

VICTOR SCOTT,

Complainant,

vs

Bettye B. Broadhead, et al,

Respondents.

IN THE CIRCUIT COURT OF

SHELBY COUNTY, ALABAMA,

IN EQUITY, CASE NO. 4653

This cause coming on to be heard on the application of Victor Scott and it appearing to the court from the Bill of Complaint filed therein and from the testimony of Bettye B. Broadhead, Victor Scott, Fred E. Lightower, Bernie A. Thompson, Jr. and Teresa Ann Broadhead Beabout, that Victor Scott, the complainant is over the age of 21 years, and is a resident of Shelby County, Alabama, his address being Montevallo, Alabama; that Bettye B. Broadhead is over the age of 21 years and is a resident of Shelby County, Alabama, her address being Alabaster, Alabama; and she is Administratrix of the Estate of William Robert Broadhead, deceased; that Teresa Ann Broadhead Beabout is 18 years of age and married since the date of the filing of this Bill of Complaint in this cause, and is a resident of Shelby County, her address being Alabaster, Alabama; and Robert Adrian Broadhead is a minor 13 years of age and in the custody of his mother Bettye B. Broadhead at Alabaster, Alabama. That said widow and two children are the sole and surviving heirs at law of William Robert Broadhead, who died intestate. It further appearing to the court that William Robert Broadhead was a partner with Victor Scott, d/b/a B & S Insurance & Realty as a trade name and each of said partners owned a one-half interest in said business; that said business was engaged in the business of real estate and insurance. It further appearing to the court that William Robert Broadhead died without leaving a will and without having made any disposition of his interest in said partnership and that said partnership had no written agreement as to the operation and dissolution of said partnership. It further appearing to the Court that the said Victor Scott pursuant to the case of Hooper vs Britt, an Alabama case in 51 Southern 2nd 547 and under Syllibus 12 thereof the said Victor Scott, being the survivor of said partnership, took title to and possession of the assets of said partnership as Trustee for the purpose of liquidation of the same and having an accounting made as of the date of the death of William Robert Broadhead, deceased. That the said Victor Scott has conferred with said Administratrix in her capacity as such and she has conferred with various and sundry persons who have knowledge of the value of such insurance and real estate agencies and after such conferences she has agreed to a sale of the interest of the said William Robert Broadhead to F. Reid Long for a consideration of \$15,000

cash and the payment by Victor Scott of the capital account of said partnership which was due to William Robert Broadhead, the amount of \$ 2095.63.

It further appearing to the court that some of the assets in said partnership are made up of goodwill, uncollectible accounts and commissions, all of which are doubtful as to value and it was necessary to employ an accountant to render an accounting to determine the amount of the capital account due to the said William Robert Broadhead, deceased. It further appearing to the court that it is to the interest of said estate that said surviving partner make said conveyance of said interest by a Bill of Sale to the proposed purchaser, F. Reid Long, and that said Administratrix join with the surviving partner in conveying the interest of the said William Robert Broadhead for said consideration.

It further appearing to the Court that Frank lead as guardian ad litem appeared in open court at the time of the taking of the testimony to represent the interest of Robert Adrian Broadhead, a minor, in this proceeding, and he denied the allegations of the Bill of Complaint, and appeared in court as aforesaid and cross-questioned such of the witnesses as he thought proper.

It is, therefore, ORDERED, ADJUDGED AND DECREED BY THE COURT, that all the matters and things set out hereinabove as the findings of this court are true and correct and that this court finds and determines that the amount of the capital account due to the said William Robert Broadhead, deceased, on May 3, 1953, the date of his death and up to the present date totals \$ 2095.63 and that it is to the interest of his said estate for his one-half interest in said partnership to be sold to F. Reid Long for a cash consideration of \$15,000. It is ORDERED, ADJUDGED AND DECREED BY THE COURT that Victor Scott pay to Bettye B. Broadhead, as Administratrix of the Estate of William Robert Broadhead, deceased, the sum of \$ 2095.63, being the total due from said capital account. Be it further ORDERED, ADJUDGED AND DECREED BY THE COURT that Victor Scott, the surviving partner, and as Trustee of said partnership for the liquidation of the same, and Bettye B. Broadhead, as Administratrix of the Estate of William Robert Broadhead, deceased, join in the execution of a Bill of Sale to F. Reid Long conveying the one-half interest of William Robert Broadhead, deceased, in said B & S Insurance & Realty, including assets of all kinds and description and are ordered to deliver said Bill of Sale upon the payment by F. Reid Long of \$15,000 cash made payable to Bettye B. Broadhead, Administratrix of the Estate of William Robert Broadhead, deceased.

