

DECREE

Value--\$6630.

#502

P. J. Shaw, et al,
Complainants,
vs
Truman Shaw, et al,
Respondents.

No. 2123
IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA,
IN EQUITY.

This cause coming on to be heard was, in Term Time, submitted for final decree on pleadings and proof as noted by the Register, and the same being considered and understood by the court, it is the opinion of the court that the complainants are entitled to the relief prayed for in the bill of complaint as originally filed and as amended, subject to certain changes which will be incorporated in this decree, the court being of the opinion that said land is fairly and equitably partitioned, as provided for in said complaint, and that it is to the best interest of the minor respondent that said partition be made.

It is, thereupon, ordered, adjudged and decreed by the court that the complainants and the respondents, Truman Shaw, are joint owners or tenants in common of the land described in the bill of complaint, subject to the dower interest of the complainant, Ella Shaw, and the respondent, Dovie Shaw, and that said land be partitioned among said joint owners and said Ella Shaw and Dovie Shaw, as hereinafter set out, subject to the following conditions:

(a) That complainant, Luther E. Shaw, execute and deliver to the respondents, Dovie Shaw and Truman Shaw, a statutory warranty deed conveying to them a forty five foot strip of land, fronting on the north side of the Aldrich-Montevallo road, which parcel of land is more particularly described as follows:

That parcel of land more particularly described as follows: Beginning at the south east corner of the south west quarter of the north east quarter of Section 19, Township 22, South, Range 3 West, as a point of reference, and from said point of reference

run thence north 2 degrees 45 minutes west 43 feet, to a point on the north line or margin of what is known as the Aldrich-Montevallo road, thence south 87 degrees 25 minutes west along the north margin of said road, a distance of 315 feet to the south east corner of the parcel of land herein conveyed, being the beginning point of said lot; thence continue along the north margin of said road 87 degrees 25 minutes west 45 feet to the south west corner of the lot herein conveyed, thence north 2 degrees 35 minutes west 210 feet to the north west corner of the lot herein conveyed, thence north 87 degrees 25 minutes east 45 feet to the north east corner of the lot herein conveyed, which is the north west corner of what is presently known as the "Henderson lot", thence south 2 degrees 35 minutes east, along the west line of said Henderson lot 210 feet, to the point of beginning, situated in Shelby County, Alabama.

(Recorded in Deed Record 111, Page 212)

Said deed so executed is presented to the court and is hereby approved.

(b) That said L. E. Shaw execute and deliver to Agnes Shaw Henderson a statutory warranty deed conveying to her a strip of land fronting 184 feet on the north side of the Aldrich-Montevallo road, and more particularly described as follows:

That parcel of land more particularly described as follows: Beginning at the south east corner of the south west quarter of the north east quarter of Section 19, Township 22, South, Range 3 West, as a point of reference, and from said point of reference, run north 2 degrees 45 minutes west 43 feet to a point on the north line or margin of what is known as the Aldrich-Montevallo road, thence south 87 degrees 25 minutes west, along the north margin of said road a distance of 131 feet to the south east corner of the lot herein conveyed, which is the starting point thereof, thence continue along the north margin of said road 87 degrees 25 minutes west 184 feet to the south west corner of the lot herein conveyed, thence north 2 degrees 35 minutes west 210 feet to the north west corner of the lot herein conveyed, thence north 87 degrees 25 minutes east 184 feet to the north east corner of the lot herein conveyed, thence south 2 degrees 35 minutes east 210 feet to the point of beginning, situated in Shelby County, Alabama.

(Recorded in Deed Record 113, Page 512)

Said deed so executed is presented to the court and is hereby approved.

(c) That said L. E. Shaw pay to said Dovie Shaw the sum of five hundred dollars, receipt for which, duly signed, by said Dovie Shaw, is presented in open court by said Dovie Shaw, who admits the payment of said money.

(d) That said L. E. Shaw pay to Dovie Shaw, as Guardian for Truman Shaw, a minor, the sum of one hundred dollars, covering his interest in the lands owned by Walter M. Shaw, deceased, and receipt therefor is presented in open court by Dovie Shaw, as such Guardian, who admits the payment thereof.

Said deeds having been executed and shown to the court to have been delivered as hereinabove provided for, and said sums of money having been paid, as provided for in this decree, said lands of Pleasant Shaw, deceased, and described in the bill of complaint, are decreed by the Court to be partitioned as follows:

To Truman Shaw and Dovie Shaw PARCEL A, as described in the original bill of complaint as follows:

PARCEL A.

