

W. D. UPTON, H. SHERMAN HOLLAND, I
JR., and VICTOR SCOTT,

Plaintiffs,

vs.

VERA KATHLEEN WILLIAMS,

Defendant.

IN THE CIRCUIT COURT OF

SHELBY COUNTY, ALABAMA

CASE NO. E-1425-77

19780227000024160 1/3 \$.00
Shelby Cnty Judge of Probate, AL
02/27/1978 12:00:00 AM FILED/CERT

D E C R E E

This cause coming on to be heard before the undersigned Judge on the 27th day of January, 1978 and all of said parties involved in this cause of action being present in open court either in person or by and through their attorneys of record; and the attorneys and parties to this cause of action having entered into a consent settlement or agreement for the disposition of this cause, all as set out hereinbelow; it is

THEREFORE, ORDERED, ADJUDGED and DECREED AS FOLLOWS:

1. That the plaintiffs were the owners, on the date said suit was filed, of the following described tract of land:

Begin at the Southwest corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 25 and run East along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section 130.60 feet to a point on the Westerly right-of-way line of U. S. Highway No. 31; thence an angle left of 75 deg. 29 min. and run Northeasterly along said right-of-way line for a distance of 919.9 feet; thence an angle left of 104 deg. 31 min. and run West parallel to the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section 365.88 feet to a point on the Easterly right-of-way line of L & N Railroad; thence an angle left of 83 deg. 07 min. 30 sec. and run Southerly along said L & N Railroad right-of-way line 896.47 feet to a point on the South line of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26, Township 20 South, Range 3 West; thence an angle left of 96 deg. 37 min. and run East 112.02 feet to point of beginning. Said tract contains 6.2195 acres. Situated in Shelby County, Alabama.

2. That the defendant, Vera Kathleen Williams is the owner of a tract of land which lies immediately South of plaintiffs' land described in Paragraph One (1) above. Said Vera Kathleen Williams' tract of land is described as follows:

Beginning at the point of intersection of the West right-of-way line of the Birmingham-Montgomery Highway with the North line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36, Township 20 South,

Range 3 West; thence run West 254 feet to the East right-of-way line of the L & N Railroad right-of-way; thence run South 100 feet and parallel to R. R. right-of-way; thence run East 254 feet to the West right-of-way line of Birmingham-Montgomery Highway; thence run North along West right-of-way line of said Highway 100 feet to point of beginning, said parcel of land being in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35, and in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36, all in Township 20 South, Range 3 West.

EXCEPTING HIGHWAY RIGHT-OF-WAY of 4-Lane Birmingham-Montgomery Highway, and SUBJECT to Easement to American Telephone and Telegraph Company.

3. That the defendant, Vera Kathleen Williams has openly, notoriously, continuously and adversely possessed a portion of the property previously described and lying conterminous with the land owned by the plaintiffs as described in Paragraph One (1) above. That the defendant, Vera Kathleen Williams is the owner of that portion of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West and the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26, Township 20 South, Range 3 West, described as follows:

A part of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West and the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26, Township 20, Range 3 West, more particularly described as follows: Begin at the point of intersection of the Easterly right-of-way line of the Louisville and Nashville Railroad with the South line of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26, Township 20, South, Range 3 West; thence run East along said South line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 112.02 feet to the Southwest corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 25, Township 20, Range 3 West; thence East along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 130.6 feet to a point on the Westerly right-of-way line of U. S. Highway 31; thence turn an angle to the left of 75 deg. 29 min. and run Northerly along said Westerly right-of-way line a distance of 34 feet; thence turn left and run in a Southwesterly direction a distance of 252 feet, more or less, to a point on the Easterly right-of-way line of the Louisville and Nashville Railroad; said point being located 12 feet North of the point of beginning; thence run in a Southerly direction along the East line of said railroad right-of-way a distance of 12 feet to the point of beginning.

That the defendant, Vera Kathleen Williams has no other right, claim, title or interest in any of the property described in Paragraph One (1) of this Decree.

4. That the costs of this proceeding be taxed against the plaintiffs, for which execution may issue as provided by law.

5. That a copy of this final decree be recorded and indexed in the appropriate records in the Judge of Probate's Office in Shelby County, Alabama.

Done this the 22nd day of February, 1978.

James H. Sharbutt
Judge

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Shelby Cnty Judge of Probate, AL
02/27/1978 12:00:00 AM FILED/CERT

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1978 FEB 27 PM 3:08

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Rec. 3.00
Ind. 1.00
6.00

FILED IN OFFICE, This the 22nd day
of Feb. 1978

Kyle Sanford

Register Circuit Court of
Shelby County, Alabama