

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Stephanie J. Finelli, SBN 173462 3110 S Street Sacramento, CA 95816 TELEPHONE NO.: 916-443-2144 FAX NO. (Optional): 916-443-1512 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Respondent, James Hunter Hammick	FOR COURT USE ONLY FILED/ENDORSED NOV 22 2017 By Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento STREET ADDRESS: 3341 Power Inn Road MAILING ADDRESS: CITY AND ZIP CODE: Sacramento, CA 95826 BRANCH NAME:	CASE NUMBER: 14 FL 01738
PETITIONER/PLAINTIFF: Candice L. Hammick RESPONDENT/DEFENDANT: James Hunter Hammick OTHER PARTY:	
FINDINGS AND ORDER AFTER HEARING	

1. This proceeding was heard
 on (date): **October 2, 2017** at (time): **9:00 a.m.** in Dept.: **123** Room:
 by Judge (name): **Ernest Sawtelle** ☐ Temporary Judge
 On the order to show cause, notice of motion or request for order filed (date): **8/29/17** by (name): **Respondent**
- a. ☐ Petitioner/plaintiff present ☐ Attorney present (name):
 b. ☒ Respondent/defendant present ☒ Attorney present (name): **Stephanie Finelli**
 c. ☐ Other party present ☐ Attorney present (name):

THE COURT ORDERS

2. Custody and visitation/parenting time: As attached ☐ on form FL-341 ☐ Other ☒ Not applicable
3. Child support: As attached ☐ on form FL-342 ☐ Other ☒ Not applicable
4. Spousal or family support: As attached ☐ on form FL-343 ☐ Other ☒ Not applicable
5. Property orders: As attached ☐ on form FL-344 ☒ Other ☐ Not applicable
6. Attorney's fees: As attached ☐ on form FL-346 ☒ Other ☐ Not applicable
7. Other orders: ☒ As attached ☐ Not applicable
8. All other issues are reserved until further order of court.
9. ☐ This matter is continued for further hearing on (date): at (time): in Dept.:
 on the following issues:

Date:

11/22/17

JUDICIAL OFFICER

Approved as conforming to court order.

ERNEST SAWTELLESIGNATURE OF ATTORNEY FOR ☒ PETITIONER / PLAINTIFF ☐ RESPONDENT/DEFENDANT ☐ OTHER PARTY
 20180111000012610 1/5 \$27.00
 Shelby Cnty Judge of Probate, AL
 01/11/2018 01:22:45 PM FILED/CERT

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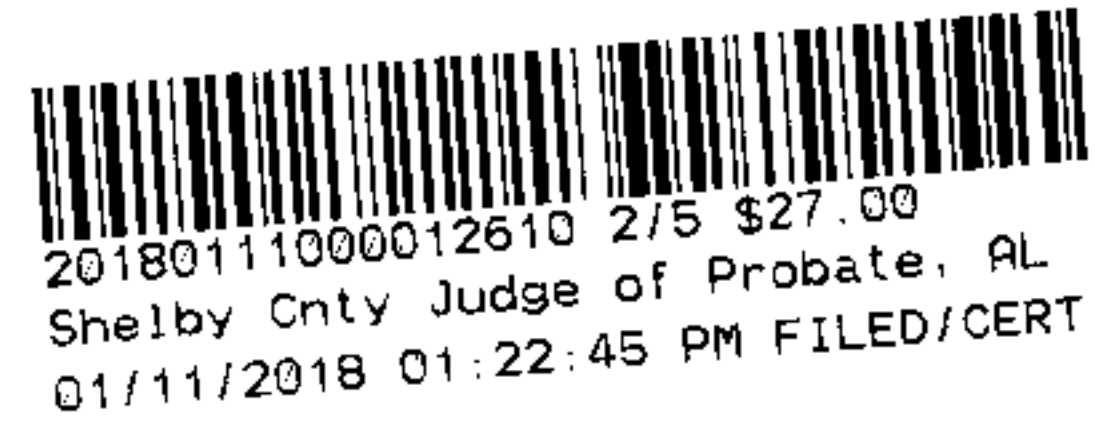
1 **Attachment to FOAH**

