

12
CLYDE BRASHER and C. C. WELDON,

COMPLAINANT,

VS.

B. ETHRIDGE PARTRIDGE,

RESPONDENT

) IN THE LAW AND EQUITY COURT OF

) SHELBY COUNTY, ALABAMA

) CASE NO. 1539

)
ORDER OF COURT

This cause coming on and being this date set for trial and being submitted to the Court upon the original bill of complaint, demurrers filed by respondent, decree overruling demurrers, answer of the respondent, testimony taken before the commissioner and pleading and proof as noted by the Register, the Court is of the opinion that the complainants are entitled to the relief prayed for and it is, therefore:

CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the dirt road leading from the property owned by Clyde Brasher, as described in the bill of complaint, which said road leads in a Southerly direction to the paved Shelby County road leading from Vandiver to Dykes Mill is a public road and open to the use by complainants and all other persons, firms, and corporations without limitation. The property of the respondent located in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 6, Township 18, Range 2 East, Shelby County, Alabama, is burdened and encumbered by said public road, which as aforesaid, is otherwise described as being that certain unpaved road which leads from the paved County Highway in a Northerly direction through the aforesaid property of the respondent into the property owned by complainant Clyde Brasher, which is in possession of the complainant C. C. Weldon.

2. That the road described in Paragraph 7 of the bill of complaint is a public road and the respondent B. Ethridge Partridge, his heirs, successors and assigns are here by permanently and forever enjoined from limiting, interfering with, or obstructing travel upon said road in any manner whatsoever by any person, firm, or corporation and the right to free and complete use of said road by complainants, their invitees, licensees, heirs, successors and assigns forever and the general public is hereby established.

3. It is further ordered that the Clerk of this Court record a copy of this order in the office of the Judge of Probate of Shelby County, Alabama, and the cost of such recording be added to the other costs accrued in this cause, all of which are hereby charged to the complainants for which let execution issue after sixty days from the date hereof.

Done this 17 day of September, 1970.

FILED IN OFFICE, This the 17 day

Sept 1970

s/ Harold E. Walden

Judge

Sara Ozley

CERTIFICATE

STATE OF ALABAMA,

SHELBY COUNTY.

I, Sara Ozley, Ex Officio Register of Law and Equity Court of Shelby County, Alabama, hereby certify that the attached is a true and correct copy of the ORDER OF THE COURT entered in the therein styled cause by the Hon. Harold E. Walden, Judge of said Court on the 17th day of September, 1970. The original remains of record and on file in said court.

Witness my hand this the 25th day of September, 1970.

Sara Ozley
Ex Officio Register

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1970 OCT - 7 AM 8:37

U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE

Conrad M. Jones
JUDGE OF PROBATE