

JAMES L. BATSON, JR. and
ELIZABETH BATSON,

Plaintiffs,

vs

BARBARA MURPHY and OCIE
HARDY,

Defendants.

IN THE CIRCUIT COURT FOR

SHELBY COUNTY, ALABAMA

CIVIL ACTION NUMBER

CV-83-241

FINAL JUDGMENT

The court ordered Frank Wheeler to establish a permanent stone or iron landmark fixing the boundary line between these parties' property in accordance with its order of July 10, 1985. The court has received the report of Frank Wheeler and he has complied with the court's directive.

Wherefore, the boundary between the plaintiffs' and the defendants' property is that shown by the judicial markers established by Frank Wheeler as stated in his report to the court, and his report is hereby incorporated into and made a part of this judgment the same as if set out herein.

Costs of this action are taxed one-half to the plaintiffs and one-half to the defendants, including the \$300 surveyor's fee.

DONE and ORDERED this 8 day of August, 1985.

Robert K. Armstrong, Jr.
Robert K. Armstrong, Jr.
Circuit Judge

Barbara Murphy

N/4, SEC. 36, T-20-S, R-1-E
1/4 PRINCIPAL MERIDIAN
CO., ALA.

STATE OF ALABAMA
COUNTY OF SHELBY

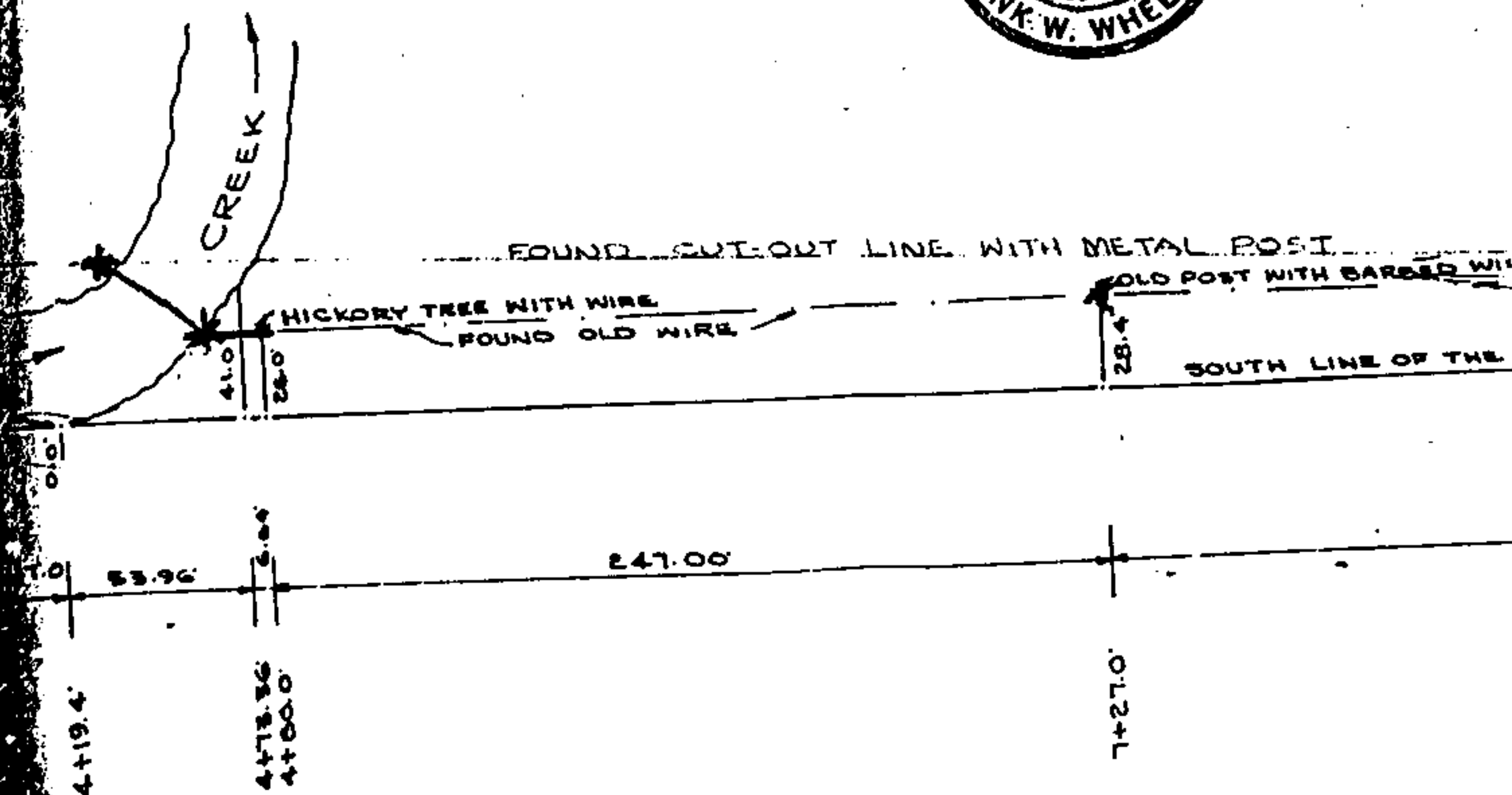
I, Frank W. Wheeler, a registered Land Surveyor in
of Alabama, hereby certify that this is a true and corr.
a survey made by me in the Northeast One Quarter of the
One Quarter, Section 36, Township 20 South, Range 1 East
County, Alabama.

