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ALABAMA JUDICIAL DATA CENTER
IN THE CIRCUIT COURT OF SHELBY COUNTY

SAMUEL LEE HIBBS VS. WANDA JOY TATUM HIBBS

NOV 08 2005

HEAD J FRANK
P O BOX 587

CASE NUMBER: DR 2005 000516 00
PARTY NUMBER: C001

COLUMBIANA AL 35051



20060210000069230 1/4 \$20.00
Shelby Cnty Judge of Probate, AL
02/10/2006 12:51:55PM FILED/CERT

11/7/05

PLEASE SUBMIT REQUIRED VITAL STAT FORM

ISSUED ON: 11/07/2005 CLERK: MARY H. HARRIS
P.O. BOX 1810
COLUMBIANA AL 35051
(205) 669-3760

(11/07/2005) MEE

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

SAMUEL LEE HIBBS,

PLAINTIFF,

vs.

CIVIL ACTION No. DR-2005-516

WANDA JOY TATUM HIBBS,

DEFENDANT



20060210000069230 2/4 \$20.00
Shelby Cnty Judge of Probate, AL
02/10/2006 12:51:55PM FILED/CERT

FINAL JUDGMENT OF DIVORCE

This cause coming on to be heard on the 20th day of October, 2005, and the plaintiff, Samuel Lee Hibbs, appearing in Court with his attorney of record, J. Frank Head, and the defendant, Wanda Joy Tatum Hibbs, having failed to appear, and the defendant having been served with a copy of the Summons and Complaint on August 14, 2005, and more than 30 days having passed since the service of the Summons and Complaint, and the defendant having failed to answer or otherwise file some responsive pleading, and the Circuit Clerk having entered a default on October 17, 2005, and the plaintiff having presented testimony and evidence in support of a judgment by default, and upon consideration thereof, it is, therefore ORDERED, ADJUDGED and DECREED as follows:

1. That the bonds of matrimony heretofore existing between the plaintiff and defendant be, and the same are hereby dissolved, and that the said SAMUEL LEE HIBBS is forever divorced from the said WANDA JOY TATUM HIBBS for and on account of incompatibility of temperament between the parties.

2. That neither party shall marry again except to each other until sixty (60) days after the date of this Judgment of Divorce, and if an appeal is taken (which must be instituted within forty-two (42) days from this Judgment or from the date that a post-trial motion is denied), then neither party shall again marry except to each other during the pendency of said appeal.

3. That the plaintiff is awarded the marital residence of the parties located at 19 Liberty Road, Chelsea, AL 35043, and the defendant is divested of any interest therein, said property being situated in Shelby County, Alabama, and being more particularly described as follows:

Lot 6, according to the Survey of Countryside at Chelsea, as recorded in Map Book 9, Page 49, as recorded in the Probate Office of Shelby County, Alabama.

Mineral and mining rights excepted.

Subject to easements, restrictions and rights-of-way of record.

4. That the defendant is herewith ordered and directed to execute a deed conveying to the plaintiff all of her right, title and interest in and to said real property.

5. That the plaintiff is awarded all furniture, furnishings, appliances, tools, personal effects, clothing, guns, automobiles and other personal property located at the marital residence, or in the plaintiff's possession and control, and the defendant is divested of any interest therein.

6. That the defendant is awarded all furniture, furnishings, appliances, tools, personal effects, clothing, guns, automobiles and other personal property in her possession and control, and the plaintiff is divested of any interest therein.

7. That the plaintiff is awarded the 2002 Ford Expedition leased vehicle, and the 1996 Nissan Pathfinder automobile.

8. That the plaintiff is awarded all interest in his retirement funds, assets, pension or otherwise, including his interest in the State of Alabama Teachers' Retirement System, or as may be otherwise more accurately designated, and the defendant is divested of any interest therein.

9. That each party is awarded any money, and bank or other monetary accounts, in their individual names or possession, and the other party is divested of any interest therein.

10. That the plaintiff shall be responsible for payment of the first mortgage and equity line of credit to First National Bank of Shelby County, and shall be responsible for payment of his MasterCharge credit card with Jefferson County Teachers' Credit Union, his BP credit card, and his Autopass for Firestone credit card, and the miscellaneous utility bills associated with the marital residence.

11. That the defendant shall be responsible for payment of all indebtedness in her individual name, and any other indebtedness in the names of either parties not otherwise specified herein. The plaintiff currently has two lawsuits filed against him for credit card bills, to-wit, CACV of Colorado v. Samuel L. Hibbs, Case No. CV-2005-209, in the Circuit Court of Shelby County, Alabama, and First Resolution Investment Corp. v. Samuel Hibbs, Case No. DV-05-946, in the District Court of Shelby County, Alabama, for which he did not incur said indebtedness, according to his testimony. In the event Judgment is entered against the plaintiff, Samuel L. Hibbs, in either of these two cases, the defendant, Wanda Joy Tatum Hibbs, shall be responsible for paying and satisfying said indebtedness, and indemnifying and holding the plaintiff harmless.

12. That the plaintiff is awarded the care, custody and control of the minor child of the parties, namely, Zachary Edward Hibbs, date of birth May 7, 1987. The said child is 18 years of age, and lives with the plaintiff. The Court understands the

defendant receives Social Security disability, and due to the circumstances, the issue of child support shall be reserved. The defendant is awarded such reasonable visitation as the parties and minor child can mutually arrange, and as may be mutually agreeable.

12. That costs of Court herein are taxed as paid.

Done and Ordered this 25th day of October, 2005
RECEIVED AND FILED
MARY H. HARRIS

NOV 8 7 2005
D. Al Crowson
CIRCUIT & DISTRICT
COURT CLERK
SHELBY CO.

I, Mary Harris, Register of the Circuit Court for Shelby County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office, and the cost has been paid.

Witness my hand and seal this the _____ day of _____, 2005.

Register of Circuit Court

Certified a true and correct copy
Date: 11-2-05
Mary H Harris
Mary H. Harris, Circuit Clerk
Shelby County, Alabama