

IN THE CIRCUIT COURT OF SHELBY COUNTY  
COLUMBIANA, ALABAMA

FIVE STAR LUMBER, INC.,

PLAINTIFF,

VS.

SWEENEY HOMEBUILDERS, INC.,

DEFENDANT.

CASE NO.: CV 2006-871

ORDER

That the Defendant, Sweeney Homebuilders, Inc., having been duly served with the Summons and Complaint in this cause and having failed to file an answer within thirty (30) days it is therefore,

**ORDERED and ADJUDGED**, by the Court as follows:

(1) That Plaintiff, Five Star Lumber, Inc., is hereby entitled to and is granted a Default Judgment against the Defendant, Sweeney Homebuilders, Inc., in the sum of FIFTY-ONE THOUSAND SEVEN HUNDRED-THIRTY TWO AND 24/100 (\$51,732.24) DOLLARS, for which execution shall issue.

(2) That the Mechanic and Materialmens Lien for the unpaid balance of said indebtedness set forth in paragraph 1, above, is hereby perfected on the following described property.

PARCEL 1:

LOT 101, ACCORDING TO THE FINAL PLAT OF LONG BRANCH ESTATES, PHASE 1, AS RECORDED IN MAP BOOK 34 PAGE 66 IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA.

PARCEL 2:

LOT 107, ACCORDING TO THE FINAL PLAT OF LONG BRANCH ESTATES PHASE 1, AS RECORDED IN MAP BOOK 34 PAGE 66, IN PROBATE COURT OF SHELBY COUNTY, ALABAMA.

PARCEL 3:

LOT 8, ACCORDING TO THE SURVEY OF LAKE RIDGE SUBDIVISION, AS RECORDED IN MAP BOOK 33, PAGE 43 IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA.

(3) Upon the failure of the Defendant to pay such amount set forth in paragraph 1, above, upon demand, that the Court will order said property together with improvements thereon to be sold by the Court to satisfy and discharge said lien.

(4) That the costs of this action shall be taxed to Defendant.

DONE this the 3<sup>rd</sup> day of November, 2006.

Hamm  
CIRCUIT JUDGE

CC: W. Spencer Frawley  
Attorney for Plaintiff  
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Birmingham, Alabama 35236  
(205) 987-2211

Defendant's Address  
Sweeney Homebuilders, Inc.  
C/O Edward R. Sweeney, Agent  
3311 County Road 2  
Montevallo, Alabama 35115-9538