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Shelby Cnty Judge of Probate, AL
01/21/1976 01:46:00 PM FILED/CERT

IN THE MATTER OF THE ESTATE OF
SCOTT LOVELADY, a minor

1838
IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

CASE NO. E-754-75

This matter now coming on to be heard before the Court upon the petition filed hereby by Edith Lovelady, guardian of Scott Lovelady, a minor, and Edith Louise Lovelady, a person over the age of 18 years whose disabilities of non-age have been removed, said guardian having been duly appointed, qualified and acting as such, said petition praying for the sale of the interest of the said minor in certain real estate described in said petition.

It appears from the allegations of the said petition that the said Scott Lovelady is a minor; that said petitioner shows that service was had on the said Scott Lovelady and his guardian as required by law.

At a former day of the term, the Court appointed Oliver Head of Shelby County, Alabama, as guardian ad litem for the said minor, 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 party having been given notice of the petition as shown by previous orders of the court, and upon the testimony which has been taken orally 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 minor, Scott Lovelady, owns an undivided one-fourth interest, and that the said Edith Louise Lovelady, owns an undivided one-fourth interest, in and to the 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 minor 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 minor that said sale be made; that the price named in said petition is the fair and reasonable market value of the said property; that the property can better be sold to the interest of the minor at the private sale than a public sale. It is, therefore,

ORDERED, ADJUDGED AND DECREED BY THE COURT:

(1) That the price offered by James Neal Smitherman and Sara Inez Smitherman for the said real estate described in the petition in this cause, which is described as follows:

Lot 13 of P. C. Wilson's Subdivision of Montevallo as recorded in Map Book 3, page 62 in the Probate Office of Shelby County, Alabama,

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

(2) That it is to the interest of the minor that his interest in and to the said parcel of real estate be sold.

(3) That Edith Lovelady, as the duly appointed, qualified and acting guardian of the said Scott Lovelady, be and she is hereby ordered and directed to make a conveyance of the interest of the said minor in the certain parcel of land to the purchaser thereof by joining in the execution of and delivery to the said James Neal Smitherman and Sara Inez Smitherman of the warranty deed referred to in the petition, upon the said James Neal Smitherman and Sara Inez Smitherman fully complying with their 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 is \$ 50.00 to be taxed by the register as a part of the costs to be paid by the respective parties to this proceeding in proportion to their interest in the said real estate.

Done this the 4th day of September, 1975

James H. Shabert
Judge



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FILED IN OFFICE, This the 10th day

of Sept. 1975

Kyle Lansford

Register Circuit Court of
Shelby County, Alabama

Conrad M. Anderson
JUDGE OF PROBATE

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

BOOK 14 PAGE 53