

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

EQUIVEST FINANCIAL, LLC,
Plaintiff,

v.

SMITHERMAN BRADLEY E.,
SMITHERMAN MARK LANGE,
SMITHERMAN WILLIAM E.,
Defendants.

Case No.: CV-2010-900919.00



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Shelby Cnty Judge of Probate, AL
10/04/2011 01:17:30 PM FILED/CERT

ORDER FOR POSSESSION AND QUIETING TITLE

This matter came before the Court upon the *Application, Affidavit, and Entry of Default* filed by Equivest Financial, LLC ("Plaintiff") against defendant, Bradley E. Smitherman ("B. Smitherman"). The Court finds that the Plaintiff's application is due to be granted. The Court finds that it has been more than 30 days since B. Smitherman was served, and that B. Smitherman has failed to answer the Complaint. Based on the foregoing and the pleadings of record, it is hereby **ORDERED, ADJUDGED, and DECREED**:

1. The Plaintiff shall recover from B. Smitherman exclusive possession of the real property described as follows:

SHELBY COUNTY TAX PARCEL: 58/13/01/01/3/003/071.000

LEGAL DESCRIPTION: LOT 7, IN BLOCK 2, ACCORDING TO THE SURVEY OF CAHABA VALLEY ESTATES, THIRD SECTOR, AS RECORDED IN MAP BOOK 5, PAGE 107, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA
(the "Property").

2. Any title or interests claimed by B. Smitherman in the Property is hereby **VESTED** and **QUIETED** in favor of the Plaintiff.

3. The claims of B. Smitherman and all who claim title under B. Smitherman in and to the Property are without any right;

4. B. Smitherman has no estate, right of redemption, title, lien, or interest in or to the Property or any part of the Property;

5. B. Smitherman and all persons claiming under B. Smitherman are permanently enjoined from asserting any estate, right of redemption, title, lien, or interest in or to the Property or any part of the Property; and

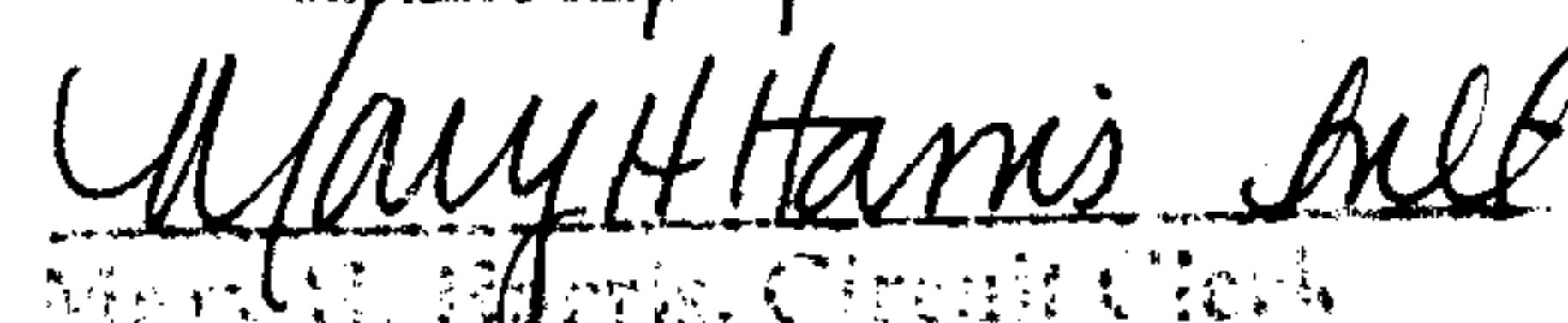
6. The costs of these proceedings be taxed as paid.

DONE this 7th day of June 2011.


CIRCUIT JUDGE

Certified a true and correct copy

Date: 8/4/11


Mary H. Harris, Circuit Clerk
Shelby County, Alabama