

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

JOHN RUSSELL WISE

*

PLAINTIFF,

*

VS.

*

CASE NO. DR94-635.03

MERCEDES K. WISE (SAMPSELL)

*

DEFENDANT.

*

ORDER ON PETITION TO MODIFY AND RULE NISI

This cause came on to be heard on March 28, 2005 based upon the Petitioner, Mercedes K. Wise(Sampsell)'s, Petition for Rule Nisi and Petition to Modify. The Petitioner, Mercedes K. Wise(Sampsell), was represented by Douglas L. Key and the Plaintiff, John Russell Wise, was represented Pro Se. The parties have announced to the Court that they have reached an agreement to all issues in this case. The Court, being of apprized of the same terms, is of the opinion that the following Order should be entered.

It Is therefor ORDERED, ADJUDGED and DECREED as follows:

1. Back child support and medical bills claimed in the Rule Nisi have been paid with the exception of 2005 medical expenses, which are currently outstanding. The payments of the back child support and the medicals were paid prior to this hearing.
2. Plaintiff shall provide and pay for a four-year college education for each child of the parties herein should said children desire to attend an accredited college or university as a full-time student. The obligations hereunder shall include tuition, academic fees, books, room and board, provided, however, the above-stated expenses shall not exceed the then prevailing rates at University of Alabama or Auburn University. The obligation

hereunder shall not be terminated by reason of the children attaining majority, but shall be terminated when each child completes a four-year course of study, however, in no event shall this provision extend past the child's twenty-third (23rd) birthday. Further, during such time as each said child is enrolled as a full-time student at said college or university, each said child shall maintain an overall "C" average and shall furnish a copy of all grades to the Mother and Father on a regular basis.

3. Child support is to remain the same.

4. Plaintiff, John Russell Wise, will pay to the attorney for the Petitioner, Douglas

L. Key, the sum of \$2,200.00 within 45 days of the memorandum agreement of March 28, 2005. In addition, court costs are taxed in the amount of \$293.00 to John Russell Wise and he is to pay that to the attorney for the Petitioner within 45 days of the memorandum agreement.

5. All other items of the Final Decree of Divorce, as heretofore modified, remain in full force and effect.

6. Court cost taxed as paid. ^{AG}
DONE and ORDERED this the 19th day of May, 2005.

A Al Coarson
CIRCUIT JUDGE

Copies of this Judgment mailed pursuant to Rule 77(d) of the Alabama Rules of Civil Procedure this date.

Dated: _____, 2005.

CIRCUIT COURT CLERK

Certified a true and correct copy
Date: 11/2/05

Mary H. Harris
Mary H. Harris, Circuit Clerk
Shelby County, Alabama

RECEIVED AND FILED
MARY H. HARRIS
MAY 27 2005
CIRCUIT & DISTRICT
COURT CLERK
SHELBY CO.