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JOYCE M. SHIRLEY, et al.,	:	IN THE CIRCUIT COURT
Complainants,	:	EIGHTEENTH JUDICIAL CIRCUIT
	:	
-Vs.	:	SHELBY COUNTY, ALABAMA
	:	
LEO R. KENDRICK,	:	EQUITY DIVISION
	:	
Respondent.	:	CASE NO. 4793

ORDER


This matter comes on to be heard on the Bill of Complaint as amended, answer of respondent Leo R. Kendrick, and decree pro confesso against respondent Chester R. McCord, and complainants being present in court and represented by the Honorable Charles Cleveland, and Leo Kendrick being represented by the Honorable Robert W. Weaver, the Court proceeds to take testimony and receive other evidence.

Upon due consideration of the evidence before the Court, the Court finds that the deed to respondent Leo R. Kendrick, executed by Tabitha Kendrick on the 21st day of September, 1970, and recorded in Book 264, Page 15, in the Office of the Judge of Probate of Shelby County, Alabama, was obtained by fraud and undue influence at a time when the grantor was unable to understand the true meaning of her act, and said deed should be set aside; the Court further finds that the deed from Leo R. Kendrick to Chester R. McCord, filed for record on the 21st day of April, 1971, in Book 267, Page 335, in the said office, conveyed no interest in the lands described because the grantor therein had no interest to convey, and said deed also should be set aside, it is, therefore,

CONSIDERED, ORDERED, ADJUDGED and DECREED, that:

1. That certain deed, dated the 21st day of September, 1970, wherein Tabitha Kendrick is grantor and Leo R. Kendrick is grantee, recorded in Book 264, at Page 15, in the Office of the Judge of Probate of Shelby County,

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 19720310000013050 1/2 \$.00
 Shelby Cnty Judge of Probate, AL
 03/10/1972 12:00:00 AM FILED/CERT

Alabama, purporting to convey certain lands in the NW 1/4 of the SW 1/4 of Section 4, Township 20, Range 1 West, be and the same is hereby set aside and held to be void and of no effect whatsoever.

2. That certain deed, recorded on the 21st day of April, 1970, in Book 267, Page 335, in the Office of the Judge of Probate of Shelby County, Alabama, wherein Leo R. Kendrick is grantor and Chester R. McCord is grantee, purporting to convey the same lands as described in Paragraph 1. above, be, and the same is hereby set aside and held to be void and of no effect whatsoever.

3. Title to said property is hereby quieted in the estate of Tabitha A. Kendrick and in the devisees named in the will executed by Tabitha A. Kendrick on or about December 31, 1964, and in the interest and under the terms and conditions provided in said will.

4. A copy of this Order is directed to be recorded in the Office of the Judge of Probate of Shelby County, Alabama.

5. The costs herein are taxes against the respondents, for which let execution issue.

DONE this the 10th day of March, 1972.



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Shelby Cnty Judge of Probate, AL
03/10/1972 12:00:00 AM FILED/CERT

James H. Sharbutt
JAMES H. SHARBUTT
Circuit Judge In Equity

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
MAR 10 AM 10:11
U.C.C. FILE NUMBER OR
RECOR. & PAGE AS SHOWN ABOVE
Conrad McDaniel
JUDGE OF PROBATE

FILED IN OFFICE, This the 10 day
of March 1972

Kyle Lansford
Register Circuit Court of
Shelby County, Alabama

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