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IN THE CIRCUIT COURT FOR SHELBY COUNTY,
ALABAMA

JAMES WILLIAM PARKER, *

PLAINTIFF *

VS

CASE NO. DR-78-270

MARY JOAN PARKER, *

DEFENDANT *

FINAL DECREE OF DIVORCE



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Shelby Cnty Judge of Probate, AL
03/21/1980 12:00:00 AM FILED/CERT

This cause coming on to be heard was submitted for final decree upon the pleadings, exhibits and oral testimony taken before the court. Upon consideration thereof, it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. That the bonds of matrimony heretofore existing between the Plaintiff and Defendant are dissolved, and the said James William Parker is forever divorced from the said Mary Joan Parker.

2. That neither party shall marry again except to each other until 60 days after the date of this divorce decree, and if an appeal is taken (which must be instituted within 42 days from this decree or from the date that a post trial motion is denied), then neither party shall again marry except to each other during the pendency of the appeal.

3. It is further Ordered, Adjudged and Decreed that the Plaintiff shall maintain a policy of life insurance insuring the plaintiff's life for an amount equal to or greater than \$15,000.00 per child, naming the children of the plaintiff as beneficiaries of said policy and that plaintiff shall maintain said policy in full force and effect until such time as each child attains the age of 21 years. It is further ordered that the plaintiff shall maintain a policy of hospitalization insurance, similar to the type presently in effect, providing hospitalization insurance for the parties' minor children and that the plaintiff shall maintain said policy covering said minor children until such time as each child shall attain the age of 19 years. It is a further order of this court and part of

this decree that in accordance with the agreements of the parties that the plaintiff shall assist the defendant in obtaining a hospitalization insurance for the defendant at a reasonable price, however, the defendant shall be responsible to pay for said insurance herself.

4. The defendant, Mary Joan Parker, is awarded the care, custody and control of the parties' minor children, Leah Hope Parker, age 16 years and James W. Parker, Jr., age 8, subject to the plaintiff, James William Parker's, right of reasonable right of visitation with said children and the right to have said children visit with him on every other week-end from 5:00 P. M. Friday until 5:00 P. M. Sunday next, for one week during the Christmas holidays, for for one month during the summer vacation period, and other reasonable times and places. It is further, ordered, adjudged and decreed that the plaintiff shall pay to the defendant the sum of \$500.00 per month as child support, until such time as the parties' ~~children~~ ^{youngest child shall attain} the age of 19, marry or become full-time employed.

5. It is further Ordered, Adjudged and Decreed that the defendant shall execute an instrument creating a joint tenancy with right of survivorship with the plaintiff to the following described real property:

Begin at the Southwest corner of the Northwest Quarter of the Southeast Quarter of Section 21, Township 19 South, Range 2 West, Shelby County, Alabama; thence run in a Northerly direction along the West line of said quarter-quarter for a distance of 190.02 feet to the center line of a public road; thence turn an angle to the right of 66 degrees 29 minutes 26 seconds and run in a Northeasterly direction along the center line of said road a distance of 79.46 feet to a point of commencement of a curve to the left having a central angle of 42 degrees 41 minutes 36 seconds (total curve angle being 58 degrees 29 minutes) and a radius of 210.0 feet; thence continue along the arc of said curve a distance of 156.48 feet; thence turn an angle to the right (angle being measured from chord of last described curve) of 68 degrees 39 minutes 12 seconds (said line being radial to said curve) and run in a Southeasterly direction a distance of 381.69 feet; thence turn an angle to the right of 66 degrees 13 minutes and run in a Southerly direction a distance of 200.00 feet to its intersection with the South line of said quarter-quarter; thence turn an angle to the right of 92 degrees 37 minutes 36 seconds and run in a Westerly direction along the South line of said quarter-quarter a distance of 531.00 feet to the point of beginning. Less and except from the above portion that may be located in any dedicated roadway.

It is a further order of this court that the plaintiff shall be responsible to make the payments on the mortgage presently existing on the aforesaid property, payable to the First Federal Savings and Loan Association of Bessemer and further to provide a policy of casualty insurance insuring the aforesaid real property from loss by casualty. It is further ordered that the plaintiff shall perform any immediate and necessary maintenance on the said real property and the defendant shall maintain said property in good condition and shall have the right to occupy the aforesaid property until such time as the parties' youngest child attains the age of 19, marries, or becomes full-time employed, or such time as the defendant re-marries, at which time, in either event, the aforesaid real property shall be sold according to law and the proceeds of the sale shall be divided equally between the parties, less expenses of sale and payment of the balance of the aforesaid mortgage to the First Federal Savings and Loan Association of Bessemer.

6. It is further Ordered, Adjudged and Decreed that the defendant shall execute an instrument and there shall be created a joint tenancy with right of survivorship between the plaintiff and defendant in the following real property:

A parcel of land situated in the NE 1/4 of the NE 1/4 of Section 28, Township 19 South, Range 2 West, being more particularly described as follows: Commence at the NE corner of Section 28, Township 19 South, Range 2 West and run in a Westerly direction along the North line of said Section a distance of 1103.90 feet to a point; thence 104° 10' to the left in a Southeasterly direction a distance of 1043.18 feet to the point of beginning; thence 99° 03' to the left in a Northeasterly direction a distance of 180.00 feet to a point; thence 87° 02' to the right in a Southeasterly direction a distance of 237.40 feet to a point on the Northerly line of Cahaba Valley Road; thence 92° 58' to the right in a Southwesterly direction along the Northerly line of Cahaba Valley Road a distance of 230.00 feet to a point; thence 99° 03' to the right in a Northwesterly direction a distance of 240.00 feet to the point of beginning. EXCEPT any part that lies within any road.

Subject to: Right of Way granted to Alabama Power Company by instrument(s) recorded in Deed Book 101, Page 529; Deed Book 141, Page 172, and Deed Book 186, Page 178. Right of way and rights in connection therewith granted to Shelby County, Alabama, in Deed Book 135, Page 19. Mortgage executed by Emmett W. Cloud and Margaret B. Cloud, to Fidelity Federal Savings and Loan Association of Birmingham, recorded in Mortgage Book 322, Page 678



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The Plaintiff shall have the absolute right of possession and occupancy of the aforesaid real property and shall pay any outstanding mortgages on said property and may develop, change or encumber said property providing the plaintiff is primarily responsible for the payment of any encumbrances over and above the value of the property and shall agree and indemnify and hold defendant free of any loss or expense in the development of said property and if the aforesaid real property is ever sold or produces a profit, other than that profit or business use of the business of the plaintiff, then any profit from the sale or lease of aforesaid real property shall be divided equally between the parties hereto.

7. It is further ordered, adjudged and decreed that the parties shall execute any instruments necessary to carry out this decree and in their failure to do so within thirty (30) days hereof, the Clerk of this Court is empowered to execute any instruments necessary to carry out this decree on behalf of either party hereto.

8. The cost of this cause are taxed against the plaintiff, for which collection of execution may issue as provided by law.

DONE this the 20th day of June, 1979.

FILED IN OFFICE, This the 20th day

of June 1979

Kyle Lansford

Register Circuit Court of
Shelby County, Alabama

6-22-79

Certified a true and complete copy

Kyle Lansford
Register of Circuit Court

James H. Shadett
~~Harold Warden~~
Circuit Judge

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
FILED

15:0 MAR 21 AM 8:57

James H. Shadett, Jr.
JUDGE OF PROBATE

rec 6.00
ind 1.00
7.00

