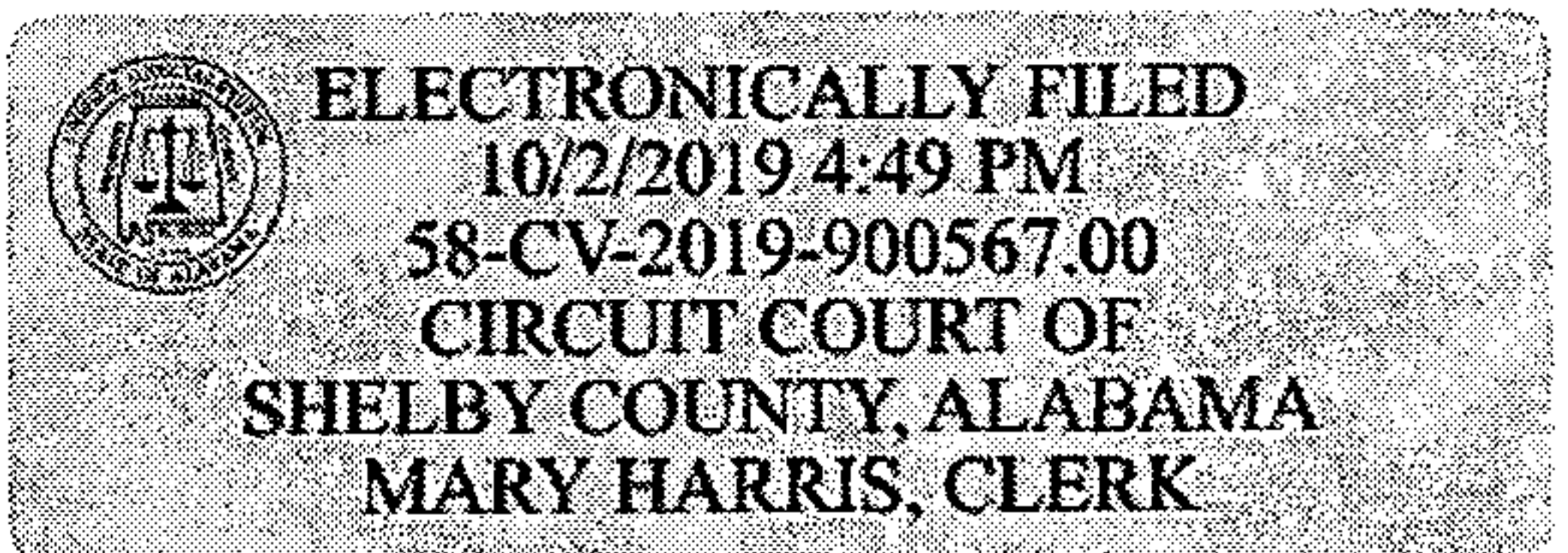




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Shelby Cnty Judge of Probate, AL
10/07/2019 11:37:43 AM FILED/CERT

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IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

ALAVEST, L.L.C.,
Plaintiff,

V.

LAVETT CARLOTTA,
Defendant.

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)
)
) Case No.: CV-2019-900567.00
)
)
)

ORDER

This action came before the Court on the Plaintiff for Application for Default and Default Judgment pursuant to Rule 55(a) and (b) of the *Alabama Rules of Civil Procedure*, and the Defendant, Carlotta Lavett, having been duly served with the Summons and Complaint and not being an infant or an incompetent person and that more than 30 days have elapsed since the Defendant was served with a copy of the Summons and Complaint. The Defendant has failed to answer or otherwise defend themselves against Plaintiff's claim.

It is ORDERED, ADJUDGED and DECREED that an Application of Default and a Default Judgment is entered against the Defendant, Carlotta Lavett; and,

It is further ORDERED, ADJUDGED and DECREED that the Defendant published or communicated a false statement concerning the Plaintiff's title to someone other than the Plaintiff; and,

It is ORDERED, ADJUDGED and DECREED that the Court finds that the Defendant acted maliciously in publishing the false statement as at the time that the Defendant recorded her Lis Pendens there was not a pending suit on the real property nor did the Defendant have an interest in the real property. See *Ala.Code*, 1975 § 35-4-131; and,

It is ORDERED, ADJUDGED and DECREED that the Court finds that the publication was in disparagement of the Plaintiff's property or the title to the property; and,

It is ORDERED, ADJUDGED and DECREED that the Defendant's, Carlotta Lavett, *lis pendens* recorded in Instrument Number 20190318000085210 be stricken, set aside and nullified from the Probate Records of Shelby County, Alabama and a copy of this Order is to be recorded and indexed in the Probate Records of Shelby County, Alabama; and,

It is ORDERED, ADJUDGED and DECREED that the Plaintiff, AlaVest, LLC, is the rightful owner of the following property via its Foreclosure Deed recorded in Instrument Number 20190326000096790, to wit:

Lot 12, Block 4, according to the map and survey of Southwind, Second Sector, as recorded in Map Book 6, Page 106, in the Probate Office of Shelby County, Alabama.

The property also described as 1751 Tahiti Ln, Alabaster, AL 35007; and,

It is further ORDERED, ADJUDGED and DECREED that the Plaintiff is awarded in actual damages of \$10,200.00 in punitive damages of \$30,600.00 and \$2,876.18 in attorney fees and costs; and,

It is further ORDERED, ADJUDGED and DECREED that the Defendant Carlotta Lavett is permanently enjoined from interfering with the Plaintiff's, AlaVest, LLC, ownership interest of the real property located at 1751 Tahiti Ln, Alabaster, AL 35007.

DONE this 2nd day of October, 2019.

/s/ LARA M ALVIS
CIRCUIT JUDGE



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Filed a true and correct copy
Date: 10-7-2019

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