This, the 1st Day of July, 1985.



Frank W. Wheeler
Frank W. Wheeler
Ala. Reg. L.

BOOK 363 PAGE 229



SCALE 1" = 50'

SURVEY FOR MR. JAMES L. BATSON JR., OCT. 3,

(11 MONTHS)

T-20-S, R-1-E
MERIDIAN

STATE OF ALABAMA
COUNTY OF SHELBY

I, Frank W. Wheeler, a registered Land Surveyor in the State of Alabama, hereby certify that this is a true and correct plat of a survey made by me in the Northeast One Quarter of the Northwest One Quarter, Section 36, Township 20 South, Range 1 East, Shelby County, Alabama.

This, the 1st Day of July, 1985.

BOOK 363 PAGE 230



Frank W. Wheeler
Frank W. Wheeler
Ala. Reg. L. S. No. 3385

FOUND CUT-OUT LINE WITH METAL POST

DRY TREE WITH WIRE

FOUND OLD WIRE

GOLD POST WITH BARBED WIRE

FOUND OLD POST

SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SE 1/4

247.00'

0.22+L

SCALE 1" = 50'

FOR MR. JAMES L. BATSON JR., OCT. 3, 1983 AND JULY

(11 months)

NE 1/4, NW 1/4, SEC. 36, T-20-S, R-1-E
 HUNTSVILLE PRINCIPAL MERIDIAN
 SHELBY CO., ALA.

STATE OF ALABAMA
 COUNTY OF SHELBY

I, Frank
 of Alabama, h
 a survey made
 One Quarter,
 County, Alaba
 This, 11

BOOK 363 PAGE 231

FOUR MILE

CREEK

FOUND CUT-OUT

HICKORY TREE WITH WIRE
 FOUND OLD WIRE

61.0'

41.0'

24.0'

9.0'

50.0'

0.0'

32.0'

29.0'

17.0'

23.96'

247.00'

2+61.4

3+73.4

4+02.4

4+19.4

4+73.36
 4+80.0

SCALE 1" = 50'

SURVEY FOR MR. JAMES

NE 1/4, NW 1/4, SEC. 36, T-20-S, R-1-E
HUNTSVILLE PRINCIPAL MERIDIAN
SHELBY CO., ALA.

