

R. WAYNE GORDON,

Plaintiff,

vs.

Certain land and Frank
Rice, et als,

Defendants.

IN THE CIRCUIT COURT OF

SHELBY COUNTY, ALABAMA

CASE NO. CV-79-28

19790417000046480 1/3 \$.00
Shelby Cnty Judge of Probate, AL
04/17/1979 12:00:00 AM FILED/CERT

DECREE

This cause coming on to be heard on this the 11
day of April, 1979, is submitted for final decree upon Plaintiff's
verified complaint, upon the default judgment rendered herein and
upon the testimony of Harris M. Gordon, taken orally before the
Court on the 11th day of April, 1979, by order of the Court and
reduced to writing, and the certificate of the Register, all of
which is as noted by the Register, and it appears to the satisfac-
tion of the Court:

First: That the Plaintiff, R. Wayne Gordon, at the time
of the filing of his complaint in this cause, claimed in his own
right a fee simple title to and was in the actual peaceable
possession of the following described lands, lying in the county of
Shelby, State of Alabama and more particularly described as follows:

All that part of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$,
Section 3, Township 22, Range 2 West, Shelby
County, Alabama, lying North of the Elyton Road.

Second: That at the time of the filing of said complaint,
no suit was pending to test his title to, interest in or the right
to the possession of said lands.

Third: That his said complaint was and is duly verified,
and was filed against Frank Rice and C. J. Donald, or, if deceased,
their heirs or devisees, and all parties who, unknown to Plaintiff
claim an interest in or to the above described property, or who
may have claimed some title to, interest in, lien or encumbrance on
said land or a part thereof and was to establish the right or title
to such lands or interest, and to clear all doubts or disputes

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concerning the same, and that said complaint did in all respects comply with the provisions of the Code of Alabama 1975, Sec. 1-1-15.

Fourth: That the whereabouts of unknown persons, their ages and addresses or whether living or dead who were made Defendants were unknown to Plaintiff and that he exercised diligence to ascertain the facts with regard thereto.

Fifth: That notice of the pendency of said complaint was drawn and signed by the Register of this court and said Register did have such notice published once a week for four consecutive weeks in the Shelby County Reporter, a newspaper having general circulation and published in Shelby County, Alabama, as prescribed by rule of this Court or by an order made in this cause.

Sixth: That a copy of said notice, certified by the Register as being correct, was recorded as a lis pendens in the office of the Probate Judge of said county, said notice being in strict accord and compliance with the Code of Alabama 1975, Sec. 1-1-15.

Seventh: That it has been more than sixty days since the first publication of said notice and filing of a certified copy of said notice in the office of the Probate Judge of said county. Eighth: That no person has intervened in this cause. Ninth: That all of the allegations of fact contained in Plaintiff's complaint are true. It is, therefore,

ORDERED, ADJUDGED and DECREED by the Court (1) that

Plaintiff is entitled to the relief prayed for in his Complaint, and that the fee simple title claimed by Plaintiff in the above described lands has been duly proven;

(2) That the Defendants to said complaint do not have any right, title, interest or claim in and to the above described property.

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(3) That the Plaintiff is the owner of said lands as described above and has a fee simple title thereto, free of all liens and encumbrances, and that his said title thereto be and is hereby established, and that all doubts and disputes concerning the same be and are hereby cleared up.

(4) 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 in the name of R. Wayne Gordon vs. Frank Rice, et al, on both the direct index and the indirect index of the record thereof.

(5) That the guardian ad litem in this cause is awarded the sum of \$50.00 as payment for his services as such guardian ad litem, the same to be taxed as part of the costs herein.

(6) That Plaintiff pay the costs of these proceedings, for which let execution issue.

Done this the 12 day of April, 1979.

[Signature]
JUDGE

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

1979 APR 17 PM 1:45

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Rec. 4.50
Incl. 1.00
5.50

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FILED IN OFFICE THIS THE 12th DAY
OF April, 1979

Kyle Sanford

Clerk of Circuit Court
Shelby County, Alabama