



IN THE CIRCUIT COURT OF SHELBY COUNTY,



20140728000229650 1/4 \$23.00
 Shelby Cnty Judge of Probate, AL
 07/28/2014 09:41:38 AM FILED/CERT

Debbie Jean Bass,)
An Individual,)

Estate of Rodger D. Bass,)
By and through its Representative,)
Debbie Jean Bass,)
An Individual,)

Plaintiffs,)

v.)

CIVIL ACTION NO.: 58-2014-900094

The Estate of Christine Lopez,)
Deceased; the Estate of Jerry Lynn)
Odon Lopez, deceased;)
and Fictitious Parties "A," "B," "C,")
"D," and "E,")
who are unknown to me at this time but)
shall be added by Amendment when)
ascertained and who may claim)
some interest in the real property,)
which is the subject of this action,)
and in rem against the subject)
property,)

Defendants.)

JUDGMENT

This action came on to be heard before the Court, and was submitted for judgment upon consideration of the verified Complaint, prior orders prescribing and directing notice to the Defendants and appointment of guardian ad litem, proof of publication of notice of pendency of this proceeding and default judgment against the Defendant. Upon the foregoing, the Court finds as follows:

1. The Plaintiffs, *Debbie Jean Bass*, individually, and *the Estate of Rodger D. Bass*, by and through its Representative, *Debbie Jean Bass*, an individual, by virtue of deed and conveyance by Defendants to Plaintiffs on March 25, 1998, with adequate consideration, the Estate of Rodger D. Bass is claimant to title for fee simple of the real property more particularly described:

Lot 62, as shown on a map entitled "Property Line Map, Siluria Mills," prepared by Joseph A. Miller, on October 5, 1965, and being more particularly described as follows: Commence at the intersection of the Northerly right of way line of 3rd Avenue East and the Westerly right of way line of Fallon Avenue, said right of way lines as shown on the Map of the Dedication of the Streets and Easements, Town of Siluria, Alabama; thence Northwesterly along said right of way line of 3rd Avenue East for 272.44 feet to the point of beginning; thence 89 deg. 58 min. 33 sec right and run Northeasterly for 133.00 feet; thence 98 deg. 42 min. 38 sec. left and Southwesterly for 119.78 feet to a point on the Northeasterly right of way line of the Louisville & Nashville Railroad; thence 94 deg. 37 min. 14 sec. left to chord of a curve to the left having a radius of 1860.08 feet; thence Southeasterly along the arc of said curve and along said right of way line for 118.02 feet; thence 74 deg. 45 min. 19 sec. left, as measured from tangent of aforementioned curve, and run Southeasterly along said right of way of 3rd Avenue East for 91.19 feet to the point of beginning; being situated in Shelby County, Alabama.

(hereinafter referred to as "Subject Property");

2. The conveyance as provided by the Defendants to the Plaintiffs was indeed the true effort and intention of the Defendants to provide true and warrantable title to the properties to the Plaintiffs;
3. The Plaintiffs' complaint was duly verified and was filed against said lands and against any and all persons claiming any title to, interest in, lien or encumbrance on said land or any part thereof, and was to establish the right or title to such lands or interest, and to clear up all doubts or disputes concerning the same, and that said complaint did in all respects comply with the provisions of Ala. Code § 6-6-561;

4. That service of process was had in strict compliance with the provisions of Ala. Code § 6-6-561 and Rule 4.3, Ala. R. Civ. P., and the court finds as a fact that Plaintiffs exercised diligence to ascertain all of the facts in regard to names of proper parties defendant ;
5. That notice of the pendency of said Complaint was issued by the Court and published once a week for four (4) consecutive weeks in the Shelby County Reporter, a newspaper having general circulation and published in Shelby County, Alabama, and more than thirty (30) days have passed since the last publication of said notice;
6. No other person has answered or intervened in this matter;
7. That all the allegations in the complaint are true;
8. That Plaintiffs name in the complaint all defendants known to them, after the exercise of due diligence.

It is therefore ORDERED, ADJUDGED, and DECREED:

1. That the right, title, interest and ownership of the Plaintiffs in and to the Property is hereby established and forever quieted in rem and against the Property described above;
2. That the Clerk of this Court shall certify copies of the 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 books and in the same manner in which deeds are recorded and said judgment shall be indexed in the name of the defendants against whom this relief is granted in the direct index and in the name of the Plaintiffs in possession of the property in the reverse index;

3. Costs of this action are taxed to the Plaintiffs, to include \$300⁰⁰ fee for Guardian Ad Litem services provided, to Vicki N. Smith.

DONE AND ORDERED this 21st day of May, 2014:

H. M. M. D.
CIRCUIT JUDGE

Certified a true and correct copy
Date: 07-28-14

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