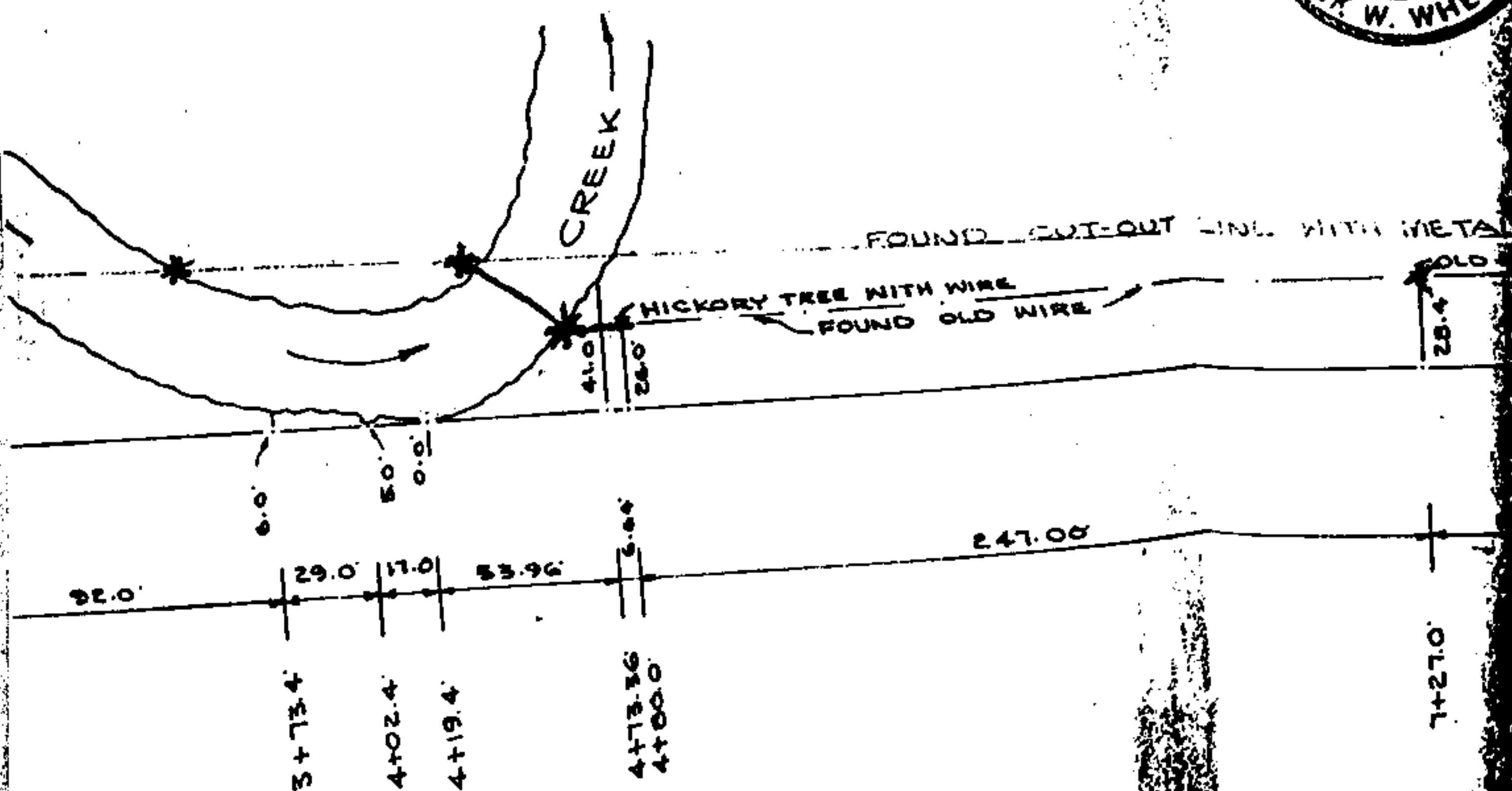
STATE OF ALABAMA
COUNTY OF SHELBY

I, Frank W. Wheeler, a resident
of Alabama, hereby certify that
a survey made by me in the Northern
One Quarter, Section 36, Township
County, Alabama.

This, the 1st Day of July, 19



BOOK 363 PAGE 232



SCALE 1" = 50'

SURVEY FOR MR. JAMES L. BATES

BOOK 363 PAGE 233

CONU PIN
* BIP
FEET

←
Armstrong,
Judge

1282.26'

FOUR MILE
TOWN CUT-OUT LINE
TOWN LINE 1924

61.0'

