

C.W. HARDY AND MARTHA
RUTH HARDY,

COMPLAINANTS,

VS.

MILLARD TOWNSEND, ET AL,

RESPONDENTS.

1403) IN THE CIRCUIT COURT OF

) SHELBY COUNTY, ALABAMA

) IN EQUITY

) CASE NO. 4433

This cause coming on for trial, is submitted for final decree on pleadings and proof as noted by the Register, and the Court, upon consideration thereof, is of the opinion that Complainants are entitled to the relief prayed for and sought.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that C. W. Hardy and Martha Ruth Hardy are the owners of the land described in this complaint, viz:

A tract of land located on the West side of the Columbiana-Shelby paved road and East of the L & N Railroad and lying in the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 36, Township 21 South, Range 1 West, more particularly described as follows: Beginning at a point on the east 40 foot right of way line of the L & N Railroad, being marked by an iron pipe at the Northwest corner of what is known as Alfred McClanahan lot; thence North 86 deg. 15 min. East a distance of 118.47 feet to point of intersection with the West 40 foot right of way line of Columbiana-Shelby road; thence North 21 deg. 32 min. West along said right of way line a distance of 427.18 feet to a point; thence North 20 deg. 20 min. West along said right of way line a distance of 194.81 feet to a point; thence 90 deg. to the right a distance of 15.0 feet to a point; thence North 20 deg. 20 min. West along the West 25 foot right of way line a distance of 147.17 feet to a point; thence 90 deg. to the left a distance of 15.0 feet to a point; thence Northwesterly along the West 40 foot right of way line along a 5 deg. curve to the left having a radius of 1146.28 feet, a distance of 261.27 feet to a point; thence continuing along said right of way line a distance of 308.90 feet to a point; thence Northwesterly along a 6 deg. curve to the right having a radius of 955.37 feet along said right of way line a distance of 288.17 feet; thence continuing Northwesterly along said right of way line a distance of 91.0 feet to a point; thence Northwesterly along a 3 deg. curve to the right having a radius of 1910.08 feet along said right of way line a distance of 213.68 feet to a point; thence South 53 deg. 27 min. West a distance of 42.50 feet to a point; thence South 30 deg. 50 min. West a distance of 98.60 feet to a point 40 feet from centerline of L & N Railroad; thence South 23 deg. 54 min. East along the east right of way line of L & N Railroad a distance of 1813.59 feet to the point of beginning, situated in Shelby County, Alabama.

Oliver Head, appointed by the Register as Guardian Ad Litem to protect the interests of any and all the heirs at law and next of kin of Adam Carter, Willie Townsend and Sarah Dandy, as may be minors or persons of unsound mind, accepted in writing the appointment as such Guardian and in writing denied the allegations of the bill of complaint, and participates in this trial.

THEREUPON, IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that neither of the respondents, Millard Townsend, Lymon McClanahan, Fred Gilmore, Mattie Gilmore, Etta Gilmore, Hazel Gilmore, Gertrude Gilmore, Lula Gilmore, Mrs. Willie Townsend, Clemmie Gilmore, Sarah Trammel, the heirs at law and next of kin of Adam Carter, Willie Townsend, and Sarah Dandy, have any right, title, interest or claim to said property and that any title they may have or might have is divested out of them and each of them and vested in C. W. Hardy and Martha Ruth Hardy, the complainants in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the complainants, C. W. Hardy and Martha Ruth Hardy be and they are hereby taxed with the costs in this cause.

This 10th day of December, 1959.

G. L. Hardage
Judge

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STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within Agreement was filed for record the 4 day of Jan 1960 at 2 o'clock M. and recorded in Deed record 266 at page 634 and the Mortgage Tax Deed Tax has been paid.

Conrad M. Fowler
Judge of Probate

BOOK 206 PAGE 635 FILED 4 JANUARY 1960