Done this the 5th day of August, 1963.

Judge

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BILL OF SALE

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, that Victor Scott, the surviving partner, and as Trustee for the purpose of liquidating the B & S Insurance & Realty, a partnership, composed of Victor Scott and William Robert Broadhead, and Bettye B. Broadhead, as Administratrix of the Estate of William Robert Broadhead, in consideration of Fifteen Thousand and no/100 Dollars in hand paid by F. Reid Long to Bettye B. Broadhead, as Administratrix of the Estate of William Robert Broadhead, deceased, the receipt whereof is hereby acknowledged do hereby bargain, sell and convey unto the said F. Reid Long, the following described property, all as ordered by Decree of the Circuit Court of Shelby County, Alabama, on the 6th day of August, 1963. Said property being described as follows:

The undivided one-half interest of William Robert Broadhead, deceased, in the partnership of B & S Insurance & Realty located at Montevallo, Alabama, and Alabaster, Alabama, together with all cash, accounts receivable, commissions, furniture, fixtures, equipment, goodwill and any other assets used in or in connection with the operation of said insurance and real estate agency located in Montevallo, Alabama, and Alabaster, Alabama, of all kinds and descriptions.

And we hereby covenant with the grantee that we in our official capacities as hereinabove set out have a good right to sell the above under and by the terms and conditions of a decree rendered by the Circuit Court of Shelby County, Alabama, on the 5th day of August, 1963,

Witness our hands this the 6th day of August, 1963.

Victor Scott

Victor Scott, the surviving partner and Trustee for the purpose of liquidating the B & S Insurance & Realty, a partnership, composed of Victor Scott and William Robert Broadhead, deceased.

Bettye B. Broadhead

Bettye B. Broadhead, Administratrix of the Estate of William Robert Broadhead, deceased.

FILED IN OFFICE

AUG 5 1963

L. G. Smith

Register
SHELBY CO. CIRCUIT COURT,
IN EQUITY

652

State of Alabama

Shelby County

I, Martha B. Joiner, a Notary Public in and for said county and state, hereby certify that Victor Scott, whose name as the surviving partner, and as Trustee for the purpose of liquidating the B & S Insurance & Realty, a partnership, composed of Victor Scott and William Robert Broadhead, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he in his official capacity and with full authority from the Circuit Court of Shelby County, Alabama, in Equity, executed the same voluntarily in said capacity.

Given under my hand this 6th day of August, 1963.

Martha B. Joiner
Notary Public

State of Alabama

Shelby County

I, Martha B. Joiner, a Notary Public in and for the State of Alabama, hereby certify that Bettye B. Broadhead, whose name as Administratrix of the Estate of William Robert Broadhead, deceased, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she in her official capacity and with full authority execute the same voluntarily for and as the act of said Estate.

Given under my hand this 6th day of August, 1963.