SURVEYED BY ME OCT. 8 1983

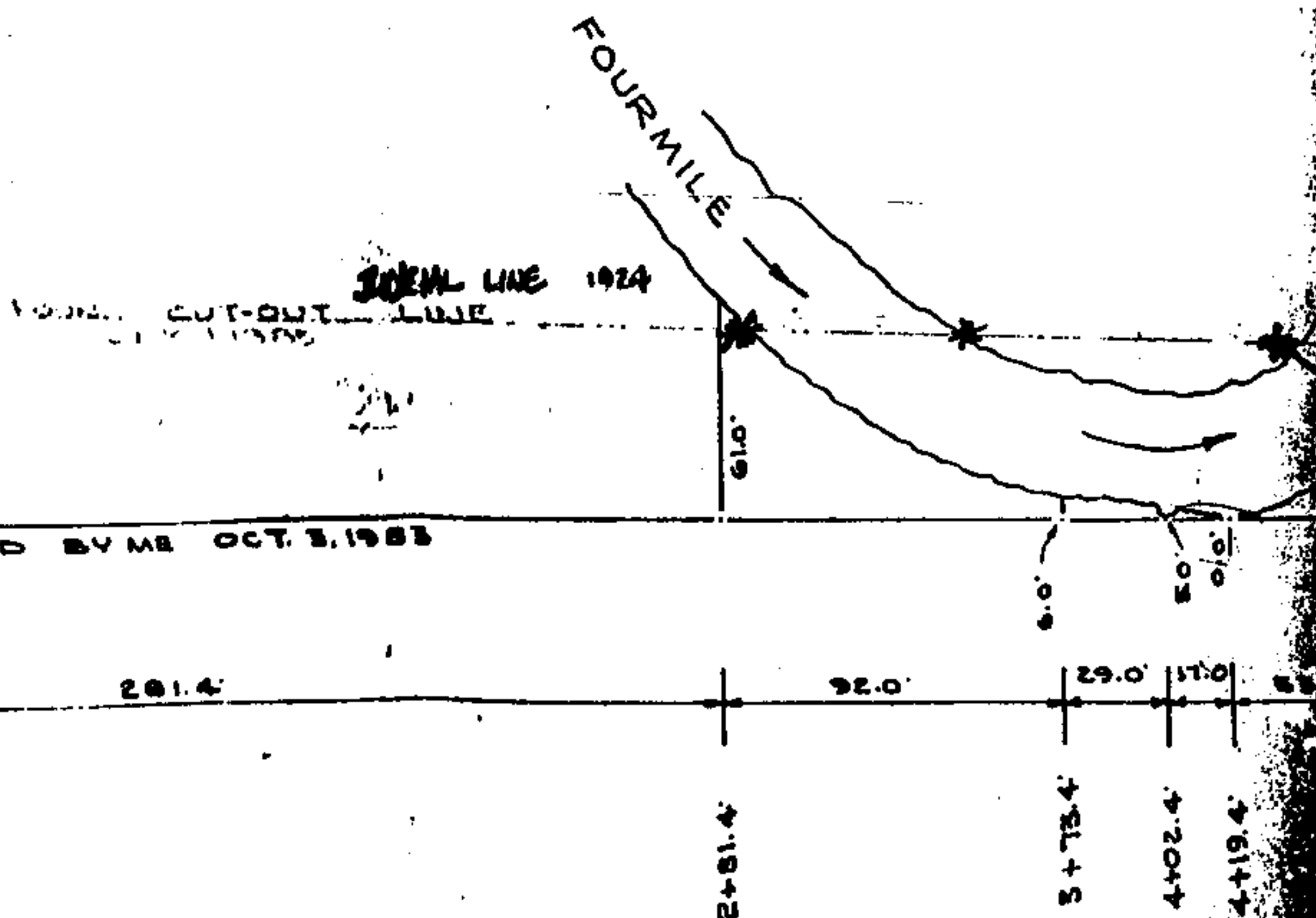
281.4'

92.0'

8
0
0
0

2+81.4

NE 1/4, NW 1/4, S
HUNTSVILLE PR
SHELBY CO., AL



State of
Mississippi
County

1267
1268

BOUND OLD POSTED TREES WITH WIRE
OF THE NW 1/4 OF SEC. 36, T. 20-S. R. 1-E. BASED ON SEC. CORNERS

561.00'

PINE STUMP WITH WIRE

BOUND OLD FLAT IRON

12+88.0'

54.43'

13+24.43'

13+34.94'

10.51'

24.8'

108.43'

1294.59'

AND JULY 1, 1905

BOOK 363 PAGE 235

FRANK W. WHEELER
Land Surveying, Inc.
Box 356
Columbiana, Alabama 35051

July 26, 1985

To the Hon. Robert R. Armstrong, Jr.
Judge of Circuit Court for
Shelby County, Alabama.

As ordered by the court in James L. Batson, Jr. and Elizabeth Batson vs. Barbara Murphy and Ocie Hardy Civil Action Number CV-83-241, dated July 10, 1985, I and my survey crew, consisting of Billy Farmer (Crew Chief) Randy Bryan and Delano Joiner, set in concrete, metal monuments, stamped (J.L. 1985), on the ten (10) points, as marked by asterisks on my survey, dated July 1, 1985, and made a part of the court order. This was done in the presence of Barbara Murphy, Ocie Hardy and John "Butch" Batson, with all in agreement as to their correct location on the ground.

