

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

W. ALTON BUNDRUM and SARAH
JO RICHARDS,

Plaintiffs,

v.

CASE NO. CV-2007-900460

A TRACT OF LAND described as follows:

Lot 7 according to Hill Top Estates, as
recorded in Map Book 18, Page 22, in the

Probate Office of Shelby County, Alabama;

LLOYD L. PEOPLES, or his heirs and
devisees, if deceased, and PAULA

PEOPLES, or her heirs and devisees, if
deceased, whose whereabouts are

unknown after diligent inquiry; and all
other persons claiming any present,

contingent, remainder, reversionary, or
other interest in said lands,

Defendants.

RECEIVED AND FILED
MARY H HARRIS

JUL 24 2008

CIRCUIT & DISTRICT
COURT CLERK
SHELBY CO

ORDER CORRECTING JUDGMENT

The Court on its own initiative, pursuant to Rule 60(a), ARCP, hereby corrects the Judgment previously entered herein on February 22, 2008, by adding the Vehicle Identification Numbers (VINs) for the residence found to have become a fixture in this cause, to facilitate the cancellation of the certificates of title. The Judgment shall now read as follows:

This cause coming before the Court on Plaintiffs' Motion for Default Judgment, and upon consideration of the verified complaint, including the facts set out therein, proof of publication notice, recorded lis pendens notice, and the exhibits and affidavit submitted to the Court on behalf of the Plaintiffs, and Defendant Lloyd L. Peoples having been duly served by certified mail and Defendants Paula Peoples and unknown claimants having been duly served by publication, and the named Defendants not being under disability and having failed to plead or otherwise defend, and their default having been entered by the Clerk, and the Defendants having taken no proceedings since such default was entered, the Court makes the following findings of fact:

1. That Plaintiff W. Alton Bundrum, at the time of the filing of the complaint, claimed in his own right the fee simple title to and was in actual peaceable possession of the following described real estate in Shelby County, Alabama:

Lot 7 according to Hill Top Estates, as recorded in Map Book 18, Page 22, in the Probate Office of Shelby County, Alabama

2. That Plaintiff Sarah Jo Richards, at the time of the filing of the complaint, was the holder of a valid mortgage on said real estate.

3. That at the time of the filing of the complaint, no suit was pending to test Plaintiffs' title to, interest in, or right to the possession of said real estate.

4. That publication of the pendency of this action was made in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, on November 7, 14, 21, and 28, 2007, calling upon Defendants to plead, answer or otherwise defend on or before thirty days from the last publication, and more than sixty days have elapsed from the date of the first publication of said notice.

5. That Defendant Lloyd L. Peoples was served by certified mail on November 9, 2007.

6. That a copy of said notice, certified by the Clerk as being correct, was recorded as a lis pendens in the Probate Office of Shelby County, Alabama, said notice being in compliance with § 35-4-131, Code of Ala.

7. That the complaint and other filings comply in all respects with the requirements of §§ 6-6-560 and -561, Code of Ala. 1975, it is the opinion of the Court that Plaintiffs are entitled to the *in rem* relief and additional relief prayed for in the complaint.

8. That all of the allegations of fact contained in the complaint are true.

Accordingly, it is **Ordered and Adjudged** as follows:

A. The right, title, interest and ownership of Plaintiff W. Alton Bundrum as fee simple owner and Plaintiff Sarah Jo Richards as mortgagee is hereby established and forever quieted *in rem* and against the property which is more particularly described as:

Lot 7 according to Hill Top Estates, as recorded in Map Book 18, Page 22, in the Probate Office of Shelby County, Alabama

B. The residence located on said real property is a fixture and is part of said real property, and Plaintiff W. Alton Bundrum is authorized as owner, on his behalf and on behalf of Defendants, to proceed with canceling the certificates of title to the manufactured home residence. The Vehicle Identification Numbers for both sections of the residence are: GAFLR35A08134-HH and GAFLR35B08134-HH.

C. The Clerk of this Court shall certify a copy of this judgment and record the same in the Probate Office of Shelby County, Alabama, and the same shall be indexed in the same manner in



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which deeds are recorded.

D. The guardian ad litem, Vicki N. Smith, is awarded the sum of \$400.00 as a fee for her services rendered in this action.

E. Costs of this action are taxed to Plaintiffs.

Done and ordered, as corrected, this 24th day of July, 2008.



Circuit Judge