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Shelby Cnty Judge of Probate, AL
10/20/1975 03:06:00 PM FILED/CERT

IN THE MATTER OF THE ESTATE OF
MARY A. PETERS, an incompetent

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

CASE NO. E-735-75

This matter now coming on to be heard before the Court upon the petition filed hereby by Albert L. Scott, guardian of Mary A. Peters, an incompetent, said guardian having been duly appointed, qualified and acting as such, said petition praying for the sale of the interest of the said incompetent in certain real estate described in said petition.

It appears from the allegations of the said petition that the said Mary A. Peters is an incompetent; that said petitioner shows that service was had on the said Mary A. Peters and her custodian and Ella Peters, the next of kin, as required by law.

The Court had heretofore appointed Frank Ellis, Jr. of Shelby County, Alabama, as guardian ad litem for the said incompetent, and said guardian ad litem has appeared and accepted the appointment in writing and denied all of the allegations of the said petition,

And the said petition now coming on to be heard, is submitted for the decision of the Court upon the petition, the service of process, the appointment and answer of the guardian ad litem, the adult next of kin and custodian of said ward having been served notice of the petition as shown by previous orders of the court, and upon the testimony of Albert L. Scott, Bill Allen and F. P. Givhan, and which has been taken orally and by affidavit, before the Court; and upon consideration of the same, the court finds that all the allegations of the said petition are true and that the said incompetent, Mary A. Peters, owns the real property described in said petition; that there is no valid authority vested in any person by the terms of any instrument under which the said incompetent holds title to the said property, to sell said property, and that sale thereof is not prohibited nor restricted by such instrument; that it is to the interest of the said incompetent that said sale be made; that the price named in said petition is a fair and reasonable market value of the said property; that the property can better be sold to the interest of the said incompetent at a private sale than a public sale. It is, therefore,

ORDERED, ADJUDGED AND DECREED BY THE COURT:

(1) That the price offered by John Nichols Prince for the said real estate described in the petition in this cause, which is described as follows:

One rectangular lot, 75 x 150 feet, facing 75 feet on Middle Street, in the Town of Montevallo, Alabama located as follows: Begin at a point on the Westerly boundary of Middle Street 75 feet from the NW corner of the intersection of Middle Street and Valley Streets, in a Northerly direction; thence perpendicular to Middle Street in a Westerly direction 150 feet; thence in a Northerly direction parallel to Middle Street 75 feet; thence in an easterly direction 150 feet to the Westernmost boundary of Middle Street; thence in a southerly direction 75 feet along said boundary to point of beginning,

is a fair and reasonable market value of said real estate.

(2) That it is to the best interest of the said incompetent that said parcel of real estate be sold at private sale.

(3) That Albert L. Scott, as the duly appointed, qualified and acting guardian of the said Mary A. Peters, be and he is hereby ordered and directed to make a conveyance of the parcel of land to the purchaser thereof by the execution of and delivery to the said John Nichols Prince of the warranty deed referred to in the petition, upon the said John Nichols Prince fully complying with his said offer.

(4) That the warranty deed, shown and exhibited to the Court in open Court is hereby approved by the Court.

(5) That the costs of this matter, including a fee to the guardian ad litem of \$50.00 to be taxed by the register as a part of the costs to be paid by the petitioner in this proceeding.

Done this the 30th day of July, 1975

James W. Shalbert
Judge
1975 OCT 20 PM 3:06
STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
Consul M. Shalbert
JUDGE OF PROBATE

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FILED IN OFFICE, This the 30th day
of July 1975

Kyle Lansford
Register Circuit Court of
Shelby County, Alabama

13 MAR 1975