


20170622000222330 1/4 \$33.00
Shelby Cnty Judge of Probate. AL
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Com SWc of N ½ of NE ¼ of SE ¼, th N 667.91', th NE 518.32', th NW 420' to Co Hwy 93, th NE 281.06' to POB; cont NE 240.88', th SE 240.99', th SW 241.03', th NW 241.81', to POB; LYING IN SECTION 13, TOWNSHIP 20 SOUTH, RANGE 4 WEST, Shelby Co., Alabama, and further being the property conveyed by the State Land Commissioner of the State of Alabama to Mark Chapman on July 6, 2012, and which conveyance is recorded as Instrument Number 20120711000246860 in the Probate Court of Shelby County, Alabama.



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(the "Property").

Defendants Union State Bank, Citizens Trust Bank, Renasant Bank (f/k/a M&F Bank), Beach Community Bank, Inc., and the United States of America on behalf of its agency, the Internal Revenue Service, have filed stipulations with the Court disclaiming all title to, interest in, or encumbrance on the Property. According, an Order quieting title as to said Defendants' interest in the Property is due to be entered in favor of the Plaintiffs and against Union State Bank, Citizens Trust Bank, Renasant Bank (f/k/a M&F Bank), Beach Community Bank, Inc., and the United States of America on behalf of its agency, the Internal Revenue Service.

On July 18, 2016, pursuant to Ala. R. Civ. P. 55(a), the Plaintiffs filed an Application and Affidavit for Entry of Default against Defendants Terry M. Habshey, Charles R. Dodson and Synovous Bank. The Clerk entered a default against Defendants Habshey, Dodson and Synovous Bank on August 10, 2016. On September 22, 2016, this Court conducted a hearing, at which time Plaintiffs, through counsel, orally moved for an entry of default judgment based on the failure of Defendants Habshey, Dodson and Synovous Bank to plead or otherwise defend in this action.

The record shows that Defendants Habshey, Dodson and Synovous Bank have been duly served with the summons and complaint, and not being an infant or unrepresented incompetent person and having failed to plead or otherwise defend, a default judgment is due to be entered in favor of the Plaintiffs and against Defendants Habshey, Dodson and Synovous Bank. According, an Order quieting title as to said Defendants' interest in the Property is due to be entered in favor of the Plaintiffs and against Defendants Habshey, Dodson and Synovous Bank.



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On October 27, 2016, the Plaintiffs and Defendant State of Alabama Department of Revenue filed a Stipulation of Dismissal stating that they reached an agreement whereby the Department of Revenue would issue a partial lien release for its interest in the Property in exchange for the Plaintiffs' payment of \$3,331.86. On November 29, 2016, the Court entered a Order granting the Stipulation of Dismissal, which was not a final order as to Plaintiffs' bill to quiet title. Pursuant to the agreement set forth in the Stipulation of Dismissal, an Order quieting title as to said Defendant State of Alabama Department of Revenue's interest in the Property is due to be entered in favor of the Plaintiffs and against the State of Alabama Department of Revenue.

Accordingly, it is

ORDERED, ADJUDGED, AND DECREED that a default judgment is due to be and is hereby entered in favor of Plaintiffs James David Fallon and Vicki V. Fallon and against Defendants Terry M. Habshey, Charles R. Dodson and Synovous Bank.

It is further ORDERED, ADJUDGED AND DECREED that the right, title, interest, and ownership of Plaintiffs James David Fallon and Vicki V. Fallon in and to the Property is hereby established and forever quieted against the claims of Defendants Terry M. Habshey, Charles R. Dodson and Synovous Bank and that said Defendants have no right, title, claim, interest in, lien or encumbrance upon the Property or any part thereof.

It is further ORDERED, ADJUDGED AND DECREED that the right, title, interest, and ownership of Plaintiffs James David Fallon and Vicki V. Fallon in and to the Property is hereby established and forever quieted against the claims of Defendants Beach Community Bank, Inc., Union State Bank, Citizens Trust Bank, Renasant Bank



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(f/k/a M&F Bank), and the United States of America on behalf of its agency, the Internal Revenue Service, and that said Defendants have no right, title, claim, interest in, lien or encumbrance upon the Property or any part thereof.

It is further ORDERED, ADJUDGED AND DECREED that the right, title, interest, and ownership of Plaintiffs James David Fallon and Vicki V. Fallon in and to the Property is hereby established and forever quieted against the claims of Defendant State of Alabama Department of Revenue and that said Defendant, by agreement, has no right, title, claim, interest in, lien or encumbrance upon the Property or any part thereof.

It is further ORDERED, ADJUDGED AND DECREED that the Clerk of this Court shall certify copies of this decree and record same in the Office of the Judge of Probate of Shelby County, Alabama, and as to the Property, the same shall be indexed in the same book and same manner in which deeds are recorded and said decree shall be indexed in the name of the Defendants against whom this relief is granted in the direct index, and in the name of Plaintiffs in quiet possession of the Property in the reverse index.

DONE this 7th day of March, 2017.


CIRCUIT JUDGE

Certified a true and correct copy
Date: 06-16-17

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