

FILED IN OFFICE THIS THE \_\_\_\_\_  
OF NOV 17 1987, 19\_\_\_\_

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

JANICE M. ARCHER, ET AL

Circuit Clerk and Register  
Shelby County, Alabama

PLAINTIFFS

VS.

1236

CASE NO. 86-270(E)

SHERMAN HOLLAND,

DEFENDANT

SUMMARY JUDGMENT

The Court, having considered the Plaintiffs's Motion for Summary Judgment, and the exhibits thereto, and having considered all arguments for and against said Plaintiffs's Motion for Summary Judgment, finds that the defendant, Sherman Holland, obtained a tax deed from the State of Alabama which has been recorded in Book 014 at page 244, Office of Judge of Probate of Shelby County, Alabama, said tax deed based upon an alleged tax sale of July 12, 1924, to the State of Alabama, but that for over twenty years after the State acquired its lien or title at said tax title for back taxes, the plaintiffs, and their predecessors in title, have, under color of title, assessed and paid the ad valorem taxes on said property.

The Court further finds that said Plaintiffs's Motion for Summary Judgment is due to be, and the same is hereby granted; it is, therefore,

CONSIDERED, ORDERED, ADJUDGED AND DECREED that, as between the plaintiffs, Janice M. Archer, Milton G. Oglesby, Jr., and Betty S. Oglesby, and the defendant, Sherman Holland, the plaintiffs are the owners of the following described property, and that said Sherman Holland has no title to, interest in, claim to, or encumbrance upon said property, viz:

PARCEL ONE

BOOK 160 PAGE 544

A tract of land situated in the Northeast quarter of the Southeast quarter, Southeast quarter of the Northeast quarter, Northwest quarter of the Southeast quarter of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama, and more particular described as follows: Begin at the Point of Intersection of the Easterly Right of Way Line of Fungo Hollow Road, (Shelby County Highway No. 35) and the South Boundary of the Northwest quarter of the Southeast quarter of said Section 7; thence run in an Easterly direction along said South Boundary and the South boundary of the Northeast quarter of Southeast quarter of said Section 7 a distance of 1780 feet more or less to the Southeast corner of the Northeast quarter of the Southeast quarter of said Section 7; thence in a Northerly direction along the East line of the Northeast quarter of the Southeast quarter of said Section 7 a distance of 1582 feet more or less to a Point 262.0 feet North along said line from the Southeast Corner of the Southeast quarter of the Northeast quarter; thence in a Southwesterly direction a distance of 1875 feet more or less to a Point on the Easterly Right of Way Line of Fungo Hollow Road (Shelby County Highway No. 35) said Point being 508 feet more or less along said Easterly Right of Way line from its Intersection with the South boundary of the Northwest quarter of the Southeast quarter; thence run in a Southwesterly direction along aforementioned easterly Right of Way Line a distance of 508 feet more or less to the Point of Beginning. Tract contains 36 Acres more or less.

W. E. H. F.

PARCEL TWO

A parcel of land situated in the Southeast quarter of the Northeast quarter of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama, and more particularly described as follows: Commence at the Northeast Corner of the Southeast quarter of the Northeast quarter of said Section 7; thence run in a Southerly direction along the East line of said quarter Section a distance of 286.91 feet; thence 49 degrees, 56 minutes, 26 seconds right and run Southwesterly a distance of 799.91 feet; thence 4 degrees, 28 minutes right and run Southwesterly 172.80 feet to the Point of Beginning on the edge of a Farm Pond, thence right 66 degrees, 24 minutes, 30 seconds and run Northwesterly 217.03 feet; thence 90 degrees left and run Southwesterly 208.71 feet; thence 90 degrees left and run Southeasterly 217.68 feet to a Point of the edge of said Farm Pond; thence Northeasterly along the edge of a Farm Pond, 212.00 feet more or less to the Point of Beginning. Parcel contains 1 acre more or less.

PARCEL THREE

A tract of land situated in the Northeast quarter of the Southeast quarter, Southeast quarter of the Northeast quarter, Northwest quarter of the Southeast quarter of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama and more particularly described as follows: Commence at the Southeast corner of the Northeast quarter of the Southeast quarter of said Section 7; thence North along the east line of the Northeast quarter of the Southeast quarter and the Southeast quarter of the Northeast quarter a distance of 1582 feet more or less to the Point of Beginning; thence continue North along the east line of the Southeast quarter of the Northeast quarter 1060 feet more or less to the Northeast corner thereof; thence left in a Westerly direction along the North line of the Southeast quarter of the Northeast quarter a distance of 463 feet more or less to a Point; thence in a Southwesterly direction a distance of 1110 feet more or less to a Point on the east line of Shelby County Highway No. 33, thence in a Southerly direction along said East line of Right of Way a distance of 40 feet more or less to the West line of the Southeast quarter of the Northeast quarter; thence in a Southerly direction along said West line of the Southeast quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter a distance of 900 feet more or less; thence right in a Westerly direction and parallel with the South line of the Northwest quarter of the Southeast quarter a distance of 112 feet more or less to the East Right of Way line of Fungo Hollow Road (Shelby County Highway No. 35); thence in a Southerly direction along said Right of Way line a distance of 508 feet more or less; thence in a Northeasterly direction a distance of 1875 feet more or less to the Point of Beginning. Tract contains 42 acres more or less, except 6 acres described in the following exceptions.

