

627

STATE OF ALABAMA

SHELBY COUNTY

LUCY PAGE, ALPHONSO MOORE, WILLIE MCGRAW,
RICHARD MCGRAW, OPHELIA HATCHER, WILLIE
DAVIS, OTTO McDONALD & CEOLA WILLIAMS

PLAINTIFFS

VS

GOODMAN McDONALD & his unknown heirs, if
deceased, EDNA MAE WILLIAMSON & PERCY
WILLIAMSON

DEFENDANTS

CIRCUIT COURT--SHELBY COUNTY

CIVIL ACTION NO. E-1222-76



19761022000101720 1/3 \$.00
Shelby Cnty Judge of Probate, AL
10/22/1976 12:00:00 AM FILED/CERT

D E C R E E

This cause coming on to be heard is submitted for Decree upon Bill of Complaint, Answer and Testimony of Lucy Page, W. H. Hollins and Philander L. Butler, and proof as noted, and upon consideration thereof, the Court is of the opinion that the Plaintiffs are entitled to the relief prayed for in their Bill of Complaint, and find,

1. That the Plaintiffs, Lucy Page, Alphonso Moore, Willie McGraw, Richard McGraw, Ophelia Hatcher, Willie Davis, Otto McDonald and Ceola Williams, and Defendants, Goodman McDonald, his unknown heirs or devisees if deceased, Edna Mae Williamson and Percy Williamson were the owners as tenants-in-common and were in peaceful possession of the following described real estate, situated in Shelby County, Alabama, at the time this suit was filed and that no other suit is now pending to test said Title:

Commence at the Northwest corner of the Southwest one-fourth of Section 22, Township 20 South, Range 2 East, Shelby County Alabama; thence proceed South 0° 18' East along the west boundary of said section for a distance of 313.5 feet to the point of beginning. From this beginning point continue South 0° 18' East along the west boundary of said section for a distance of 1870.79 feet; thence turn an angle of 90° 07' to the left and proceed East for a distance of 466.69 feet; thence turn an angle of 89° 53' to the right and proceed South 0° 18' East for a distance of 466.69 feet to a point on the South boundary of said Section; thence proceed along the South boundary of said section for a distance of 325 feet, more or less, to its point of intersection with the West right-of-way line of U.S. 231 or Alabama No. 25 Highway; thence proceed northerly along the westerly right-of-way line of said Highway for a distance of 2330 feet, more or less, to a point that is South 0° 18' East of and 313.5 feet from the north boundary of said quarter section, thence proceed south 89° 35' west parallel to the North boundary of said quarter section for a distance of 1106.05 feet to the point of beginning. LESS AND EXCEPT THEREFROM a one acre tract of land deeded to Scotts-grove Baptist Church and shown by Deed in Deed Book 249, page 784.

All of the above described land is located in the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 22, Township 19 South, Range 2 East Shelby County, Alabama, and contains approximately fifty (50) acres.

2. That Plaintiffs. Lucy Page, Alphonso Moore, Willie McGraw and Richard McGraw each owns an undivided seven fifty-sixth interest in said land; Plaintiffs, Ophelia Hatcher, owns an undivided fourteen fifty-sixth interest in said land; Plaintiff, Willie Davis, owns an undivided two fifty-sixth interest in said land; Plaintiffs, Otto McDonald and Ceola Williams, each owns an undivided three fifty-sixth interest in said land; and Defendants, Goodman McDonald, Edna Mae Williamson and Percy Williamson, each owns an undivided two fifty sixth interest in said land.

3. That the property cannot be equitably divided or partitioned and a sale for distribution is necessary.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED, as follows:

(a) That Plaintiffs and defendants are the owners of said property as tenants-in-common, with Lucy Page, Alphonso Moore, Willie McGraw, and Richard McGraw each owning an undivided seven fifty-sixth interest in said land; Ophelia Hatcher owning an undivided fourteen fifty-sixth interest in said land; Willie Davis, Goodman McDonald, Edna Mae Williamson and Percy Williamson each owning an undivided two fifty sixth interest in said land and Ceola Williams and Otto McDonald each owning an undivided three fifty-sixth interest in said land.

(b) 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 and cross indexed as required by Section 1113, of Title 7, of the Code of Alabama, 1940.

(c) That said property was appraised by a reputable appraiser with a stated value of Twenty Thousand (\$20,000.00) Dollars

(d) That a purchaser has been obtained, Grady C. Kelley and Helen Ruth Kelley, who will pay Twenty-thousand (\$20,000.00) Dollars for said property.

(e) That Arthur D. Shores, Attorney, represented plaintiffs in this cause, and that a fee of Two Thousand (\$2000.00) Dollars is reasonable for his service.

(f) That the Honorable Kyle Lansford, Register, be hereby authorized to prepare and deliver a deed to Grady C. Kelley and Helen Ruth Kelley, on payment of Twenty-thousand (\$20,000.00) Dollars; and out of the proceeds of said sale, the Register be authorized as follows:

1. Pay costs for the proceedings of this court;
2. Pay accumulated ad valorem tax;
3. Pay to Arthur D. Shores, Attorney Two Thousand (\$2000.00) Dollars for his services
4. Pay HON. OLIVER P. HEAD, A GUARDIAN Ad LITEM Fee of \$100.00.

The balance of the proceeds to be paid to the following persons:

- ✓Alphonso Moore, an undivided seven fifty-sixth interest;
- ✓Lucy Page, an undivided seven fifty-sixth interest;
- ✓Willie McGraw, an undivided seven fifty-sixth interest;
- ✓Richard McGraw, an undivided seven-fifty-sixth interest;
- ✓Ophelia Hatcher, an undivided fourteen fifty-sixth interest;
- ✓Otto McDonald, an undivided three fifty-sixth interest;
- ✓Ceola Williams an undivided three fifty-sixth interest;
- ✓Willie Davis, an undivided two fifty-sixth interest;
- ✓Goodman McDonald, an undivided two fifty-sixth interest;
- ✓Edna Mae Williamson, an undivided two fifty-sixth interest;
- ✓Percy Williamson, an undivided two fifth-sixth interest.

DONE this 20th day of October, 1976.

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

1976 OCT 22 AM 7:32

Conrad M. Bunker
JUDGE OF PROBATE

James H. Shasbuck
CIRCUIT JUDGE, IN EQUITY SITTING.

19761022000101720 3/3 \$.00
Shelby Cnty Judge of Probate, AL
10/22/1976 12:00:00 AM FILED/CERT

FILED IN OFFICE, This the 20th day
of Oct 1976

Kyle Lansford
Register Circuit Court
Shelby County, Alabama

10-20-76

Certified a true and complete copy

Kyle Lansford
Register of Circuit Court

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