

LEOLA BRASHER and CLARENCE
BRASHER,

PLAINTIFFS,

VS.

NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ of Section 31,
Township 19 South, Range 1 West,
Etc., et al,

and

ALABAMA MINERAL LAND COMPANY,
A corporation,

DEFENDANTS

VS.

CHARLES W. DANIEL, ET AL,

INTERVENORS,

VS.

EARLEY C. MACON and JOSEPHINE
MACON,

INTERVENORS

IN THE CIRCUIT COURT OF

SHELBY COUNTY, ALABAMA

CIVIL ACTION NO. E- 5526

Certified a true and complete copy

Kyle Sanford
Register of Circuit Court

APR 26 1983

FINAL ORDER

This cause coming on to be heard on February 5, 1975, pursuant to previous order of this Court, and the Court having on said date proceeded to hear testimony under oath from the parties to said cause, and the Court having further received other evidence and exhibits as introduced by the parties and as provided by previous agreement, the court is of the opinion and specifically finds that the Intervenor Earley C. Macon and Josephine Macon are not entitled to the relief prayed for in their Complaint in Intervention and that in addition the Court specifically finds as follows, to-wit: (1) That the Intervenor Earley C. Macon and Josephine Macon have failed to meet the burden of proof required to set aside, cancel or otherwise modify or change in any respect that certain deed executed by Jack Brasher and wife, Leola Brasher on June 18, 1968, in favor of the defendant Alabama Mineral Land Company, a corporation, which said deed is recorded in Deed Book 253, page 772, in the Probate Records of Shelby County, Alabama; (2) That the Intervenor Earley C. Macon and Josephine Macon have otherwise failed to establish that they have any right, interest, title to or lien or encumbrance on the real estate hereinafter described; (3) That the Intervenor Charles W. Daniel and R. Hugh Daniel are the owners of and have legal title as against the Intervenor Earley C. Macon and Josephine Macon to the property hereinafter described; (4) That the Intervenor Charles W. Daniel and R. Hugh Daniel are entitled to the relief prayed for in their Intervenor's Complaint:

Alabama Title

It is, therefore, CONSIDERED, ADJUDGED, ORDERED and DECREED by the Court as follows:

1. That the Intervenor Charles W. Daniel and R. Hugh Daniel, Jr., in their own right own the following described land and an absolute and entire fee simple title thereto free of all liens and encumbrances except the liens in favor of the State of Alabama and Shelby County which secures non-delinquent ad valorem taxes assessed against said land, said lands being situated in Shelby County, Alabama, and more particularly described as follows, to-wit:

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31, Township 18-South, Range 1 West, Except a strip 165 feet wide across the North side of said $\frac{1}{4}$ $\frac{1}{4}$ Section and except highway right of way.

2. That no suit other than this cause is pending to test Intervenor Charles W. Daniel and R. Hugh Daniel, Jr. title to, interest in, or right to possession of said above described lands or any part thereof.

3. That title to the above said land stands upon the records of the Probate Judge of Shelby County, Alabama, in the name of Intervenor Charles W. Daniel and R. Hugh Daniel, Jr. by deed executed by The Alabama Mineral Land Company dated August 17, 1972, and recorded in Deed Book 275, page 757, in the Probate Records of Shelby County, Alabama.

4. That the Intervenor Earley C. Macon and Josephine Macon and separately and severally the original plaintiffs Leola Brasher and Clarence Brasher own jointly or severally no right, title to, interest in, or lien or encumbrance on said property and title to the above described property is hereby quieted in the Intervenor Charles W. Daniel and R. Hugh Daniel, Jr.

5. That this said cause is properly designated as an in rem proceeding against the above described land and the parties to said cause.

6. That title to the above described property should be and the same is hereby vested in the Intervenor Charles W. Daniel and R. Hugh Daniel, Jr.

7. That the cost of court in this said cause should be and the same are hereby taxed against the intervenors Earley C. Macon and Josephine Macon, for which let execution issue after the expiration of thirty days from the date hereof.

Done this 5th day of March, 1975.

FILED IN OFFICE, This the 5th day

of March 1975

Judge

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

Certified a true and complete copy

Kyle Sanford APR 26 1983
Register of Circuit Court

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