

MELVIN RAY HOLLEY and
BARBARA ANN HOLLEY,

Plaintiffs,

vs.

Certain land Millie Brasher,
et als,

Defendants.

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

CASE NO. CV-79-257 (E)



19791113000148210 1/3 \$.00
Shelby Cnty Judge of Probate, AL
11/13/1979 12:00:00 AM FILED/CERT

DECREE

33 PAGE 673
BOOK

This cause coming on to be heard on this the 13th day of November, 1979, is submitted for final decree upon plaintiffs' verified complaint, upon the default judgment rendered herein and upon the testimony of Melvin Ray Holley and Albert Poe, taken orally before the Court on the 31st day of October, 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 satisfaction of the Court:

First: That the plaintiffs, Melvin Ray Holley and Barbara Ann Holley, at the time of the filing of their complaint in this cause, claimed in their own right a fee simple title to and were 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:

Begin at the Southwest corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 12, Township 22 South, Range 1 West; thence run North along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 210.00 feet; thence turn an angle of 88 deg. 19 min. 23 sec. to the right and run a distance of 420.00 feet; thence turn an angle of 91 deg. 40 min. 27 sec. to the right and run a distance of 210.00 feet; thence turn an angle of 88 deg. 19 min. 23 sec. to the right and run a distance of 420.00 feet to the point of beginning. Situated in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 12, Township 22 South, Range 1 West, Shelby County, Alabama.

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

FILED IN OFFICE THIS THE 13th DAY
OF November, 197 9.

Kyle Ransford

Clerk of Circuit Court
Shelby County, Alabama

Third: That their said complaint was and is duly verified, and was filed against Millie Brasher, Milly Brasher, Hardy Horton and Willie F. Brasher, or, if deceased, their heirs or devisees, and all parties who, unknown to plaintiffs 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 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 plaintiffs and that they exercised diligence to ascertain the facts with regard thereto.

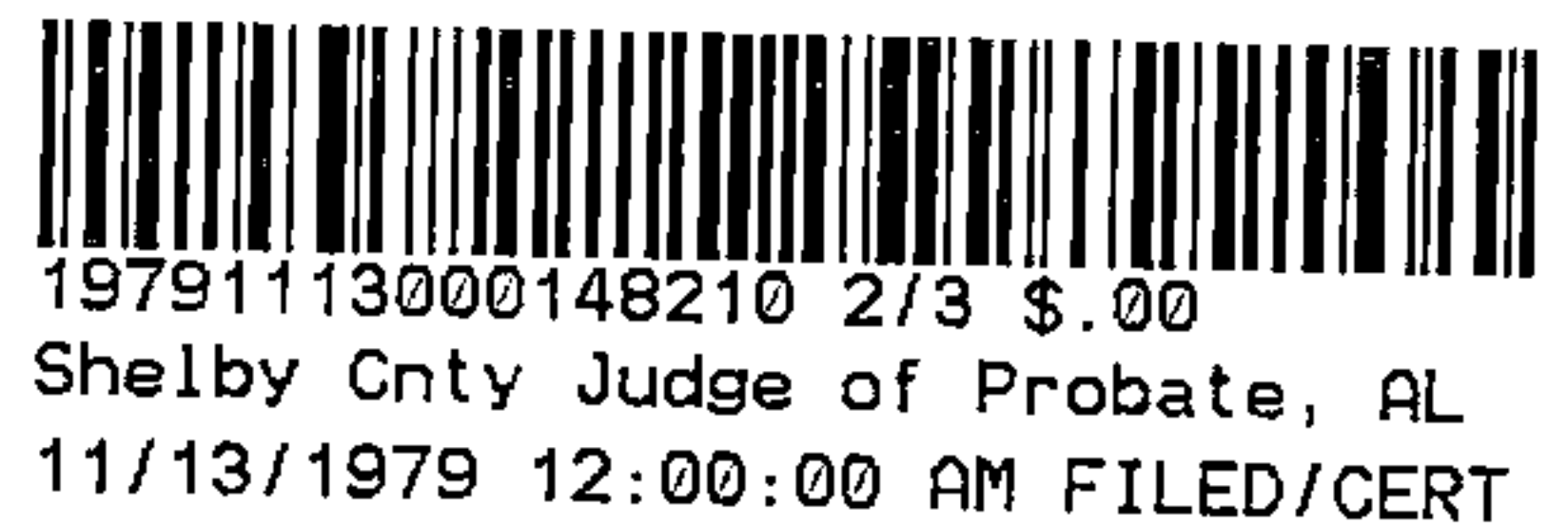
Fifth: That notice of the pendency of said complaint was drawn and signed by the Register of this court and said Register did have such notice published once a week for four consecutive weeks in the Shelby County Reporter, a newspaper having general circulation and published in Shelby County, Alabama, 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 plaintiffs' complaint are true. It is; therefore,



ORDERED, ADJUDGED and DECREED by the Court (1) that plaintiffs are entitled to the relief prayed for in their complaint, and that the fee simple title claimed by plaintiffs 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.

(3) That the plaintiffs are the owners of said lands as described above and have a fee simple title thereto, free of all liens and encumbrances, and that their 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 Melvin Ray Holley and Barbara Ann Holley vs. Millie Brasher, 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 plaintiffs pay the costs of these proceedings, for which execution may issue.

Done this the 13 day of November, 1979.

Charles E. McLean
CIRCUIT JUDGE



19791113000148210 3/3 \$.00
Shelby Cnty Judge of Probate, AL
11/13/1979 12:00:00 AM FILED/CERT

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
1979 NOV 13 PM 3:08

Thomas A. Shouder, Jr.
JUDGE OF PROBATE

Rec. 4.50
Ind. 1.00
5.50