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58-CV-2013-901315.00  
CIRCUIT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK


IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

RIOPROP,  
Plaintiff,

V.

HUTCHISON WILLIAM FRANKLIN,  
HUTCHISON BETTY ANN,  
INTERNAL REVENUE SERVICE,  
STATE OF ALABAMA DEPARTMENT OF  
REVENUE ET AL,  
Defendants.

) Case No.: CV-2013-901315.00

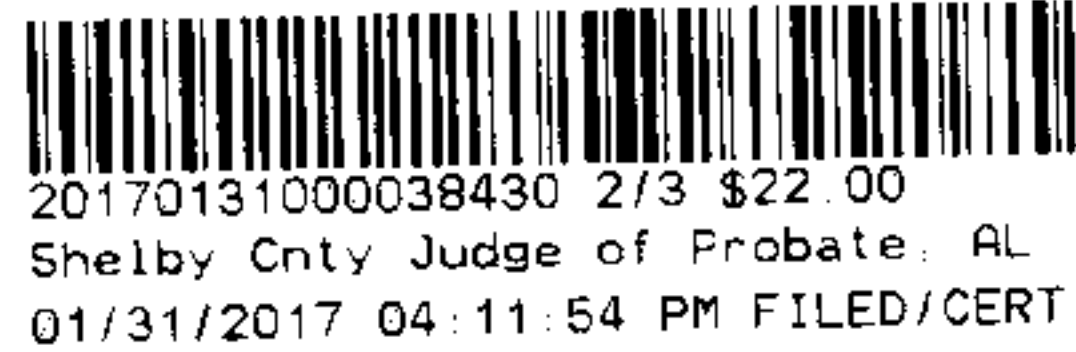
  
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Shelby Cnty Judge of Probate, AL  
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**ORDER GRANTING MOTION FOR SUMMARY JUDGMENT AGAINST WILLIAM  
FRANKLIN HUTCHISON, BETTY ANN HUTCHISON, AND THE STATE OF  
ALABAMA DEPARTMENT OF REVENUE**

This matter came before the court upon the *Motion for Summary Judgment against William Franklin Hutchison, Betty Ann Hutchison, and the State of Alabama Department of Revenue* (the "Motion") filed on March 10, 2016, by Propel Financial 1, LLC ("Propel"), against the defendants, William Franklin Hutchison ("W. Hutchison") and Betty Ann Hutchison ("B. Hutchison," and together with W. Hutchison, the "Hutchisons"), and against the State of Alabama Department of Revenue ("ADOR"). RioProp Holdings, LLC is the successor in interest to Propel and was substituted as plaintiff in this case on August 12, 2016. Based upon the Motion and the pleadings of record in this case, it is hereby **ORDERED, ADJUDGED** and **DECREED** as follows:

1. The Motion is **GRANTED**.
2. On April 9, 2009, the following described real property in Shelby County was sold for delinquent taxes to Plymouth Park Tax Services LLC ("Plymouth"):

SHELBY COUNTY PARCEL NO.: 58/13/01/11/4/001/032.000



LEGAL DESCRIPTION: LOT 17, BLOCK 4, ACCORDING TO THE SURVEY OF OAK MOUNTAIN ESTATES, SECOND SECTOR, AS RECORDED IN MAP BOOK 5, PAGE 76, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA,

PROPERTY ADDRESS: 513 Overhill Drive, Pelham, AL 35124

(the "Property").

3. All proceedings regarding the sale of the Property for taxes on April 4, 2009 to Plymouth and the Judge of Probate's subsequent issuance to Plymouth of a deed to the Property were completed in conformity with Alabama Law.

4. After filing this lawsuit, Plymouth transferred its interest in the Property to Propel by quitclaim deed. Propel was substituted as the plaintiff by this Court's order dated October 5, 2014.

5. Propel subsequently transferred its interest in the Property to RioProp, and the Court ordered the substitution of RioProp as the plaintiff on August 12, 2016.

6. RioProp now holds all interest Plymouth and Propel held in the Property by virtue of Plymouth's purchase of the Property at the April 4, 2009 tax sale.

7. RioProp is the owner in fee simple and entitled to immediate, exclusive, and peaceable possession of the Property.

8. Any title or interest the Hutchisons or ADOR have or claims to have in the Property is hereby **VESTED** and **QUIETED** in favor of Propel.

9. The Hutchisons and ADOR have no estate, right of redemption, title, lien, or interest in or to the Property or any part of the Property.


10. The Hutchisons and ADOR and all persons claiming under the Hutchisons and ADOR 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.

11. Costs of court are taxed as paid.

DONE this 15<sup>th</sup> day of November, 2016.

/s/ WILLIAM H. BOSTICK, III  
CIRCUIT JUDGE

  
20170131000038430 3/3 \$22.00  
Shelby Cnty Judge of Probate, AL  
01/31/2017 04:11:54 PM FILED/CERT

Certified a true and correct copy

Date: 11-21-16

Mary H. Harris  
Mary H. Harris, Circuit Clerk  
Shelby County, Alabama