

IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL
CIRCUIT OF ALABAMA

ESTATE OF JOE A. SCOTCH
DECEASED, JOE A. SCOTCH, JR.
EXECUTOR,

Plaintiff

vs.

JOHNNIE BURTON, ELVIRAH Z.
FINLEY, FRANK GREEN, MARY L.
GREEN, JAKE ODEN, WILL OWENS
LEONA OWENS, OTIS D. SMITH
FRED TROTTER, SUSIE TROTTER
Et al

Defendants

Civil Action #CV 87-182

FILED IN OFFICE THIS THE ~~MAR 17 1988~~
OF _____, 19__

Kyle Sanford

Circuit Clerk and Register
Shelby County, Alabama

JUDGMENT

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This action came on the Motion for Summary Judgment of the plaintiff against the defendant, MARY L. GREEN, claiming title to that certain real property described as Lot 5, Block 4 of the Lincoln Park Subdivision, as recorded in Map Book 3, Page 145, in the office of the Judge of Probate of Shelby County, Alabama, and stating that there is no genuine issue as to any material fact and that the plaintiff is entitled to judgment as a matter of law. The motion came on to be heard on March 11, 1988 without any response being filed by the defendant, MARY L. GREEN, and without appearance by said defendant or her counsel. Based upon the motion of the plaintiff and the evidence and documents filed in support thereof, the Court is of the opinion that the motion should be granted and therefore, is hereby granted. The Court finds that there is no genuine issue as to any material fact and that the plaintiff is entitled to judgment as a matter of law. It is therefore,

SEIER, JOHNSTON & TRIPPE
ATTORNEYS AT LAW
2100 SOUTHBIDGE PARKWAY
SOUTHBIDGE BUILDING - SUITE 376
BIRMINGHAM, ALABAMA 35209

ORDERED, ADJUDGED and DECREED as follows:

1. The Estate of Joe A. Scotch, Deceased, is the true title owner of that certain real property located in Shelby County, Alabama, more particularly described as follows: Lot 5, Block 4, according to the Lincoln Park Subdivision recorded in Map Book 3, page 145, in the Probate Office of Shelby County, Alabama, and all right, title and interest in and to said real property is hereby vested in the said Estate of Joe A. Scotch, deceased.

2. The Court further finds that the defendant, MARY L. GREEN, has no right, title or interest in or to the said real property and any and all claims are hereby forever barred.

3. The Court finds no just reason for delay in entering a Final Judgment on this claim and therefore, pursuant to Rule 54(b) of the ARCP, does direct entry of Final Judgment on the claim of Mary L. Green. This Judgment is therefore final only as to the said claim of Mary L. Green, and all other claims in the above styled cause not heretofore resolved, shall continue for just adjudication.

4. Costs of the proceeding against Mary L. Green are hereby taxed against the plaintiff.

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DONE and ORDERED on this the 11th day of March, 1988.

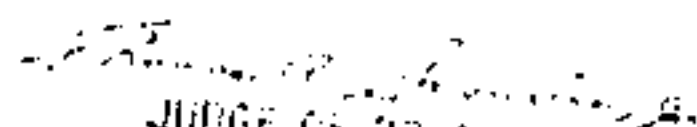

CIRCUIT JUDGE

cc: A. Eric Johnston, Esquire
2100 Southbridge Parkway, #376
Birmingham, Al. 35209
Cellie W. Miller, Esquire
1820 7th Avenue North
Birmingham, Al. 35203

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STATE OF ALA. SHELL
I CERTIFY THIS
INSTRUMENT WAS FILED

88 MAR 25 PM 4:02


JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 750

Index Fee 900

TOTAL \$ 1650