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IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

IRENE DAVIS,  
Plaintiff,

vs.

LIZZIE PEOPLES, et al.,  
Defendant.

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CASE NO.: CV 89-195

ORDER

THIS cause came on to be heard before the undersigned on May 23, 1989 at 8:30 A.M. Present in court were the Plaintiff, her attorney of record, the Honorable James C. Pino, the Defendant Goldie Mae Reese and Honorable Randy May, partner in the firm with the Court-appointed guardian ad litem, Lindsey Allison, and the Defendants Thelma McKnight and Lizzie Peoples appearing pro se. The parties announced to the Court that they had reached an agreement with respect to the issues embraced in the Complaint in this case. The terms of the agreement were stated in open Court and each of the parties acknowledged their agreement therewith. Whereupon the Court proceeded to take testimony from the Plaintiff in support of said agreement.

The Court finds from the evidence that the proposed settlement is fair and equitable to all parties and that a partition in kind of the property in accordance with said agreement would be in the best interests of all of the parties hereto. Accordingly, it is

ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the parcel of real estate situated in Shelby County, Alabama, consisting of approximately 20 acres described as :

Certified a true and complete copy

*[Signature]*  
Clerk of Circuit Court

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The Western half of the Northwest quarter of the Southeastern quarter of Section 36, Township 20, Range W-West, Shelby County, Alabama

is hereby partitioned into four separate parcels of approximate equal size as follows:

PARCEL 1: Commence at the NW Corner of the NW 1/4 of the SE 1/4 of Section 36, Township 20 S., Range 3 W.; thence Southerly along West line of said 1/4-1/4 section 1002.74' to the Point of Beginning; thence continue along last described course for 333.00'; thence S 86 49'31" E and run 664.02'; thence N 1 01'41" E and run 333.00'; thence N 86 49'18" W and run 662.81' to the Point of Beginning.

PARCEL 2: Commence at the NW Corner of the NW 1/4 of the SE 1/4 of Section 36, Township 20 S., Range 3 W.; thence Southerly along West line of said 1/4-1/4 section 667.74' to the Point of Beginning; thence continue along last described course for 335.00'; thence S 86 49'18" E and run 662.81'; thence N 1 01'41" E and run 335.00'; thence N 86 49'04" W and run 661.60' to the Point of Beginning.

PARCEL 3: Commence at the NW Corner of the NW 1/4 of the SE 1/4 of Section 36, Township 20 S., Range 3 W.; thence Southerly along West line of said 1/4-1/4 section 332.74' to the Point of Beginning; thence continue along last described course for 335.00'; thence S 86 49'04" E and run 661.60'; thence N 1 01'41" E and run 335.00'; thence N 86 48'51" W and run 660.38' to the Point of Beginning.

PARCEL 4: Commence at the NW Corner of the NW 1/4 of the SE 1/4 of Section 36, Township 20 S., Range 3 W., being the Point of Beginning; thence Southerly along West line of said 1/4-1/4 section 332.74'; thence S 86 48'51" E and run 660.38'; thence N 1 01'41" E and run 339.41'; thence N 87 23'22" W and run 658.96' to the Point of Beginning.

Less and except all that part of County Road 11 R.O.W. crossing said Parcel 4.

Also a 20' easement for ingress, egress and utilities to serve Parcels 1,2,3 and 4 being the West 20' of the NW 1/4 of the SE 1/4 of Section 36, Township 20 S., Range 3 W.

2. That title to PARCEL # 1 herein described above is vested solely and exclusively in Lizzie Peoples and that Irene Davis, Goldie Mae Reese and Thelma McKnight are divested of all right, title, and interest thereto.

3. That title to PARCEL #2 herein described above is vested solely and exclusively in Thelma McKnight and that Irene Davis, Goldie Mae Reese and Lizzie Peoples are divested of all right, title and interest thereto.

4. That title to PARCEL #3 herein described above is vested solely and exclusively in Goldie Mae Reese and that Thelma McKnight, Lizzie Peoples and Irene Davis are divested of any right, title and interest thereto.

5. That title to PARCEL #4 herein described above is vested solely and exclusively in Irene Davis and that Thelma McKnight, Lizzie Peoples and Goldie Mae Reese are divested of any right, title and interest thereto.

6. Plaintiff, Irene Davis and the Defendants Lizzie Peoples and Thelma McKnight heretofore were each the owners of a one-fifth undivided interest in a parcel of real estate and the Defendant Goldie Mae Reese was the owner of a two-fifths undivided interest in a certain parcel of real estate situated in Shelby County by virtue of a deed recorded on April 25, 1986 which is recorded in Book 069, page 335 in the office of the Judge of Probate of Shelby County, Alabama. The property is more particularly described as follows:

" A parcel of land lying in the SE 1/4 of NW1/4, Section 36, Township 20 South, Range 3 West and more particularly described as follows: Starting at the Southeast corner of the said SE 1/4 of NW 1/4, Section 36, Township 20 South, Range 3 West, which is the point of beginning; run Westerly along the South boundary line of said SE 1/4 of NW 1/4, a distance of 200.0 feet to an iron marker; thence turn 90 deg. 05 min. to the right and run Northerly, parallel to the East boundary line of said SE 1/4 of NW 1/4 a distance of 452.0 feet to an iron marker; thence turn 89 deg. 55 min. to the right and run Easterly, parallel to the said South boundary line of said SE 1/4 of NW 1/4 a distance of 200.0 feet to a point on the said East boundary line of said SE 1/4 of NW 1/4;

thence run Southerly along said East boundary line of said SE 1/4 of NW 1/4 a distance of 452.0 feet to the point of beginning. Said parcel of land lies in the said SE 1/4 of NW 1/4, Section 36, Township 20 South, Range 3 West and contains 2.1 acres, more or less."

Title to the above-described real estate is hereby vested solely and exclusively in Goldie Mae Reese, and the Defendants Lizzie Peoples, Thelma McKnight and the Plaintiff Irene Davis are hereby divested of any right, title and interest thereto.

7. The Honorable Lindsey Allison is hereby awarded the sum of \$200.00 as a reasonable attorney's fee for her representation as guardian ad litem of Goldie Mae Reese herein. Said fee shall be taxed as part of the costs of this action and shall be borne equally by each of the parties hereto. The remainder of the costs of this action shall be taxed as paid.

Done and ordered this the 28<sup>th</sup> day of June, 1989.

D. Al Crowson  
D. Al Crowson, Circuit Judge

89 JUL 19 AM 9:27

JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ <u>10.00</u>
Index Fee	<u>3.00</u>
TOTAL	<u>13.00</u>