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58-CV-2018-900937.00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY,

SPECTRA SERVICES, LLC,

Plaintiff,

vs.

CIVIL ACTION NO. CV-18-900937

TOM REID, THAT CERTAIN PARCEL
OF LAND LEGALLY DESCRIBED AS
BEG INTER W R/W CO RD 213 & S/L
NW ¼ NE ¼ W 320(S) N 105' W 105' N
110' (S) E TO W R/W CO RD 213 SELY
ALG R/W TO POB, LOCATED IN
SHELBY COUNTY, ALABAMA,
AND FICTICIOUS PARTIES A
THROUGH Z WHO CONSTITUTE
ANY UNKNOWN HEIRS OF
TOM REID AND/OR ANY OTHER
PERSONS OR ENTITIES HAVING
ANY INTEREST IN THE SUBJECT
PROPERTY,

Defendants.

FINAL JUDGMENT

This matter came before the Court pursuant to the Plaintiff's Rule 55 of the *Alabama Rules of Civil Procedure* Amended Motion for Entry of Default Judgment, and the Court having considered the same, this Court hereby enters **DEFAULT JUDGMENT** in favor of the Plaintiff Spectra Services, LLC, and against Tom Reid, any unknown heirs of Tom Reid and all other persons or entities having an interest in the Subject Property.

1. This case was filed on October 4, 2018.
2. The Defendant Tom Reid, any unknown heirs of Tom Reid, and any other persons or entities having any interest in the subject property were all served by publication in the Shelby

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County Reporter on four consecutive weeks with the last date of publication being November 21, 2018.

3. More than 30 days have elapsed since the service on the Defendants; however, none of the Defendants have filed an answer or responsive pleading in this case.

4. The Court has appointed a Guardian ad Litem representing the unknown heirs and any others claiming an interest in the Subject Property.

5. On April 2, 2012, the Property legally described as BEG INTE R W R/W CO RD 213 & S/L NW ¼ NE ¼ W 320(S) N 105' W 105' N 110' (S) E TO W R/W CO RD 213 SELY ALG R/W TO POB, located in Shelby County, Alabama, was sold for taxes, costs, and expenses owing to the state and county.

6. James B. Brooks acquired a Tax Deed for the Subject Property, and said Tax Deed was recorded at Instrument Number 201602020000033330 in the Office of the Judge of Probate of Shelby County, Alabama. A copy of the Tax Deed is attached to the Complaint as Exhibit 1.

7. The Plaintiff Spectra Services, LLC, acquired title to the Subject Property by virtue of a Quitclaim Deed from James B. Brooks, which was dated January 26, 2016, and recorded at Instrument Number 201602020000033340 in the Office of the Judge of Probate of Shelby County, Alabama. A copy of the Quitclaim Deed is attached to the Complaint as Exhibit 2.

8. Pursuant to Code of Alabama § 40-10-29 (1975), the issuance of the Tax Deeds to the Plaintiff conveyed to the Plaintiff all right, title, interest and estate of the owner of the Subject Properties at the time of the tax sale, along with the lien and claim of the state and county to the Subject Properties.

9. According to the title search, Tom Reid was the owner of the Subject Properties at the time of the tax sale. Said title search is attached to the Complaint as Exhibit 3.

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10. No other action to challenge title to the Subject Property is pending.

11. The Plaintiff's Motion for Entry of Default Judgment is supported by a Plaintiff's Affidavit which is attached to the Plaintiff's Motion and Amended Motion for Entry of Default Judgment as Exhibit 1.

12. The Court finds that the Plaintiff has constructive possession of the Subject Property by virtue of its Tax Deed, is in actual physical possession of the Subject Property, is maintaining the Subject Property, no one has challenged the Plaintiff's possession of the Subject Property, the Probate Court of Shelby County, Alabama, has awarded the Plaintiff condemnation proceeds as the owner of the Subject Property, for a portion of the Subject Property which was condemned by the State of Alabama, and the Plaintiff is therefore entitled to peaceable possession of the Subject Property.

WHEREFORE, pursuant to Rule 55 of the *Alabama Rules of Civil Procedure* the Court enters this **FINAL ORDER** and (1) grants Plaintiff Spectra Services, LLC, exclusive and peaceable possession of the Subject Property, (2) ejects Tom Reid, any unknown heirs of Tom Reid, and/or any other person or entity claiming any ownership or possessory interest in the Subject Property from the Subject Property, and (3) awards a fee of \$500.00 payable to Joshua Arnold as the Guardian-ad-Litem by the Plaintiff.

The Plaintiff is directed to record a Certified Copy of this Final Judgment in the Probate Court of Shelby County, Alabama, and this matter is dismissed with costs taxed as paid.

Done and entered this the 25th day of February, 2019.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
03/05/2019 02:28:41 PM
\$21.00 CHERRY
20190305000070150

Allen S. Boyd

COREY B. MOORE
Circuit Judge

Mary H. Harris
Shelby County, Alabama