

1056
LEONARD N. WYATT,
Executor of the estate
of KATHLEEN E. WYATT,
Deceased,

Plaintiff,

vs.

THOMAS A. CHATHAM,

Defendant.

) IN THE CIRCUIT COURT OF

) SHELBY COUNTY,

) ALABAMA

) CASE NO: L-669-75



19751217000070990 1/2 \$.00
Shelby Cnty Judge of Probate, AL
12/17/1975 12:00:00AM FILED/CERT

FINAL DECREE

The following cause having been presented to this Court and the Court being aware of the contents of the Petition for Declaratory Judgment in said cause, does hereby understand and acknowledge the facts contained in said Petition;

WHEREFORE, PREMISES CONSIDERED, the Court is of the opinion that the relief prayed for in said Petition for Declaratory Judgment should be granted and it is therefore ORDERED, ADJUDGED AND DECREED as follows:

1. That the instrument signed and executed by the parties on the 14th day of June, 1973, and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Volume 332, Page 9, in said Probate Office shall be declared to be a valid and binding lien against the following described property as intended by the parties:

Commence at the NE Corner of the NE 1/4 of the NW 1/4 of Section 33, Township 19 South, Range 2 East, Shelby County, Alabama; thence proceed South 2 deg. 36' West for a distance of 945.45 feet to the point of beginning of land herein described, this point being located on the West right of way line of Alabama Highway No. 25; from this beginning point turn an angle of 1 deg. 36' to the left and proceed South 1 deg. 00' West along the west right of way line of said highway for a distance of 203.0 feet; thence proceed North 85 deg. 48' West for a distance of 497.7 feet; thence proceed North 3 deg. 37' West for a distance of 204.68 feet; thence proceed South 85 deg. East for a distance of 514.2 feet to the point of beginning. The above described land is located in the NE 1/4 of the NW 1/4 of Section 33, Township 19 South, Range 2 East Shelby County, Alabama, and contains 2.3 acres.

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The Court hereby confirms and holds valid the sale of the land made to the purchasers under a mortgage foreclosure deed and holds that the title and fee is in Robert P. Sanders and wife, Donna J. Sanders, free and clear of all liens that may have been on the property prior to the issuance of their foreclosure deed dated the 6th day of January, 1975.

It is held by this Court that any title and interest in and to the property of Thomas A. Chatham is divested from him and he has no interest in the property as of the date of foreclosure of the intended mortgage which was dated the 14th day of June, 1973, and he therefore holds no interest in said property as of the result of the said foreclosure of the intended purchase money mortgage.

The costs in this cause are hereby taxed against the defendant for which let execution issue.

DONE AND ORDERED this the 17th day of December 1975.

James H. Sharbitt
CIRCUIT JUDGE

STATE OF ALABAMA
SHELBY COUNTY

I, Kyle Lansford, Clerk of the Circuit Court of Shelby County, Alabama, hereby certify the above and foregoing to be a true and correct copy of the Final Decree in the case of Leonard N. Wyatt, Executor of the estate of Kathleen E. Wyatt, deceased vs. Thomas A. Chatham (Case No. L-669) as the same appears of record in my office in Shelby County, Alabama.

Witness my hand and seal this the 17th day of December, 1975.

Kyle Lansford
Circuit Clerk



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

1975 DEC 17 AM 11:02

Conrad M. Anderson
JUDGE OF PROBATE

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BOOK