

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

I, the undersigned deputy clerk of the Office of the Clerk of Bankruptcy Court in and for said District, do hereby certify that the attached copy of Consent Judgment between The Sherwin-Williams Company, Quality Properties, LLC and First National Bank of Talladega in the case of Quality Properties, LLC, debtor, BK No. 10-42783-JJR-11, AP No. 10-40122 (Dkt #83) has been compared with the original thereof and that it is a complete and correct copy of such original as it appears of record and on file in my office.

In testimony whereof I have hereunto set my hand at Tuscaloosa, Alabama in said District, this November 1, 2012.

Scott W. Ford, Clerk
United States Bankruptcy Court
by /s/ Kim Martin, Deputy Clerk



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Shelby Cnty Judge of Probate: AL
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Date of issuance: November 1, 2012

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

**IN RE:
QUALITY PROPERTIES, LLC,

DEBTOR.**

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**CASE NO. 10-42783-JJR

CHAPTER 11**

**THE SHERWIN-WILLIAMS
COMPANY,
PLAINTIFF**

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A.P. NO. 10-40122-JJR

V.

**PINE APPLE CONVEYOR SERVICE,
INC.; QUALITY PROPERTIES, LLC;
FIRST NATIONAL BANK OF
TALLADEGA,
DEFENDANTS.**


**CONSENT JUDGMENT BETWEEN THE SHERWIN-WILLIAMS COMPANY,
QUALITY PROPERTIES, LLC AND FIRST NATIONAL BANK OF TALLADEGA**

At the request of the undersigned parties it is hereby ORDERED, ADJUDGED, and
DECREED as follows:

1. Consistent with this Court's Opinion and Order on Motion for Summary Judgment by the Sherwin-Williams Company (hereinafter "Sherwin") and Motion for Summary Judgment by First National Bank of Talladega entered on May 14, 2012 (hereinafter "Order"), Sherwin holds a perfected and enforceable materialman's lien against the Project (the term "Project" in this Consent Judgment has the same meaning as in the Order and the property is specifically described below to wit:

**Lot 1, according to the Survey of 31 Plaza, a Commercial Subdivision, as
recorded in Map Book 39, Page 150, in the Probate Office of Shelby County,
Alabama)**

A.P. No. 10-40122-JJR
Page 1


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Shelby Cnty Judge of Probate, AL
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and Sherwin is entitled to an allowed secured claim in the Chapter 11 case of Quality Properties, L.L.C. (Case No. 10-42783-JJR).

2. Sherwin is hereby awarded a materialman's lien against the Project for the principal sum of \$18,489.22 plus interest at a rate of 18% per annum from November 19, 2008 until the materialman's lien is paid in full.

3. Costs are hereby taxed as have been previously paid in this adversary proceeding by Quality Properties, L.L.C. to the United States Bankruptcy Court for the Northern District of Alabama, Eastern Division. Each party is to bear its own attorney fees.

4. Sherwin's claims seeking a monetary judgment against Pine Apple Conveyor Service, Inc. that were asserted in counts one and two of the State Court complaint were previously remanded by this Court to State Court are still being adjudicated in the Circuit Court of Shelby County, Alabama.

5. Sherwin's request for a determination that the materialman's lien on the Project is a first-priority lien and is prior in right to the subsequent mortgage granted by Quality Properties, L.L.C. in favor of First National Bank of Talladega is hereby DENIED.


So Ordered: October 15, 2012

/s/ James J. Robinson
JAMES J. ROBINSON
United States Bankruptcy Judge

APPROVED IN ADVANCE:

/s/ Rachel L. Webber
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A.P. No. 10-40122-JJR
Page 2


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(order prepared by Ms. Webber)

/s/ Harry P. Long
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A.P. No. 10-40122-JJR
Page 3