That parcel of land more particularly described as follows: Beginning at the south east corner of the south west quarter of the north east quarter of Section 19, Township 22, South, Range 3 West, as a point of beginning, or reference, and from said point run thence north 2 degrees 45 minutes west 43

feet to a point on the north line or margin of what is known as the Aldrich-Montevallo road, thence south 87 degrees 25 minutes west, along the north margin of said road a distance of 360 feet, to the beginning corner of the lot herein described, which is the south west corner of what is known as the L. E. Shaw lot, thence continue along the north margin of said road 87 degrees 25 minutes west 92 feet to the south west corner of the lot herein described, thence north 2 degrees 35 minutes west 410 feet, to the north west corner of the lot herein described, thence north 87 degrees 25 minutes east 137 feet to the north east corner of the lot herein described, thence south 2 degrees 35 minutes east 200 feet, thence south 87 degrees 25 minutes west 45 feet to the north west corner of the L. E. Shaw lot thence south 2 degrees 35 minutes east 210 feet to the point of beginning.

To P. J. Shaw PARCEL B, as described in the original bill of complaint as follows:

(1)

A tract of land more particularly described as follows: Beginning at the south east corner of the south west quarter of the north east quarter of Section 19, Township 22, South, Range 3 West, as a point of reference, and from said point of reference, run thence north 2 degrees 45 minutes west 43 feet to a point on the north margin of the Aldrich-Montevallo road, thence north 87 degrees 25 minutes east 60 feet, along the north margin of said road to the south west corner of the present P. J. Shaw lot, thence north 2 degrees 35 minutes west 210 feet to the north west corner of said P. J. Shaw lot, which is the south west and beginning corner of the lot herein described, thence north 2 degrees 35 minutes west 200 feet, thence north 37 degrees 25 minutes east 440 feet, more or less, to the bank of Davis Creek, thence in a southeasterly direction along and with the meanderings of said creek a distance of 220 feet, more or less, to the north line of the present P. J. Shaw lot, thence south 87 degrees 25 minutes west 520 feet, more or less, to the point of beginning.

(2)

Also a parcel of land described as follows: Beginning at the south east corner of the south west quarter of the north east quarter of Section 19, Township 22, South, Range 3 West, as a point of reference, thence north 2 degrees 45 minutes west 43 feet to a point on the north margin of the Aldrich-Montevallo road, thence south 87 degrees 25 minutes west 646 feet, along the north margin of said road, to the south east corner of the lot herein described, thence continue along the north margin of said road south 87 degrees 25 minutes west 230 feet to the south east corner of what is known as the P. J. Shaw lot, thence north 12 degrees 16 minutes east 424 feet to the north west corner of lot herein described, thence north 87 degrees 25 minutes east 121 feet, thence south 2 degrees 35 minutes east 410 feet to the point of beginning.

To L. E. Shaw, PARCEL C, as described in the original bill of complaint as follows:

PARCEL C.

(1)

A parcel of land more particularly described as follows: Beginning at the south east corner of the south west quarter of the north east quarter of Section 19, Township 22, South, Range 3 West, as a point of reference, thence north 2 degrees 45 minutes west 43 feet, to a point on the north margin of the Aldrich-Montevallo road, thence south 87 degrees 25 minutes west 131 feet along the north margin of said road to the south west corner of the present L. E. Shaw lot, thence north 2 degrees 35 minutes west 210 feet to the north west corner of the present L. E. Shaw lot, which is the south west corner and beginning corner

of the lot herein described, thence north 2 degrees 35 minutes west 200 feet to the north west corner of the lot herein described, thence north 87 degrees 25 minutes east 191 feet, thence south 2 degrees 35 minutes east 200 feet, thence south 87 degrees 25 minutes west 191 feet to the point of beginning.

(2)

Also, beginning at the south east corner of the south west quarter of the north east quarter of Section 19, Township 22, South, Range 3 West, as a point of reference, thence north 2 degrees 45 minutes west 43 feet to a point on the north margin of the Aldrich-Montevallo road, thence south 87 degrees 25 minutes west 976 feet along the north margin of said road to the east right of way line of the Southern Railroad, which is the south west corner of the present Post Office lot owned by Emmet Shaw, thence along said right of way line of the Southern Railroad, north 12 degrees 16 minutes east 424 feet to the south west corner, and the corner of beginning of the lot herein described, thence north 87 degrees 25 minutes east 1367 feet, more or less, to Davis Creek, thence along the west bank of said Davis Creek, in a northwesterly direction 1330 feet, more or less, to the intersection of the west bank of Davis Creek, and the east right of way line of the Southern Railroad, thence southwest with said right of way line of said Southern Railroad 980 feet, more or less, to the point of beginning.

(3)

Also a parcel of land more particularly described as follows: Beginning at the south east corner of the south west quarter of the north east quarter of Section 19, Township 22, South, Range 3 West, as a point of reference, thence north 2 degrees 45 minutes west 43 feet to a point on the north margin of the Aldrich-Montevallo road, thence south 87 degrees 25 minutes west 452 feet, along the north margin of said road to the corner of the lot herein described, thence continue along the north margin of said road, south 87 degrees 25 minutes west 194 feet to the south west corner of the lot herein described, thence north 2 degrees 35 minutes west 410 feet, thence north 87 degrees 25 minutes east 194 feet, thence south 2 degrees 35 minutes east 410 feet to the point of beginning.

