

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF
 KERMIT G. WOOLEY, DECEASED;
 EDITH FAY WOOLEY, ADMINISTRATRIX

*

*

CASE NO. CV-82-169-E

*

FINAL DECREE AND CONFIRMATION OF SALE

BOOK 46 PAGE 966
 This cause being submitted to the Court for a final decree and confirmation of sale on this the 28th day of September, 1982, and it appearing from the Administratrix's report of sale submitted by the Administratrix of the estate of Kermit G. Wooley, deceased, on September 10, 1982, that in accord with the authority of a previous order of this Court the Administratrix of the estate of Kermit G. Wooley, deceased, did sell certain personal property and real estate belonging to said estate to Greg Pendleton for the sum of \$800 for the personal property and \$14,800 for the real estate, which said sum was paid in cash at said time to the Administratrix; and that the description of the personal property so conveyed is contained in the exhibit attached hereto and included the same herein as if set out at length herein and that the proper legal description of the real estate is as follows:

Lots 1, 2, 3, 4, 5 and 6, Block 13 according to Brown's Survey of a part of the Town of Montevallo, consisting of 2.125 acres. Said property is on Montgomery Street, Montevallo, Alabama, and is one block off Highway #25.

and it further appearing to the Court from said Administratrix's report of sale that the Administratrix of said estate had no personal pecuniary interest in said sale and that she was not directly or indirectly a purchaser at said sale; and

It also appearing that said sale of said personal property and real estate was fair to the estate and that the prices received for said personal property and said real estate were adequate and reasonable for the value of the property conveyed and that said sale was conducted by said Administratrix as provided by law and the rules of this Court and in accord with the previous order of this Court as issued to her on September 8, 1982; and

It further appearing to the Court that this Court entered

Greg Pendleton
 90 Montgomery St.

an order on September 10, 1982, for the aforesaid Administratrix's report of sale to lie over for ten days for written exceptions or objections thereto and it also appearing from the report of the Clerk of this Court submitted to this Court on September 13, 1982, that said Administratrix's report of sale has lain over for ten days for written exceptions or objections thereto and that no exceptions or objections were filed to the same and it now appearing to the Court that the Administratrix has made a true and complete report of said sale and that the report should be ratified and that the said sale should be ratified and confirmed by this Court; and

It also appearing that on September 10, 1982, this Court did order the Clerk to hold a reference under the rules of this Court to ascertain and to report to the Court a reasonable attorney's fee to be allowed to the Petitioner's attorneys for their services in this matter and for their services for the benefit of the common property and the joint owners in this proceeding, the amount of costs accrued or to be taxed in this cause and after the payment of the attorneys fees and the costs accrued in this cause the amount of the remaining balance of the purchase price; and it appearing that said Clerk did hold said reference as ordered on September 13, 1982, and did on said date report back to the Court his findings all of which have been considered by this Court and it appearing to the Court that said Clerk's report on said reference is correct and proper in all things; and

It also appearing that after payment of the attorneys fees and the court costs accrued herein that the Petitioner, Edith Fay Wooley, as Administratrix of the estate of Kermit G. Wooley, deceased, is entitled to the remaining balance of the aforementioned purchase price for the purpose of paying certain estate debts and claims and for distribution of the remainder among the heirs of said estate through a final settlement of said estate to be completed according to law,

And upon consideration of the same, it is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the Administratrix's report of sale dated September 10, 1982, be and the same is hereby in all things ratified and confirmed by the Court and that the said sale and the conveyances, as aforesaid, be and the same are hereby in all things ratified and confirmed by this Court and that the

Administratrix of the estate of Kermit G. Wooley, deceased, is hereby ordered and directed to deliver to the purchaser, Greg Pendleton, a bill of sale on the personal property and a deed or conveyance executed by her to the said Greg Pendleton, which bill of sale or deed of conveyance conveys all of the right, title, claim and interest of the estate of Kermit G. Wooley, deceased, in and to the personal property described herein in Exhibit "A" and in and to the following described real estate:

Lots 1, 2, 3, 4, 5 and 6, Block 13 according to Brown's Survey of a part of the Town of Montevallo, consisting of 2.125 acres. Said property is on Montgomery Street, Montevallo, Alabama, and is one block off Highway #25.

and that upon delivery of said bill of sale and said deed or conveyance, the same shall vest in the said purchaser, Greg Pendleton, all of the right, title, claim and interest of the estate of Kermit G. Wooley, deceased, and of all the heirs at law to said estate, all as provided by law.

It is also ORDERED, ADJUDGED and DECREED by the Court that the report of the Clerk on reference be and the same is hereby in all things ratified and confirmed by the Court and the Administratrix of the estate of Kermit G. Wooley, deceased, is hereby ordered and directed to disburse the fees and costs to those authorized to receive the same in the amounts and to the persons therein indicated as follows:

1. To Lawrence F. Gerald, Jr. and John Hollis Jackson, Jr., Attorneys, as a reasonable amount to be paid to them as the Petitioner's attorneys for their services in this proceeding for the benefit of the common property, \$1,560.00

2. To Kyle Lansford, Clerk of the Circuit Court of Shelby County, Alabama, as court costs in this cause, \$41.14.

3. The balance of the purchase price of said property being \$13,998.86, shall be paid by said Administratrix to the estate of Kermit G. Wooley, deceased, for the payment of debts and claims and for distribution subject to the further orders and decrees of this Court.

ORDERED, ADJUDGED and DECREED on this the 28 day of September, 1982.
OF September, 19 82

Kyle Lansford

Shelby County Circuit Judge

1982 OCT -1 AM 10:29
Rec. 4.50
Ad. 1.00
5.50
JUDGE OF PROBATE

BOOK 46 PAGE 968