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DAVID POE and VIRGINIA POE  
HUGHES,

COMPLAINANTS,

VS.

JUNE POE, et al,

RESPONDENTS

) IN THE CIRCUIT COURT OF  
) SHELBY COUNTY, ALABAMA  
) IN EQUITY  
) CASE NO. 4602  
)  
)

FINAL DECREE

This cause coming on further to be heard for final decree and confirmation of the sale upon the report of the Register made pursuant to the former decree of this court rendered on the 30th day of October, 1967, and upon other matters of record heretofore filed in the above styled cause, and it appearing to the satisfaction of the Court from the said record that the Register's report of sale was filed on the 9th day of December, 1967, and the Register's report on reference was filed on the 9th day of December, 1967, and both of said reports were read, and ordered to lie over for ten days for any exception which might be filed.

And it appearing to the satisfaction of the Court from the reports and from the evidence therewith submitted that the sale was fairly conducted and in strict accordance with the law and the orders of this Court and that the property sold for an amount not greatly less than its real value, and that all of the terms of sale prescribed by the Court have been complied with and that the highest and best bid for said property at said sale was Twenty-eight Thousand, Two Hundred (\$28,200.00) Dollars.

And it further appearing to the Court that the purchase price has been paid for in cash in the full amount of said bid for said land, having been sold at said sale to Bama Wood, Inc., a corporation, said land being more particularly described as follows:

The  $\frac{1}{2}$  of the NW $\frac{1}{4}$ ; and the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 7;  
Also those parts of the E $\frac{1}{2}$  of the NW $\frac{1}{4}$ , and the SW $\frac{1}{4}$  of  
the NE $\frac{1}{4}$ , and of the  $\frac{1}{2}$  of the SE $\frac{1}{4}$  lying West of Waxahatchie  
Creek in Section 7, all in Township 24, Range 15 East.

And it further appearing to the Court from the agreements of the parties to this cause and testimony as heretofore taken before the court that the sum of \$2,845.02 is the portion of said purchase price which should be paid to Maslene Poe as and for her dower and homestead rights in said property.

And it further appearing to the Court that the Solicitor's fee of \$2,160.00 is a reasonable attorney's fee to be paid to complainant's solicitors of record for their services in this cause which the Court finds imured to the benefit of all parties to

this suit; And the sum of \$54.00 is found to be a reasonable amount for the abstract prepared by Shelby County Abstract Company in this cause.

And it further appearing to the Court that from an examination of the court file and testimony heretofore taken in said cause that the sum of \$50.00 is a reasonable fee to be paid to Oliver Head for his services as Guardian ad Litem in this cause; And it further appears to the Court that the sum of \$ 434.83 represent the accrued court costs in this cause.'

It is, therefore, CONSIDERED, ORDERED, ADJUDGED and DECREED by the Court that said sale be and the same is hereby ratified and confirmed in all respects, and that L. G. Fulton, the Ex-Officio Register of said Court make conveyance to Bama Wood, Inc., of all the right, title, and interest which any of the parties to this cause owned in said property at the commencement of this suit, and shall cause said conveyance to be recorded in the Probate Office of Shelby County, Alabama.

It is further considered, ordered, adjudged and decreed by the Court as follows:

1. That the sum of \$2,160.00 is a reasonable attorney's fee for the services rendered by Complainants' solicitors of record in this cause, whose services inured to the benefit of all parties to this cause and the Register is hereby ordered to pay complainants' solicitors of record the sum of \$2,160.00.

2. That the sum of \$50.00 is found to be a reasonable fee for the services of the Guardian ad Litem in this cause, and the Register shall pay to Oliver Head, the Guardian ad Litem in this cause said sum of \$50.00 for his services.

3. That the sum of \$54.00 is found to be a reasonable charge for the abstract which was obtained in this cause and the Register is hereby directed to pay to complainant's solicitors of record the sum of \$54.00 for reimbursement for said abstract charges, and the sum of \$13.93 for advertising cost paid to Shelby County Reporter by Complainants' solicitor.

4. That the accrued court costs in this cause is \$ 434.83 which the court finds to be a legal charge and the Register shall deduct such amount from the proceeds of the sale herein, which sum includes said abstract charge, legal advertising charge and Guardian ad Litem fee.

It is further considered, ordered, adjudged and decreed by the Court that the balance of the sale price of the real estate as directed in the bill of complaint, after deducting accrued court costs, attorney's fee, the cost of abstract, <sup>and legal advertising charges,</sup> and the guardian ad litem's fee be paid to the parties to this cause in the following amounts in proportion to their ownership of said property:

David Poe	\$2,845.01
Virginia Poe Hughes	2,845.02
Jane Poe	2,845.02

Catherine Poe	2,845.02
Rebecca Poe Boyd	2,845.02
Benny C. Poe	2,845.02
Jim David Poe	2,845.02
Paul Poe	2,845.02
Marlene Poe	2,845.02

It is further considered, ordered, adjudged and decreed by the Court that the sum of \$2,845.02 is the amount of said purchase price which should be paid to the respondent Marlene Poe for her dower and homestead interest in said property.

It is further ordered that the Register or Ex-Officio Register pay to each of the parties named above with the exception of Catherine Poe, the sum set opposite their respective names. It is further ordered that the Register shall hold in his possession, subject to further order of this Court the share of said Catherine Poe as set opposite her name above.

Dated this 18<sup>th</sup> day of January, 1968.

A. F. H. Anderson  
Judge

STATE OF ALA. SHERIFF CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1968 APR 10 PM 8:11  
U.C.C. FILE NUMBER OF  
REC. BK. & PAGE AS SHOWN ABOVE  
Candace M. Smith  
JUDGE OF PROBATE