EXCEPTION 1

A parcel of land situated in the Southeast quarter of the Northeast quarter of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama, and more particularly described as follows: Commence at the Northeast Corner of the Southeast quarter of the Northeast quarter of said Section 7; thence run in a Southerly direction along the East line

of said quarter Section a distance of 286.91 feet; thence 49 degrees, 56 minutes, 26 seconds right and run Southwesterly a distance of 799.91 feet; thence 4 degrees, 28 minutes right and run Southwesterly 172.80 feet to the Point of Beginning on the edge of a Farm Pond; then right 66 degrees, 24 minutes, 30 seconds and run Northwesterly 213.03 feet; thence 90 degrees left and run Southwesterly 208.71 feet; thence 90 degrees left and run South easterly 213.68 feet to a Point on the edge of said Farm Pond; thence Northeasterly along the edge of Farm Pond, 212.00 feet more or less to the Point of Beginning . Parcel contains 1 acre more or less.

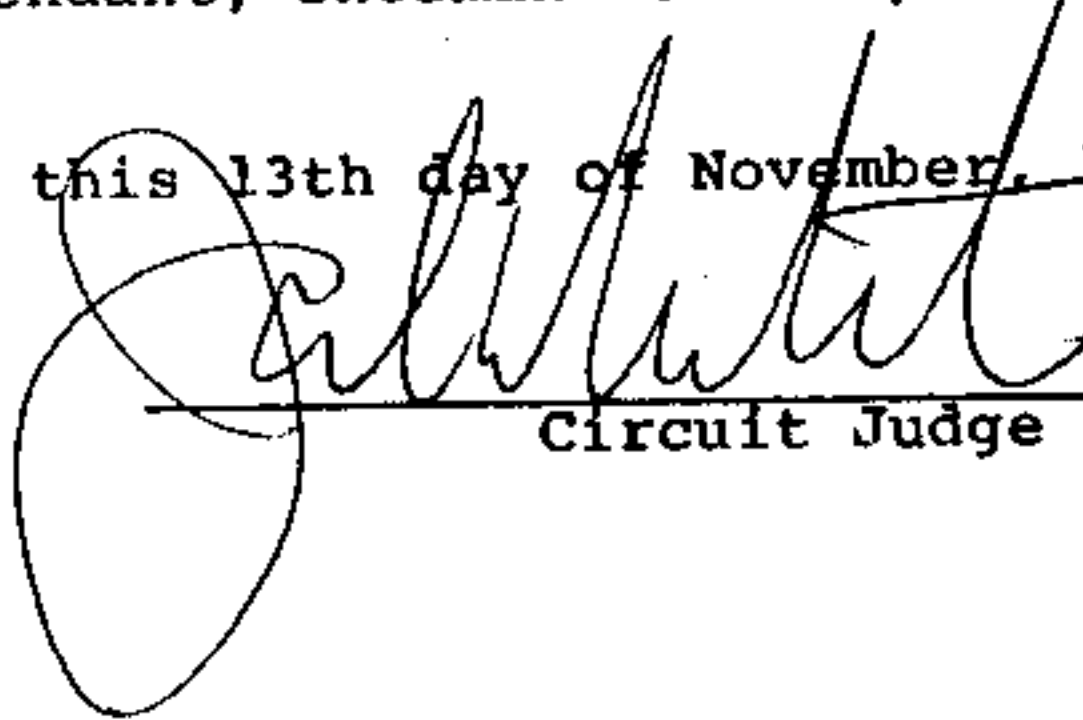
EXCEPTION 2

A parcel of land situated in the Southeast quarter of the Northeast quarter of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama, and more particularly described as follows: Commence at the Northeast Corner of the Southeast quarter of the Northeast quarter of said Section 7; thence run in a Southerly direction along the East line of said quarter Section a distance of 286.91 feet; thence 49 degrees, 56 minutes, 26 seconds right and run Southwesterly a distance of 389.91 feet to the Point of Beginning; thence continue on same course 410.0 feet; thence 90 degrees right and run Northwesterly 526.0 feet; thence 90 degrees right and run Northeasterly 410.0 feet; thence an angle 90 degrees right and run Southeasterly a distance of 526.0 feet, to the Point of Beginning. Parcel contains 5 acres more or less.

Subject to restrictions of record.

It is further ORDERED, ADJUDGED AND DECREED by the Court that costs of court in this case, be, and the same are, hereby taxed against the defendant, Sherman Holland, for which execution may be issued.

Done and ordered this 13th day of November, 1987.


  
Circuit Judge

I, Kyle Lansford, Register of th Circuit Court for Shelby County, Aalbama do hereby certify that the foregoing is a correct copy of the original Summary Judgment rendered by the Judge of the Circuit Court in the above stated cause, which said Motion for Summary Judgemtn is on file and enrolled in my office, and the cost has been paid.

Witness my hand and seal this 17th day of November, 1987.

  
Register of Circuit Court

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1987 NOV 18 PM 1:50

  
JUDGE OF PROBATE

FILED IN OFFICE THIS THE \_\_\_\_\_ DAY  
OF NOV 17 1987

  
Circuit Clerk and Register  
Shelby County, Alabama

RECORDING FEES	
Recording Fee	\$ 7.50
Index Fee	1.00
TOTAL	\$ 8.50