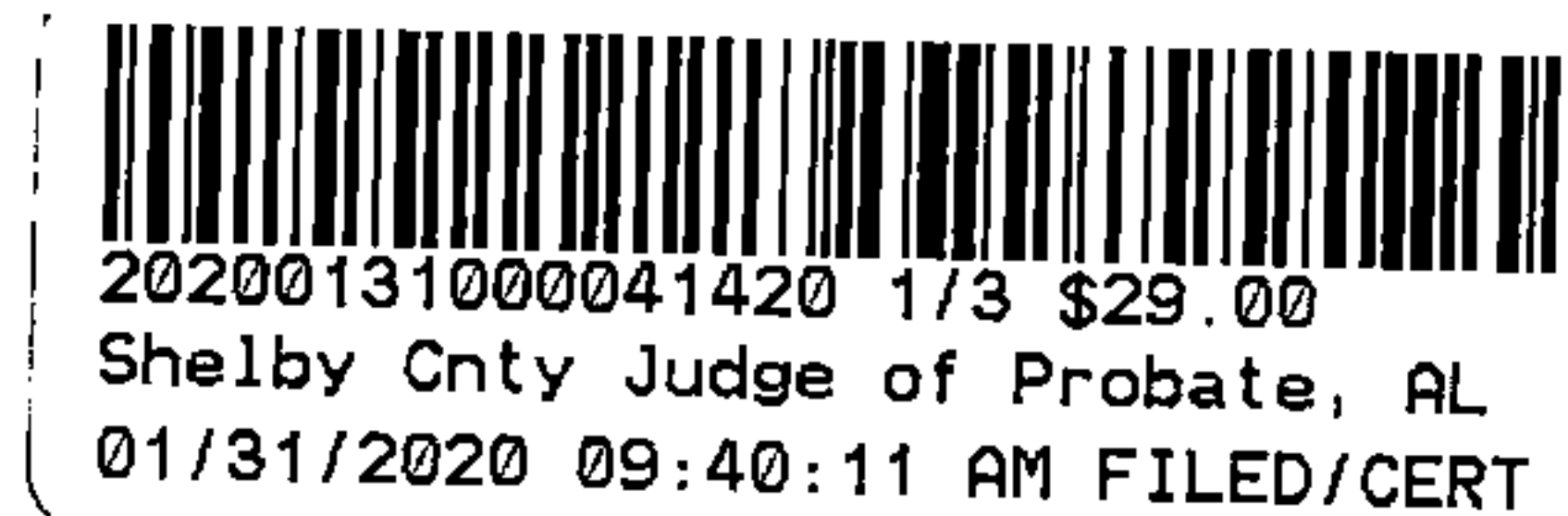


**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BESSEMER DIVISION**



PNC BANK, N.A.,
Plaintiff,

V.

TARVER ALTO III,
TARVER MARVLON S.,
TARVER CONSTRUCTION COMPANY,
INC.,
Defendants.

Case No.: CV-2018-900606.00

ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Upon consideration of the *Motion for Summary Judgment and Memorandum of Law in Support Thereof* (the "Motion") filed by PNC Bank, N.A. (the "Plaintiff") pursuant to which the Plaintiff seeks entry of an Order granting summary judgment in its favor and against Tarver Construction Company, Inc., Alto Tarver, III, and Marvlon S. Tarver (the "Defendants") pursuant to Rule 56 of the Alabama Rules of Civil Procedure, together with the Affidavit of Jim White, the Affidavit of Ryan Thompson, the pleadings of record, and the arguments and representations of counsel at the hearing on the Plaintiff's Motion held on November 15, 2019, it is hereby:

FOUND, CONCLUDED, AND DETERMINED THAT:

A. There is no genuine issue of material fact with respect to the Defendants' joint and several liability to the Plaintiff for all Obligations (capitalized terms used but not defined herein shall have the meanings ascribed to such terms by the Motion) under the Transaction Documents.

B. As of the date of this Order, the total outstanding balance of the Defendants' Indebtedness is **\$305,599.51**, accruing interest at the rate of \$31.0654 *per diem*.

C. In addition to the principal, interest, and charges for the Loans, the Transaction Documents require the Defendants to reimburse the Plaintiff for costs and expenses incurred by the Plaintiff in seeking to collect the Indebtedness, including without limitation attorneys' fees and other costs of collection, enforcement, and protection of the Plaintiff's rights under the Transaction Documents.

