

IN THE CIRCUIT COURT OF TALLADEGA COUNTY,  
ALABAMA

IN THE MATTER OF THE ESTATE )  
OF J. O. EDWARDS, DECEASED, )  
and THE ESTATE OF MARION )  
NEAL EDWARDS, DECEASED. )

CASE NO. CV-86-200073

JUDGMENT OF COURT

THIS CAUSE came on to be heard on August 14, 1987, on the petition for declaratory judgment, bill to quiet title, and/or in the alternative bill for partition filed by Nalria L. Edwards, individually, and as Administratrix of the Estate of Marion Neal Edwards, deceased, and as former Executrix of the Estate of J. O. Edwards, deceased, and upon the answer and counterclaim filed by Jennifer Lynn Edwards, Dorothy Mae Edwards and Dorothy Mae Edwards as Guardian for Jennifer Lynn Edwards, and being present in court were Nalria L. Edwards, and her attorneys, Donald W. Lang and William E. Hollingsworth, III; Jennifer Lynn Edwards, represented by Julian King and represented by George R. Giddens as her Guardian Ad Litem; and Dorothy Mae Edwards, individually, and as Guardian of Jennifer Lynn Edwards, being represented by Julian King; and the Court having been advised that the parties had reached a settlement of all the pending issues in this litigation and the Court having been fully apprised of the terms of the settlement and the Court having been fully apprised of the

advances made by Nalria L. Edwards to Marion Neal Edwards during his lifetime and the Court being of the opinion that the settlement is in the best interest of all the parties to this litigation, including Jennifer Lynn Edwards, a minor, and the guardian ad litem for Jennifer Lynn Edwards having advised the Court that he feels that the settlement is in the best interest of Jennifer Lynn Edwards, and the Court being of the further opinion that the settlement of the parties should be ratified and confirmed,

IT IS THEREFORE ORDERED, ADJUDGED and DECREED as follows:

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1. That there is presently on deposit with the Register of the Circuit Court of Talladega County, Alabama the approximate sum of \$22,000.00 derived as the result of the sale of some real estate belonging to the Estate of J. O. Edwards, deceased, in December of 1986, and these funds are to be distributed as follows:

a. George R. Giddens' Guardian Ad Litem's fee -- \$500.00.

b. One-half of the remaining funds on deposit with the Register shall be distributed to Dorothy Mae Edwards, individually.

c. The other one-half of the funds on deposit with the Register shall be distributed to Dorothy Mae Edwards, as Guardian of Jennifer Lynn Edwards, for the use of Jennifer Lynn Edwards.

2. That the Register is directed to make the check for the guardian ad litem's fee in the amount of \$500.00 payable directly to George R. Giddens and he is directed to make a check for the remaining funds on deposit with him to Julian King as attorney for Dorothy Mae Edwards, individually, and as Guardian of Jennifer Lynn Edwards;

3. That out of the proceeds distributed to Julian King, the Court finds that Julian King should be reimbursed for his out-of-pocket expenses, that Dorothy Mae Edwards should be reimbursed for her out-of-pocket expenses, that Julian King is entitled to an attorney's fee of one-third of said sums, which the Court finds to be a reasonable fee for his services in this proceeding and related proceeding, and the net proceeds, after these deductions, shall then be distributed by Julian King -- one-half to Dorothy Mae Edwards, individually, and one-half to Dorothy Mae Edwards as Guardian of Jennifer Lynn Edwards;

4. That Nalria L. Edwards, individually, as Administratrix of the Estate of Marion Neal Edwards, deceased, and as former Executrix of the Estate of J. O. Edwards, deceased, is directed to execute a deed to Jennifer Lynn Edwards conveying to her the following described property free and clear from all liens and encumbrances:

Begin at the NW corner of Lot #1, Avondale Mills Subdivision #1, thence North a distance of 1121 feet, thence east a distance of 590 feet, thence South a distance of 1121 feet to NE corner of Lot #3, Avondale Mills Subdivision #1, thence West 590

feet, to point of beginning, being in the SW of NE of Section 11, Township 21, Range 3, being more or less 15 acres, and recorded in the Office of the Judge of Probate of Talladega County, Alabama, Plat Record #1, at page 166.

ALSO: Lot No. 5 according to Avondale Mills Subdivision No. 1, recorded in Map Book 1, Page 166, in the Office of the Judge of Probate of Talladega County, Alabama.

LESS AND EXCEPT: That lot heretofore conveyed to David Frederick.

The above described property is situated in Talladega County, Alabama and contains approximately 19 acres.

