

1481

HOMER L. DOBBS, et al,
Plaintiffs
v.
JAMES THORNTON, et al,
Defendants

FILED IN OFFICE THIS THE AUG 20 1987

OF IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
EQUITY DIVISION,
Clerk of Circuit Court
Shelby County, Alabama

Case No. CV86-126(E)

JUDGMENT AND ORDER OF THE COURT

This cause coming on to be heard on the Complaint and the Cross-Claims and the Counter-Claims of the Defendants filed herein, and said cause being submitted to the Court for Final Judgment and Order based upon the pleadings and agreements of the parties: it is therefore, CONSIDERED, ORDERED, ADJUDGED and DECREED by the Court as follows:

1. Plaintiffs' Complaint petitioning this Court to vacate the subject roadway is hereby granted and said roadway is closed and vacated. Said roadway, now vacated, being the same roadway that was the subject of Shelby County Circuit Court Civil Action No. E-561-75, is more particularly described as:

"Parcel I: Beginning at a point on County Highway 26 where the SW right-of-way intersects an old County Road, said point being approximately 200 feet South of the North line of the NW-1/4 of the SE-1/4 of Section 14, Township 21 South, Range 2 West, and approximately 600 feet East of the West line of said 1/4-1/4 section; thence run in a Southwesterly direction along said old County Road a distance of 3500 feet, more or less, to a point on the West line of the NE-1/4 of the NW-1/4, Section 23, Township 21 South, Range 2 West, said point being approximately 250 feet South of the NW corner of

Certified a true and complete copy

Clerk of Circuit Court

said NE-1/4 of the NW-1/4; thence run South along the said West line of the NE-1/4 of the NW-1/4 a distance of 850 feet, more or less to a point; thence run in a Southeasterly and Easterly direction a distance of 1000 feet, more or less, to the point of ending at the intersection with the North line of Gulf States Paper Corporation lands.

"Parcel II: Beginning at a point on the above described old road where said old road intersects the West line of the NE-1/4 of the NW-1/4, Section 23, Township 21 South, Range 2 West; thence run in a Westerly direction along a different old road a distance of 660 feet, more or less, to the point of ending on the intersection of said different old road and the West line of the East Half of the NW-1/4 of the NW-1/4, Section 23, Township 21 South, Range 1 West, which is the East line of Gulf States Paper Corporation lands."

2. That the Cross-Claims and Counter-Claims of the Defendant James Thornton and of the Defendant Gulf States Paper Corporation, petitioning this Court to vacate a roadway across the property of said Defendants, said roadway being a continuation of the roadway described hereinabove, is hereby granted and said roadway across the property of said Defendants is closed and vacated.

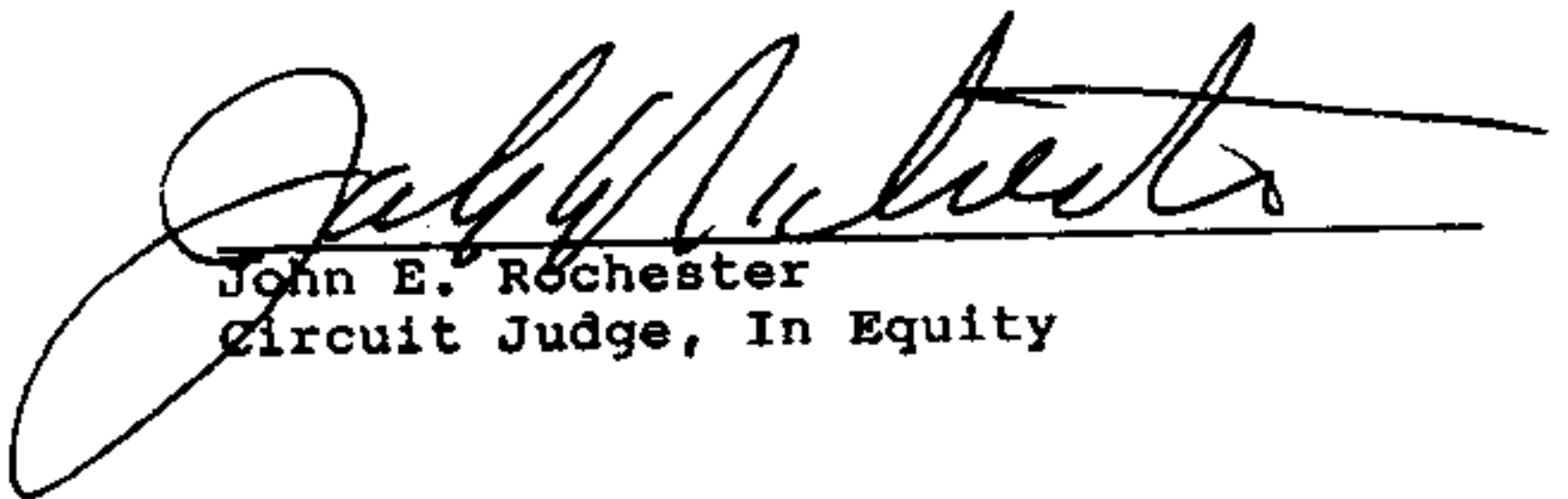
3. It is further ORDERED that this Court expressly reserves jurisdiction to set aside this Judgment at any time upon motion of Defendant Gulf States Paper Corporation or Defendant James Thornton according to the terms and conditions of the "Agreement and Consent Settlement" between the Plaintiffs and the Defendants James Thornton and Gulf States Paper Corporation, said

Agreement having been filed in this cause is incorporated in this Order by reference and made a part hereof as if fully set out herein.

4. It is further ORDERED that the Clerk of this Court cause a certified copy of this judgment to be recorded in the Real Books for conveyances affecting real property in the Office of the Judge of Probate of Shelby County, Alabama, and indexed in the Direct Index under the names of Homer L. Dobbs, Peggy R. Dobbs, V. C. Handy and Bobbie L. Handy and indexed in the Indirect Index under the names of James Thornton, Roy Holcombe, Nell Holcombe, C. Robert Holliman, Carole A. Holliman, Gulf States Paper Company, a corporation, and Shelby County, Alabama. The Probate Court costs of such recording and indexing to be part of the costs in this case.

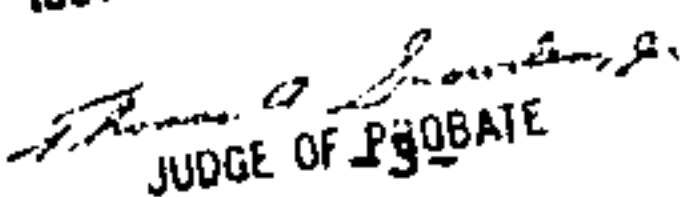
5. It is further ORDERED by the Court that the costs of Court accrued in this cause should be and the same are hereby taxed against the Plaintiffs.

DONE AND ORDERED this 20th day of August, 1987.


John E. Rochester
Circuit Judge, In Equity

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1987 AUG 20 AM 8:59


JUDGE OF PROBATE

RECORDING FEES	
Recording Fee	\$ 7.50
Index Fee	\$ 8.00
TOTAL	\$ 15.50