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CALERA NORTHWEST CORPORATION, INC.,
Plaintiff,

vs.

Certain Land and Lucretia A. Welch,
et al,

Defendants.

IN THE CIRCUIT COURT

SHELBY COUNTY, ALABAMA

Case No. CV-80-308 (E)

19810828000093100 Pg 1/3 .00
Shelby Cnty Judge of Probate, AL
08/28/1981 00:00:00 FILED/CERTIFIED

DECREE

This cause coming on to be heard on the 20th day of August, 1981, is submitted for final decree upon plaintiff's verified complaint, upon the default judgment rendered herein and upon the testimony of Karl C. Harrison, taken orally before Register of the Court 3rd day of August, 1981, 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 plaintiff, Calera Northwest Corporation, Inc., at the time of the filing of its complaint in this cause, claimed in its 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:

That lot of land commencing in the center of the Louisville & Nashville Railroad where the same crosses the Southern Railway and running thence in a southerly direction along the track of the Louisville & Nashville Railroad 225 feet to Lapsley Avenue; thence in a northeasterly direction parallel with the track of the said Southern Railway 380 feet to the Westerly line of Gilmer Street; thence North to the center of the track of the said Southern Railway; and thence in a southwesterly direction along the center line of said Southern Railway 385 feet 6 inches to the point or place of beginning, so as to include what is known and called "Block A", in the village of Calera in Shelby County, Alabama; said land also being described as Block 174, according to J.H. Dunstan's Map of the Town of Calera, Alabama.

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

Third: That its said complaint was and is duly verified and was filed against Lucretia A. Welch, if living, and if not, the heirs or devisees, of Lucretia A. Welch; Jonathan F.M. Welch, or his heirs or devisees; Ernest Welch, or his heirs or devisees; Horace Welch, or his heirs or devisees; D. Scott Welch, or his heirs or devisees; O.S. Welch, or his heirs or devisees; Zeaba C. Welch, or his heirs or devisees; Sallie Duncan, or her heirs or devisees; Vesta Yeatman, or his heirs or devisees; W.K. Yeatman, or his 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 concerning the same, and that said Complaint did in all respects comply with the provisions of the Code of Alabama, 1975, Section 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 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, Section 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 that (1)
plaintiff is entitled to the relief prayed for in its 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.

(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 its 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 Judge of Probate of Shelby County, Alabama, and
that it be indexed in the name of Calera Northwest Corporation, Inc.,
vs. Lucretia A. Welch, et al, on both the direct index and 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 charges as 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 20 day of August, 1981.

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

1981 AUG 28 AM 10:00

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Dec 4.50
Jud 1.00
5.50

Robert R. Armstrong
Judge

FILED IN OFFICE THIS THE <u>20th</u> DAY
OF <u>August</u> , 19 <u>81</u>
<u>Kyle Sanford</u>
Clerk of Circuit Court Shelby County, Alabama

8-21-81
Certified a true and complete copy
Kyle Sanford
Clerk of Circuit Court

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