5. That the funds hereinabove distributed and the property deeded in the foregoing paragraph satisfy in full any interest that Jennifer Lynn Edwards or Dorothy Mae Edwards might have against the assets in the Estate of J. O. Edwards, deceased, and further satisfy any claim of whatever kind or nature that they might have against the Estate of J. O. Edwards, deceased, or any asset, real or personal, therein;

6. That Nalria L. Edwards exclusively owns the remainder of the assets, both real and personal, in the Estate of J. O. Edwards, deceased, including, but not limited to, the following described real estate:

A tract or parcel of land one hundred feet square (in the shape of a square), being one hundred feet off of the North end of lot number thirteen (13) in Block "B" of the Marble City Heights Addition of Sylacauga, Alabama. According to the map and plat as made by B. L. Merkee, engineer, as revised October 25, 1941. Said parcel of land lying and being in Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-One (21), Range Four (4) East. Said lot fronts on the South side of a forty foot street (being called Marble City Heights). Talladega County.

AND ALSO:

The Southeast Quarter of the Southeast Quarter, the East Half of the Northwest Quarter of the Southeast Quarter, the Southwest Quarter of the Southeast Quarter; all in Section 5: the East Half of the East Half of the Northeast Quarter of the Northwest Quarter, and the Northeast Quarter; all in Section 8: the Northwest Quarter of the Northwest Quarter of Section 9. All of the above described land being in Township 22, Range 2, Talladega County, Alabama.

AND ALSO:

The West One-Half of the Northwest Quarter of Section 23, Township 21, Range 3 East. The South One-Half of the Southwest Quarter of Section 14, Township 21, Range 2 East. The Southwest Quarter of the Southeast Quarter of Section 14, Township 21, Range 2 East. Also a tract of land containing six acres more or less situated in the Northeast Quarter of the Northwest Quarter of Section 23, Township 21, Range 2 East, and being more particularly described as follows: Commence six feet east of the northwest corner of the Northeast Quarter of the Northwest Quarter of Section 23, Township 21, Range 2 East, and then run east along the section line between Section 14 and 23, 70 yards; then run South 420 yards; then run West 70 yards, and then run North 420 yards to the point of beginning. All of said lands lying and being in Talladega County, Alabama, and containing in all 206 acres more or less.

AND ALSO:

Lot Number Eleven (11), in Block Two (2), in the Town of Fayetteville, Alabama, in the J. J. Pope survey, Talladega County.

AND ALSO:

One-half acre of the southeast corner of the Southeast Quarter of the Northwest Quarter, Section 31, Township 20, Range 2 East, Shelby County, Alabama. This property is the south one-half acre of the one acre conveyed to Rosa May Mathis in a deed recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Deed Record 117, Page 322.

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AND ALSO:

Begin at the SW corner of certain lands conveyed to W. M. Merrell by W. T. Davis and wife on the 17th day of June, 1940, which deed is recorded in the Office of the Judge of Probate of Talladega County, Alabama, on page 344 of Deed Volume 99, and running in a northerly direction along the Fayetteville-Talladega Springs Public Road, a distance of 208 feet; thence run in an easterly direction for a distance of 208 feet; thence run in a southerly direction for a distance of 208 feet; thence run in a westerly direction for a distance of 208 feet to the point of beginning.

AND ALSO:

One house and lot described as follows: Beginning at a spring above the bridge on south bank of Cedar Creek and running south twenty-one (21) rods; thence in a northeasterly direction around foot of hill twelve (12) rods; thence north nine (9) rods to Cedar Creek; thence west along bank of Creek about twelve (12) rods to point of beginning, containing one acre, more or less, in Sec. 2, Tp 22, R 2 E. Also a certain strip of land bought of Mrs. Missouri Wallace and heirs described as follows: In the northeast corner of Sec. 2, Tp 22, R 2 E, that lies east of public road running from Fayetteville to L & N depot, being about one hundred and fifty yards long and about fourteen yards at widest place in center of strip, and is bound on the north by Cedar Creek, being in all three acres more or less. Above parcel situated in Talladega County, Alabama.

AND ALSO:

All of Lot One (1) of the W. H. Harris Subdivision of land in the northeast corner of Section Fifteen (15), Township Twenty-One (21), Range Three (3) East, except mineral rights heretofore reserved by former grantors, according to map and plat of said subdivision recorded in the Probate Office of Talladega County, Alabama.