Martha B. Joiner
Notary Public

FILED IN OFFICE

AUG 5 1963

L. G. Fulton
Register
SHELBY CO. CIRCUIT COURT
IN EQUITY

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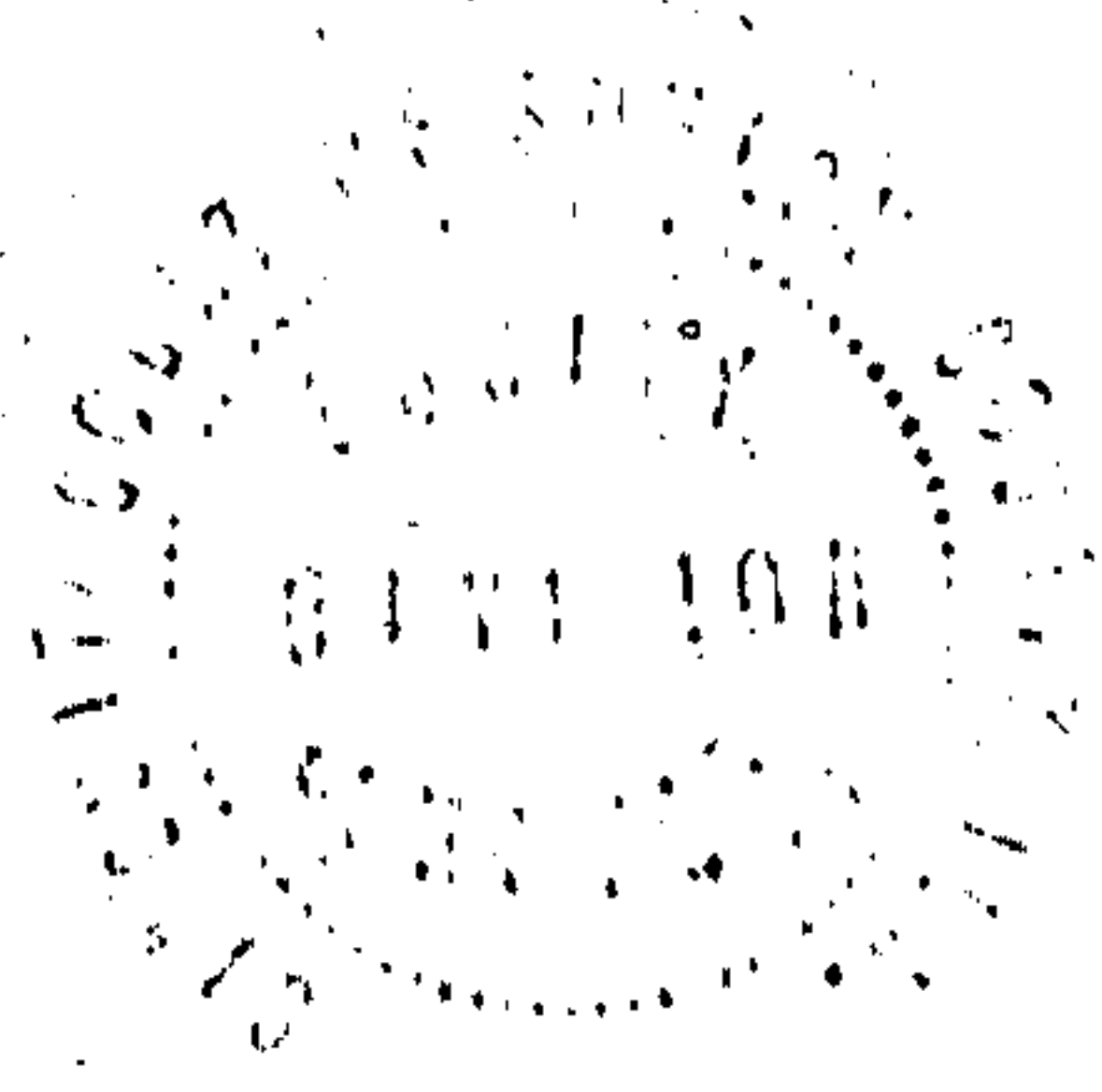
CERTIFICATE

STATE OF ALABAMA,) IN THE CIRCUIT COURT OF SHELBY COUNTY, ALA.
SHELBY COUNTY.) IN EQUITY

I, Sara Ozley, Deputy Register of the Circuit Court of Shelby County, Alabama, hereby certify that the attached and foregoing is a true and correct copy of the FINAL DECREE rendered in therein styled cause by the Hon. A. L. Hardegree, Judge of said Court on the 5th day of August, 1968. The original remains of record and on file in said court.

Witness my hand this the 19th day of August, 1968.

Sara Ozley
Deputy Register, Circuit
Court of Shelby County, Ala.
In Equity



STATE OF ALA. SHELBY CO.
CERTIFY THIS
INSTRUMENT WAS FILED
1968 AUG 26 PM 2:10
U.C.C. FILE NUMBER 03
REC. BK. & PAGE AS SHOWN ABOVE
Deputy Register
JUDGE OF RECORD