



**IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA**

CITIZENS BANK OF FAYETTE,  
Plaintiff,

V.

JBJ CONSTRUCTION, LLC,  
CARROLL JAMES N.,  
CARROLL BETTY L.,  
FIRST FINANCIAL BANK ET AL,  
Defendants.

Case No.: CV-2018-900426.00



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Shelby Cnty Judge of Probate, AL  
12/30/2020 10:33:57 AM FILED/CERT

**ORDER ON MOTION AND APPLICATION FOR ENTRY OF DEFAULT JUDGMENT  
FILED BY CITIZENS BANK OF FAYETTE**

**ORDER ON MOTION AND  
APPLICATION FOR ENTRY OF DEFAULT JUDGMENT FILED  
BY CITIZENS BANK OF FAYETTE**

**COUNT ONE – DECLARATORY JUDGMENT**

With respect to all Claims against Defendant, First Financial Bank, made by Plaintiff, Citizens Bank of Fayette, the Court declares the 1998 Mortgage of Citizens Bank of Fayette is in a first-priority position on the Real Property.

**COUNT TWO – JUDICIAL FORECLOSURE**

With respect to all claims against Defendant, First Financial Bank, that upon final determination that the Defendants, James N. Carroll, and Bettye L. Carroll, defaulted under the terms of the 1998 Mortgage, the Court Orders and decrees the sale of the Real Property by Citizens Bank of Fayette at public outcry with proceeds to be applied toward the payment of the amount owed to Citizens Bank of Fayette under the 1998 Mortgage. The 1998 Mortgage provides Bank may invoke the power of sale by giving notice to the borrower and all junior lien holders and publishing the notice of sale once a week for three consecutive weeks in a newspaper published in Shelby County, Alabama, and thereupon sell the Real Property to the highest bidder at public auction at the front door of the Courthouse in the City of Columbiana, Shelby County, Alabama. By separate Order, this Court shall ascertain and decree the amount due under and pursuant to the terms of the 1998 Mortgage, including reasonable attorneys' fees, plus expenses and costs.

**DONE this 30<sup>th</sup> day of July, 2019.**

**Certified a true and correct copy**

Date: 12/02/20

**/s/ LARA M ALVIS**

**CIRCUIT JUDGE**

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