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Shelby Cnty Judge of Probate, AL  
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Rena Turner, et al,  
Complainants,  
vs  
Frank Nivens, et al,  
Respondents.

No. 1616

IN THE CIRCUIT COURT OF SHELBY COUNTY,  
ALABAMA, IN EQUITY.

This cause coming on to be heard, in term time, was submitted for final decree confirming the report of sale of land by the Register, the report of reference by the Register, and for an order of conveyance to the purchaser.

It appears from said report of sale, to the satisfaction of the Court, that the Register, on the 3rd day of June, 1935, after giving notice of the time, terms, place and purpose of said sale, by posting notice at the Court House of Shelby County, at Columbiana, Alabama, at the usual place of posting notices for thirty days prior to the date of said sale, and by publication for three successive weeks prior to the date of sale in The Shelby County Reporter, a weekly newspaper published in Columbiana, Shelby County, Alabama, did sell, at public outcry, to the highest bidder, for cash, the land hereinafter described, all in strict accordance with the decree of sale rendered in this cause on the first day of May, 1935, and that <sup>at</sup> said sale <sup>which</sup> was made at the front steps of the Court House of Shelby County, Alabama, within the legal hours of sale, Frank Niven became the purchaser of said land at and for the sum of one thousand one hundred and twenty five dollars, which was the highest and best bid for said land at said sale, and which said sum has been paid to the Register; and it further appearing to the Court that said sale was fairly made and that the land was sold for a sum not greatly disproportionate to its real value; and it further appearing to the Court from the report of reference by the Register that one hundred and fifty dollars is a reasonable fee to be allowed complainants' solicitor out of the purchase money paid for said land; and it further appearing to the Court that said report of sale and said report of reference have remained on file for two days prior hereto, and that no exceptions

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have been filed thereto:

It is, thereupon, ordered, adjudged and decreed by the Court that said report of sale and said report of reference be and they are hereby in all things ratified, approved and confirmed.

It is further ordered, adjudged and decreed by the Court that the Guardian Ad Litem fee of five dollars in each instance as charged up by the Register and shown in the cost bill is hereby ratified and confirmed.

It is further ordered, adjudged and decreed by the Court that the Register of this court is ordered and directed to make and execute a deed to said Frank Niven in and to said lands, which are described as follows:

The west half of the south west quarter of Section 27, except 8 acres off the east side; and the east half of the south east quarter of Section 28, except 8 acres sold to Shelby County for a road. Except also one acre heretofore deeded to Julia Niven, and described as follows: One acre in the south east quarter of the south east quarter of said Section 28; all in Township 19, Range 1 West, Shelby County, Alabama, and containing one hundred and forty three acres, more or less, situated in Shelby County, Alabama.

It is further ordered, adjudged and decreed by the Court that from the purchase money received from the sale of said land, the Register shall deduct the cost of said proceeding amounting to \$320.13, and which includes the solicitor's fee decreed in favor of complainants' solicitor and fees for the Guardian Ad Litem of five dollars, which said sums the Register shall forthwith pay over to the respective parties entitled thereto, but this sum does not include the sum of thirty two dollars, to be taxed against the respondent Frank Niven, covering the costs accruing in connection with his cross bill filed in this cause.

It is further ordered, adjudged and decreed by the Court that of the net proceeds of said sale, the parties to this suit, but for the hereinafter provisions of this decree, would be entitled to the following amounts, viz:

The complainant, Rena Turner	\$10.45
The complainant, Amy Sewell	10.45
The complainant, Tennie Turner	10.45
The complainant, Guy C. Nivens	10.45

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The complainant, Freeman Nivens	\$10.45
The complainant, Alma Johnson	10.45
The respondent, Frank Nivens	73.17
The respondent, Mrs. William Crane	73.17
The respondent, Mrs. Ellie Minor	73.17
The respondent, Austin Nivens	73.17
The respondent, Mattie Wilder	73.17
The respondent, Lucy Cooper	73.17
The respondent, Walter Nivens	73.17
The respondent, Ida Miller,	73.17
The respondent, Ezra Nivens, subject to the dower and homestead rights of his mother, the respondent, Julia Nivens	9.14
 The respondent, Roland Nivens, subject to the dower and homestead rights of his mother, the respondent, Julia Nivens	 9.14
 The respondent, Tula Nivens Gatlin, sub- ject to the dower and homestead rights of her mother, the respondent, Julia Nivens	 9.14
 The respondent, Lillie Nivens, subject to the dower and homestead rights of her mother, the respondent, Julia Nivens	 9.14
 The respondent, W. J. Nivens, subject to the dower and homestead rights of his mother, the respondent, Julia Nivens	 9.14
 The respondent, Ordis Nivens, subject to the dower and homestead rights of his mother, the respondent, Julia Nivens	 9.14
 The respondent, Clay Nivens, subject to the dower and homestead rights of his mother, the respondent, Julia Nivens	 9.14
 The respondent, Vera Mae Nivens, subject to the dower and homestead rights of her mother, the respondent, Julia Nivens	 9.14
 The respondent, Nellie Ruth Nivens, subject to the dower and homestead rights of her mother, the respond- ent, Sarah Nivens	 36.58
 The respondent, Agnes Nivens, subject to the dower and homestead rights of her mother, the respondent, Sarah Nivens	 36.58
 The respondent, Paul Nivens	 10.45

It appearing to the Court that the following  
of the respondents having deeded their interest insaid land to the  
respondent, Frank Nivens, he shall be entitled to claim, receipt  
for and collect the amount due each of them, viz:

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Walter Nivens	\$23.17
Ida Miller	73.17
Ellie Minor	73.17
Austin Nivens	73.17
Mattie Wilder	73.17
Ezra Nivens and Julia Nivens	9.14
Lillie Nivens and Julia Nivens	9.14
Roland Nivens and Julia Nivens	9.14
W. J. Nivens and Julia Nivens	9.14
Clay Nivens and Julia Nivens	9.14
Tula Nivens Gatlin and Julia Nivens	9.14
Ordie Nivens and Julia Nivens	9.14
Tera Mae Nivens and Julia Nivens	9.14
Sarah Nivens	24.38

It is further ordered, adjudged and decreed by the Court that the respondent, Sarah Nivens, having conveyed her interest in said land to the respondent, Frank Nivens, he shall be and is hereby authorized and empowered to collect and receipt for the sum of \$24.38, which is decreed by the Court to be her dower interest in said land and deducting this sum from the amounts due Nellie Ruth Nivens and Agnes Nivens, the sum due said two respondents are as follows:

Nellie Ruth Nivens	\$24.39
Agnes Nivens	24.39

It is further ordered, adjudged and decreed by the Court that the total sum due said Frank Nivens out of the net proceeds of said sale is \$536.57.

It is further ordered, adjudged and decreed by the Court that out of the amount decreed in favor of said Frank Niven, the Register shall deduct the amount of \$32.00, the amount of cost accrued at his instance in connection with his cross-bill, and which said sum includes a guardian ad litem fee of five dollars taxed up by the Register, which is hereby ratified and approved.

Done in Term Time this the 14th day of June, 1935.

U.C. FILE NUMBER OR  
SEE BK. & PAGE AS SHOWN ABOVE  
JUNE 14 1935  
JUDGE OF PROBATE

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