Following is a legal description of a survey line, from monument to monument, made by me, as they were set on the ground:

Commence at the Southeast corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, Township 20 South, Range 1 East, thence run North along the East line of said $\frac{1}{4}$ Section a distance of 23.75 feet, to the point of beginning; thence turn a deflection angle of 90 deg. 43 min. 33 sec. to the left and run a distance of 42.78 feet; thence turn a deflection angle of 0 deg. 37 min. 44 sec. to the left and run a distance of 101.69 feet; thence turn a deflection angle of 1 deg. 15 min. 42 sec. to the left and run a distance of 93.72 feet; thence turn a deflection angle of 1 deg. 13 min. 37 sec. to the right and run a distance of 371.24 feet; thence turn a deflection angle of 0 deg. 33 min. 43 sec. to the left and run a distance of 247.36 feet; thence turn a deflection angle of 15 deg. 55 min. 59 sec. to the right, and run a distance of 73.92 feet; thence turn a deflection angle of 14 deg. 34 min. 12 sec. to the left and run a distance of 54.99 feet; thence turn a deflection angle of 0 deg. 07 min. 34 sec. to the right and run a distance of 79.96 feet; thence turn a deflection angle of 0 deg. 05 min. 24 sec. to the right and run a distance of 271.15 feet to a point on the West line of the NE $\frac{1}{4}$ of said section, that is 59.94 feet North of the Southwest corner; thence continue in the same direction a distance of 6.73 feet, to the point of ending.

Done this 26th Day of July, 1985.

Frank W. Wheeler
Frank W. Wheeler
Ala. Reg. L. S. No. 3385



HARDY,

Defendants. *

CV-83-241

ORDER

Both parties appeared in court for trial with their respective counsel. They informed the court that they had reached an agreement settling all matters in controversy in this case. The agreement was stated in its entirety in the presence of the parties and the court. The parties, thereafter, informed the court that such was their agreement. The following reflects that agreement:

It is hereby ORDERED, ADJUDGED and DECREED that:

(1) The following is a description of the plaintiffs' property:

The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, Township 20 South, Range 1 East.

(2) The following is a description of the defendant Barbara

Murphy's property:

The NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 36, Township 20 South, Range 1 East.

(3) The following is a description of the defendant, Ocie

Hardy's property:

The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 36, Township 20 South, Range 1 East.

(4) The boundary line between the plaintiff's and defendants' property is that line marked by asterisks on Frank Wheeler's survey of July 1, 1985, which survey is hereby incorporated into and made a part of this order. This survey designates the boundary East of Four-Mile Creek, which has been marked on the Wheeler survey as the old post with barbed wire, going along the remnants of a fence to the East bank of Four-Mile Creek, then projecting across the Creek to the point of intersection with the old judicial line of 1924, and continuing West along the said old judicial line, which has been marked 'found cut out line' of July 1, 1985, continuing to the point marked on the

West boundary of the quarter-quarter line. (The West point of ending of the judicial line will be consistent with the Joe Conn corner as shown on the Frank Wheeler survey.)

(5) It is further ORDERED that Frank Wheeler establish a permanent stone or iron landmark fixing the boundary line between these parties' property in accordance with this order. The landmarks shall have distinctly cut or marked thereon "J.L. 1985". Mr. Wheeler is finally ORDERED to make a report to the court in writing, which report shall accurately describe the landmark so erected and define its location as nearly as practicable. All this shall be done within thirty (30) days from today's date.

DONE and ORDERED this 10 day of July, 1985.

Robert R. Armstrong, Jr.
Robert R. Armstrong, Jr.
Circuit Judge

RECEIVED THIS
INSTRUMENT WAS FILED
91 SEP 11 PM 2:39

JUDGE OF PROBATE

FILED IN OFFICE THIS THE 12 TH DAY
OF July 19 85
Ryle Stenopack
Clerk of Circuit Court
Shelby County, Alabama

1. Dead Tax	_____
2. Mfg. Tax	_____
3. Recording Fee	<u>27.50</u>
4. Indexing Fee	<u>3.00</u>
5. No Tax Fee	<u>1.00</u>
6. Certified Fee	_____
Total	<u>31.50</u>