To Agnes Shaw Henderson PARCEL D, as described in the original bill of complaint as follows:

PARCEL D

(1)

A parcel of land more particularly described as follows: Beginning at the south east corner of the south west quarter of the north east quarter of Section 19, Township 22, South, Range 3 West, as a point of reference, thence north 2 degrees 45 minutes west 43 feet to a point on the north margin of the Aldrich-Montevallo road, thence south 87 degrees 25 minutes west 131 feet, along the north margin of said road, to the south east corner of the present Henderson lot, thence north 2 degrees 35 minutes west 210 feet to the north east corner of the present Henderson lot, which is the north west corner of the present L. E. Shaw lot, and which is the point of beginning of the lot herein described, thence north 2 degrees 35 minutes west 200 feet thence south 87 degrees 25 minutes west 184 feet, thence south 2 degrees 35 minutes east 200 feet, thence north 87 degrees 25 minutes east 184 feet to the point of beginning.

(2)

Also, beginning at the Peters corner on north and south line going south 225 feet, thence east along dividing line 700 feet from the Divide line, going north to Peters corner 460 feet, going down Peters line west to Tennessee line to beginning point 700 feet, being 5.4 acres, more or less, lying in the south west corner, north of above mentioned dividing line, part of north west corner of south east quarter of south west quarter of Section 28, Township 21, Range 4 West, 5.4 acres, more or less.

(3)

Also one acre of land beginning at the south west corner of the Ellen Walker lot, running along said lot west 70 yards, thence south 70 yards, thence east 70 yards to Tuscaloosa public road, thence north 70 yards to point of beginning, being a part of the south east quarter of the south west quarter of Section 28, Township 21, Range 4 West, containing one acre, more or less.

(4)

Also, 15 acres off the west side of the south west quarter of the south east quarter of Section 26, Township 21, Range 4 West.

To Emmet Shaw PARCEL E, as described in the original bill of complaint as follows:

PARCEL E.

(1)

A parcel of land beginning at the south east corner of the south west quarter of the north east quarter of Section 19 Township 22, South, Range 3 West, as a point of reference, thence north 2 degrees 45 minutes west 43 feet to a point on the north margin of the Aldrich-Montevallo road, thence south 87 degrees 25 minutes west 976 feet, along the north margin of said road, to the east right of way line of the Southern Railroad, which is the south west corner of the present post office lot owned by Emmet Shaw, thence along said right of way line of the Southern Railroad north 12 degrees 16 minutes east 210 feet to the point of beginning of the lot herein described, which is the north west corner of the present P. J. Shaw lot, thence continue along said railroad right of way line north 12 degrees 16 minutes east 214 feet, thence north 87 degrees 25 minutes east 100 feet, thence south 12 degrees 16 minutes west 214 feet, thence south 87 degrees 25 minutes west 100 feet to the point of beginning.

(2)

Also, lot #8, Block 3, according to Bozeman's Survey of the Town of Wilton, Alabama.

(3)

Also, lot #18 in Block 378 said lot fronting 50 feet on 8th Avenue and extending back of uniform width 190 feet to an alley-Bessemer, Alabama.

To Ella Shaw PARCEL F, as described in the original bill of complaint as follows:

That certain house and lot in the town of Aldrich, Shelby County, Alabama, being a part of lot number 48, particularly described as follows, to-wit: Beginning at the north east corner of said lot number 48, running thence south 15 degrees east 116 feet, thence south 88 degrees west 68 feet, thence north 12 degrees east 116 feet, to south side of road, thence north 88 degrees east 52 feet, more or less, to the point of beginning, the north east corner of said lot number 48; all according to the Montevallo Coal and Transportation' Company's plat of the Town of Aldrich, as recorded in the Office of the Probate Judge of said Shelby County, Alabama.

It is further ordered, adjudged and decreed by the court that all the right, title and interest of Pleasant Shaw in the several parcels of land in this decree partitioned to the respective parties hereto, and all the right, title and interest of any of the parties to this cause to said parcels of land, at the time of this decree, be and the same are hereby vested in the several parties to this suit, as to the parcel or parcels decreed herein in their favor.

It is further ordered, adjudged and decreed by the court that the complainants in this cause be taxed with the cost of this proceeding and that this decree be recorded in the Probate Office of Shelby County, Alabama, the cost thereof to be taxed against the complainants.

Done in Term Time this the 28th day of October, 1940.

W. W. Wallace, Judge

Filed for record in the Probate Office on the 9th day of November, 1942, at ten o'clock A. M. and duly recorded in Deed Record Vol. 114 Page 248-253.

STATE OF ALABAMA
SHELBY COUNTY

L. C. Walker, Judge of Probate

I hereby certify that
\$ 7.00 Privilege Tax
has been paid on the within
instrument as required by
law.

L. C. WALKER,
Judge of Probate