D. To date, the Plaintiff has incurred **\$14,568.32** in reasonable attorneys' fees and expenses in connection with enforcing the Transaction Documents.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED THAT:

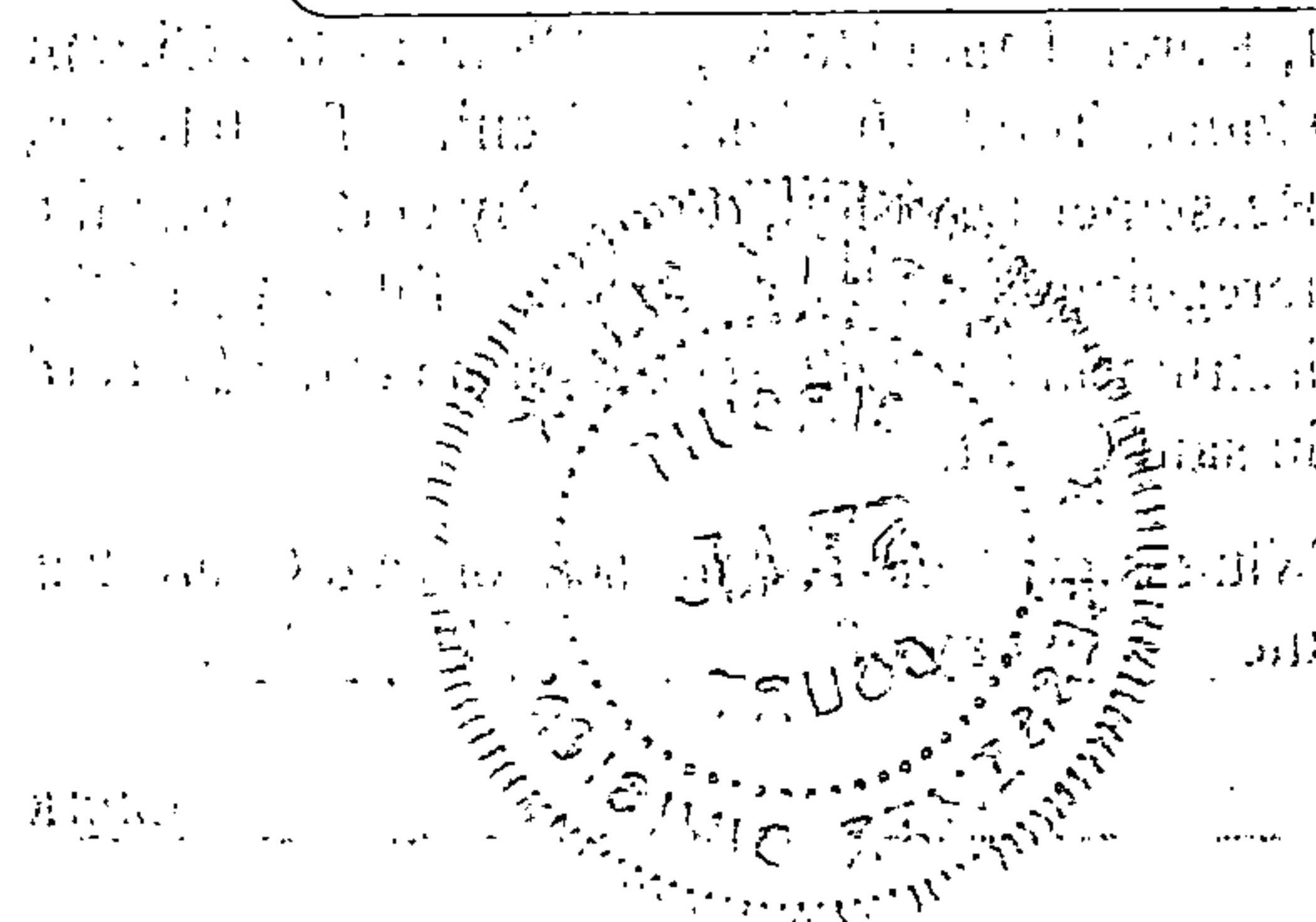
The Motion is GRANTED and JUDGMENT is hereby entered in favor of the Plaintiff and against the Defendants, jointly and severally, in the sum of **\$305,599.51**, plus \$31.0654 *per diem* interest and the Plaintiff's future costs of collection, including but not limited to reasonable attorneys' fees and expenses, in accordance with the terms of the Transaction Documents.

DONE this 25th day of November, 2019.

/s/ ANNETTA H VERIN
CIRCUIT JUDGE



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 Shelby Cnty Judge of Probate, AL
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I, Karen Dunn Burks, as Clerk of the Circuit Court, Tenth Judicial Circuit of Alabama, Bessemer Division, do hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in said Court.

Witness my hand and the seal of said Court, this the 28th day of JAN, 20 20.

Karen Dunn Burks
Clerk
2 pages



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Shelby Cnty Judge of Probate AL
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