



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

D J & S PROPERTIES, LLC, an Alabama
Limited Liability Company,

Plaintiff,

v.

ENCLAVE, LLC, an Alabama limited liability
Company,
BANCORPSOUTH BANK, INC.,
a Foreign Corporation,
SFS, LLC, an Alabama limited liability company,
"A," "B," "C" and "D" whose names and entities
are unknown to the Plaintiff, but which will be
more correctly named and identified when
when ascertained by her; such unknown parties are
any entity claiming an interest of any nature with
regard to the Subject Property as set out herein
including but not limited to any present, future,
contingent, remainder, reversion or other interest
in said lands;
and IN REM against the Subject Property as)
described as follows:)
composed of two (2) parcels as described by the)
Shelby County Tax Assessor as Parcel id Numbers:)
35-1-02-1-001-017.000 and)
35-1-02-2-001-050.000 in Shelby County, Alabama,)

Defendants.

Case#: CV-2019-900833



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Shelby Cnty Judge of Probate, AL
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FINAL ORDER

This action came on to be heard before the court on 7/31/ 2023. John A. Daugherty was present in court representing DJ & S, LLC along with Steve Davis, as the Managing Member of DJ & S, LLC. Vicki Smith was present and was appointed as the guardian ad litem in this matter. No other parties appeared in this matter. Vicki Smith, as the guardian ad litem, filed an answer denying as to all material facts on 3/1/2021 (Doc 45). The Plaintiff submitted for judgment on the pleadings an affidavit from the Shelby County Reporter testifying that it ran a publication of this action on 1/8/2020, 1/15/2020, 1/22/2021 and 1/29/2021 authorizing any answers to this complaint no later than 3/1/2020. More than thirty days has elapsed from the date of the last publication of said notice and the filing of a certified copy therefor in the office of the Judge of Probate of Shelby County.

Certified a true and correct copy

Date: 12/8/2025

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



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Defendant Bancorpsouth, Inc. C T Corporation System was served with the complaint of this action on 8/14/2019 but has never answered the said complaint (Doc 18). Defendant SFS, LLC, Raja C. Khalaf was served on 8/20/2019 (Doc 16) and this Honorable Court dismissed this Defendant on 10/19/2020 (Doc 36) due to this Defendant filing a Notice of Disinterest in Property and Motion for Pro Tanto Dismissal of SFS, LLC filed on 10/19/2020 (Doc 33). Defendant Enclave, LLC % Scott Johnson failed to answer the complaint filed by the Shelby County Circuit Court after its filing the complaint by certified mail on 8/13/2019 (Doc 24). An Application for Default Judgment was filed against Enclave, LLC today on 8/4/2023.

The guardian *ad litem*, Vicki Smith, filed an answer and denial and actively participated in the taking of testimony in this action and the court finding that the complaint filed in this action complies in all respects with the requirements of Ala Code §§6-6-560 and -561, it is of the opinion of the court that the plaintiff is entitled to the *in rem* relief prayed for in the complaint regarding the real property described as described in Exhibit "1" attached hereto for :

Parcel 1 - Pcl Id#: 35-1-02-2-001-050.000 combined with
Parcel 2 - Pcl Id#: 35-1-02-1-001-017.000

No defendants have answered this complaint other than the guardian ad litem, Vicki Smith, as guardian ad litem and SFS, LLC which was granted a dismissal on 10/19/2020 (Doc 36).

Accordingly, it is ordered, adjudged, and decreed:

1) The *guardian ad litem*, Vicki Smith, is awarded the sum of \$1,000.00 from the Plaintiff as a fee for her services rendered in this action.

2) The right, title, interest, and ownership of the plaintiff in and to the property is hereby established and forever quieted *in rem* and against the property which is more particularly described as:

Parcel 1 - Pcl Id#: 35-1-02-2-001-050.000 combined with
Parcel 2 - Pcl Id#: 35-1-02-1-001-017.000

legal description as reflect in Exhibit "1" attached hereto.

4) The clerk of this court shall certify copies of this judgment and record the same in the office of the Judge of Probate of Shelby County, Alabama, and the same shall be indexed in the same book and in the same manner in which deeds are recorded and said judgement shall be indexed in the name of the defendants against whom is relief is granted in the direct index and in the name of the plaintiff in possession of the property in the reverse index.



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5) Cost of this action are taxed to D J & S, Properties, LLC, an Alabama Limited Liability Company.

Done this 17th day of August, 2023.


Jonathan Spahn, Circuit Judge