2 **Motion For Property Orders**

3 *In re Marriage of Hammick*, Sacramento County Case No.: 14 FL 01738

4 **Date Motion Filed: 8/29/2017**

5 **Date of Hearing: 10/2/2017**



6
7 **FINDINGS**

8 After reviewing the pleadings, submitted documents, and the file, the Court makes the
9 following findings:

10 1. On September 26, 2016, following a trial on the merits, Judge Stephen Acquisto
11 issued a Findings and Order After Hearing ("FOAH"), whereby Judge Acquisto this Court made
12 orders concerning the following parcels of real property:

- 13 a) 78 Fowler Lane, Shelby, Alabama 35143;
14 b) 2024 Eagle Creek Circle, Birmingham, Alabama 35242;
15 c) 6134 Eagle Point Circle, Birmingham, Alabama 35242;
16 d) County Road 67, Calera, Alabama 35040;
17 e) Highway 25, Calera Alabama 35040 ("Parcel 1"); and
18 f) Highway 25, Calera Alabama 35040 ("Parcel 2").

19 2. Judge Acquisto found that each of said properties listed in Paragraph 1 above is
20 community property.

21 3. In that FOAH, Judge Acquisto ordered the properties to be sold and ordered
22 Candice Hammick to "immediately" retain a real estate agent to appraise, ready, and list the
23 properties for sale, and ordered the properties listed on January 15, 2017 "or shortly thereafter."

24 **IT IS HEREBY ORDERED:**

25 1. Respondent James Hunter Hammick is granted exclusive use, possession, and
26 control of the following parcels of real property:

- 27 a) 78 Fowler Lane, Shelby, Alabama 35143;
28 b) 2024 Eagle Creek Circle, Birmingham, Alabama 35242;
c) 6134 Eagle Point Circle, Birmingham, Alabama 35242;
d) County Road 67, Calera, Alabama 35040;
e) Highway 25, Calera Alabama 35040 ("Parcel 1"); and
f) Highway 25, Calera Alabama 35040 ("Parcel 2").

2. James Hunter Hammick shall ready for sale and list for sale the real properties described above.

3. James Hunter Hammick is entitled to recover and shall be credited for any costs or expenditures to repair any of the properties and/or ready them for sale, as well as for payments he has made since the September 26, 2016 FOAH toward mortgage, taxes, insurance, and public utilities on any of the six properties. Said recovery may be made first from the proceeds of any sale of any of the properties, and—to the extent the proceeds of sale are insufficient—as a credit against any sums awarded to or due and owing to Candice Hammick pursuant to the September 26, 2016 FOAH or any Judgment of Dissolution.

4. James Hunter Hammick shall also be entitled to recover his reasonable attorney fees and costs incurred in seeking the instant relief and obtaining and maintaining exclusive use and possession of the said properties, including setting aside the Quitclaim deeds as to 78 Fowler Lane and 2024 Eagle Creek Circle, in an amount to be determined.

IT IS FURTHER ORDERED

1. The February 27, 2015 Quitclaim deeds from Candice Hammick to Love Thy Neighbor Ministries as to 78 Fowler Lane, Shelby, Alabama 35143 and 2024 Eagle Creek Circle, Birmingham, Alabama 35242 are hereby declared NULL AND VOID.

2. The legal description of said properties is as follows:

a) 78 Fowler Lane, Shelby, Alabama 35143:

Shelby Shores 1974 Addition Phase 2 Lot 2 Plat Book CIEi Page 033
Parcel ID Lot 2 in the County of Shelby, State 6: Alabama

b) 2024 Eagle Creek Circle, Birmingham, Alabama 35242

East Point 8th Sector Phase Lot 804 Plat Book 24 Plat Page 127 Parcel ID
804 In the County of Shelby, State of Alabama

3. James Hunter Hammick is entitled to take whatever steps are necessary or proper to enter this Order and/or record this order with the Shelby County Recorder's Office for purposes of setting aside said Quitclaim deeds.



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Shelby Cnty Judge of Probate, AL
01/11/2018 01:22:45 PM FILED/CERT

FILED
Superior Court of California
County of Sacramento
Family Law
10/2/2017
10:11 am
J. Garner - Deputy Clerk



The annexed instrument is a correct copy of the original on file in my office.

Attest: 11-22-2017

Certified
Superior Court of Sacramento
County of Sacramento

J. Garner

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Shelby Cnty Judge of Probate, AL
01/11/2018 01:22:45 PM FILED/CERT