

7649

CALERA NORTHWEST, INC., a
corporation,

Plaintiff,

vs.

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

CASE NO. 5507

The following described land: All of
Block 174, according to J. H. Dunstan's
map of the town of Calera, Alabama, situated
in Shelby County, Alabama; L. A. Welch, et als,

Defendants.

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Shelby Cnty Judge of Probate, AL
07/31/1973 12:00:00 AM FILED/CERT

DECREE

This cause coming on to be heard on this the 2nd day of July, 1973,
is submitted for final decree upon complainants verified complaint, upon the decree
pro confesso rendered herein and upon the testimony of Karl C. Harrison and Jim Mayhew,
taken orally before the Court by order of the Court and reduced to writing, and the
certificate of the Register, all of which is as noted by the Register, and it appears
to the satisfaction of the Court:

First: That the Plaintiff, Calera Northwest, Inc., a corporation, at the
time of the filing of its complaint in this cause, claimed in its own right a fee simple
title to and was in the actual peaceable possession of the following described lands,
lying in the county of Shelby, State of Alabama and more particularly described as
follows:

All of Block 174, according to J. H. Dunstan's map of the town of
Calera, Alabama, situated in Shelby County, Alabama.

Second: That at the time of the filing of said complaint, no suit was
pending to test its title to, interest in or the right to the possession of said lands.

Third: That its said complaint was and is duly verified, and was filed
against L. A. Welch, or, if deceased, his heirs or devisees; O. S. Welch, or, if deceased,
his heirs or devisees; Zeaba C. Welch, or, if deceased, her heirs or devisees; Horace
Welch, or, if deceased, his heirs or devisees; D. Scott Welch, or, if deceased, his
heirs or devisees; Ernest Welch, or, if deceased, his heirs or devisees; Sallie Duncan,
or if deceased, her heirs or devisees; Vesta Yeatman, or, if deceased, her heirs or
devisees; and W. K. Yeatman, or, if deceased, his heirs or devisees, and all parties
who, unknown to plaintiff, claim an interest in or to the above described property, or
who may have claimed some title to, interest in, lien or encumbrance on said land or
a part thereof and was to establish the right or title to such lands or interest, and
to clear all doubts or disputes concerning the same, and that said complaint did in all
respects comply with the provisions of the 1940 Code of Alabama as Recompiled.

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Fourth: That the whereabouts, unknown persons, their ages and addresses or whether living or dead who were made defendants were unknown to plaintiff and that they exercised diligence to ascertain the facts with regard thereto.

Fifth: That notice of the pendency of said complaint was drawn and signed by the Register of this court and said Register did have such notice published once a week for four consecutive weeks in the Shelby County Reporter, a newspaper having general circulation and published in Shelby County, Alabama, as prescribed by rule of this Court or by an order made in this cause.

Sixth: That a copy of said notice, certified by the Register as being correct, was recorded as a lis pendens in the office of the Probate Judge of said county, said notice being in strict accord and compliance with the 1940 Code of Alabama, as Recompiled.

Seventh: That it has been more than sixty days since the first publication of said notice and filing of a certified copy of said notice in the office of the Probate Judge of said county.

Eighth: That no person has intervened in this cause.

Ninth: That all of the allegations of fact contained in Plaintiff's complaint are true. It is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court (1) that plaintiff is entitled to the relief prayed for in its complaint, and that the fee simple title claimed by plaintiff in the above described lands has been duly proven.

(2) That the defendants to said complaint do not have any right, title, interest or claim in and to the above described property.

(3) That the plaintiff is the owner of said lands as described above and has a fee simple title thereto, free of all liens and encumbrances, and that its said title thereto be and is hereby established, and that all doubts and disputes concerning the same be and are hereby cleared up.

(4) That a certified copy of this decree be recorded in the office of the Judge of Probate of Shelby County, Alabama, and that it be indexed in the name of Calera Northwest, Inc., vs. L. A. Welch, et als, on both the direct and the indirect index of the record thereof.

(5) That plaintiff pay the costs of these proceedings, for which let execution issue.

Done this the 2nd day of July, 1973.

FILED IN OFFICE, This the 2nd day

of July 1973

Ryle Lunsford

Register Circuit Court of
Shelby County, Alabama

James H. Shadwell
Judge

1973 JUL 31 PM 3:15
U.C.C. FILE NUMBER 1973-07-31
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