AND ALSO:

A portion of the SW 1/4 of hte NE 1/4 of Section 3, Township 24, Range 12, more particularly described



as follows: Beginning at a point on the western boundary of said SW 1/4 of NE 1/4 of Section 3, Township 24, Range 12, where it intersects the southern boundary of the right-of-way of the Montevallo and Calera Highway, and run easterly along the southern boundary of said Highway a distance of 300 feet more or less to a stake, run thence in a southerly direction and parallel with the western side of said SW 1/4 of NE 1/4 a distance of 200 feet, run thence in a westerly direction and parallel with the south boundary of said Highway 300 feet more or less to the western boundary of said SW 1/4 of NE 1/4 200 feet more or less to the point of beginning. Above parcel situated in Shelby County, Alabama.

AND ALSO:

The North Half (N 1/2) of the Northwest Quarter (NW 1/4) of Section Twenty-Six (26), Township Twenty-One (21), Range Two (2), containing eighty acres (80), more or less, and being the same property conveyed by Huel Brooks Billingsley to Frank Graham by deed dated May 16th, 1947.

AND ALSO:

The West Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (W 1/2 of NE 1/4 of NW 1/4 of SE 1/4) of Section 21, Township 19, Range 2, in Shelby County, Alabama, containing five (5) acres, more or less. Said property is part of the real estate described in that certain deed from Gray Barber and wife to Levi Barber which is recorded in Deed Book 89, Page 14, in Probate Office of Shelby County, Alabama.

7. That Nalria L. Edwards exclusively owns any other real estate and all personal property that was owned by J. O. Edwards, deceased, at the time of his death and that still remains whether or not said assets are specifically referred to in this Judgment of Court.

8. That Dorothy Mae Edwards is found to be and is the common law wife of Marion Neal Edwards, deceased; however,

she specifically waives and has no interest in any of the assets of the Estate of Marion Neal Edwards, deceased, or of the assets of the Estate of J. O. Edwards, deceased, and waives any claims that she might have against either of these estates by virtue of the fact that she is the common law wife of Marion Neal Edwards, deceased, or by virtue of any other fact;

9. That Jennifer Lynn Edwards is the owner of all of the assets of the Estate of Marion Neal Edwards, deceased, which includes, as far as known at this time, approximately thirty (30) acres of land in Coosa County, Alabama, a lot in Sylacauga, Alabama, next to East Highland School, a lease-sale contract on a lot in Sycamore, Alabama, and approximately \$1,500.00 in cash;

10. That Jennifer Lynn Edwards and Dorothy Mae Edwards release Nalria L. Edwards from any claims they might have against her, including, but not limited to, any claim that they might have against her for her administration of the Estate of J. O. Edwards, deceased, and any claim that they might have against her for the administration of the Estate of Marion Neal Edwards, deceased, and Nalria L. Edwards does release Jennifer Lynn Edwards and Dorothy Mae Edwards and the Estate of Marion Neal Edwards, deceased, from any claims that she might have against them;

11. That Nalria L. Edwards shall forthwith in her

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capacity as Administratrix of the Estate of Marion Neal Edwards, deceased, file a final settlement of this estate, and after payment of an attorney's fee to Donald W. Lang in the amount of \$500.00 for handling the upcoming final settlement of the Estate of Marion Neal Edwards, deceased, and the payment of court costs and guardian ad litem's fee connected with the final settlement of said estate shall transfer the remaining assets either to Jennifer Lynn Edwards or to Dorothy Mae Edwards as Guardian of Jennifer Lynn Edwards;

12. That any other real estate, not specifically identified herein, that might be found that belonged to Marion Neal Edwards, deceased, shall also be the property of Jennifer Lynn Edwards;

13. That a copy of the Judgment of Court shall be filed in the Office of the Judge of Probate of Talladega County, Alabama and also in the Office of the Judge of Probate of Shelby County, Alabama, being the only two counties where real estate is located that belonged to the Estate of J. O. Edwards, deceased, so as to clear title to the real estate of the Estate of J. O. Edwards, deceased, and making public the fact that neither Jennifer Lynn Edwards nor Dorothy Mae Edwards, individually, or as Guardian of Jennifer Lynn Edwards, has any interest in the assets passing through the Estate of J. O. Edwards, deceased.

DONE this 18 day of August,  
1987.

[Signature]  
Jerry L. Fielding  
Circuit Judge

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

1987 SEP -1 AM 10:43

[Signature]  
JUDGE OF PROBATE

RECORDING FEES	
Recording Fee	\$25 <sup>00</sup>
Index Fee	1 <sup>00</sup>
TOTAL	\$26 <sup>00</sup>

The STATE of ALABAMA, TALLADEGA COUNTY

I, JOE W. INGRAM, Register of the Circuit Court of said State of  
County, do hereby certify that the above and foregoing is a true and  
correct copy of the Decree in this cause therein styled, the original of said Decree  
being now on file in my office.

WITNESS my hand and seal of the Court, this the 18th  
day of August 19 87  
[Signature] Register