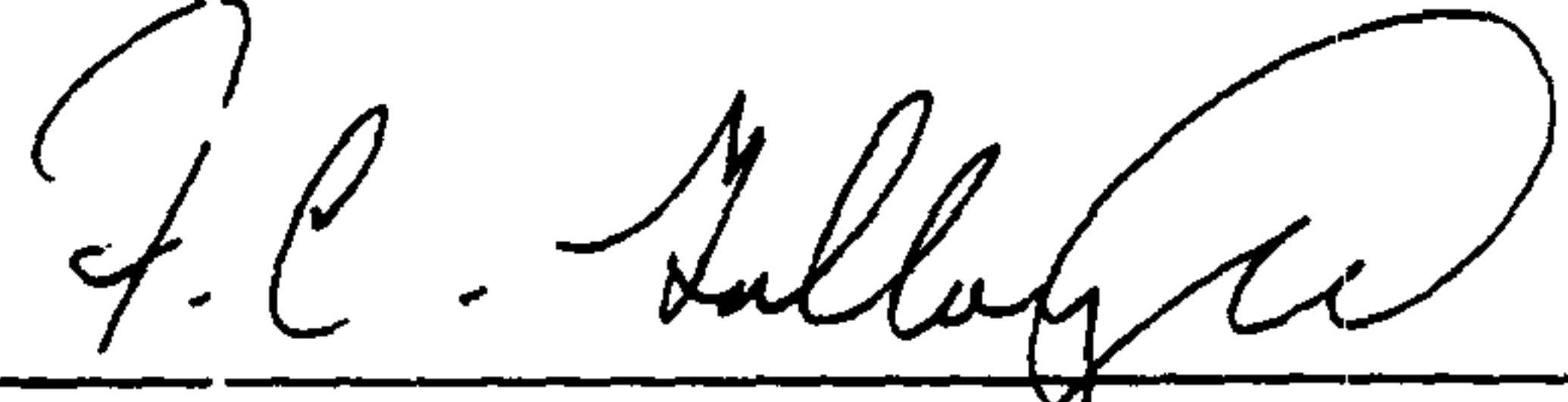
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via first class mail this 17th day of February 2004.



OF COUNSEL