

1004

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

TERREE COX BLUE, R. F.
COX, III, LOUISE HOLMAN
STUMPF, AND OLIVE HOLMAN
MORRIS,

Plaintiffs

VS.

JIM BILL LONGCRIER: AND
ALL HEIRS, DEVISEES AND
ASSIGNS OF R. F. COX, SR.,
DECEASED: ET AL., and IN
REM against certain real
property hereinafter
described,

Defendants

CIVIL ACTION NO:

CV 88 - 079

DECREE

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The foregoing cause coming on to be heard is submitted for a Decree upon the Plaintiff's Complaint. Default by the Defendants and evidence as noted by the Register. Upon due consideration thereof, the Court finds that the Plaintiffs Terree Cox Blue and R. F. Cox, III, and their predecessors in title are and have been for a period in excess of sixty (60) years, in the actual, peaceable, exclusive, notorious, and adverse possession of the hereinafter described property, claiming to own the same along with the other Plaintiffs, Louise Holman Stump and Olive Holman Morris, under color of title, and that Plaintiffs Terree Cox Blue and R. F. Cox, III have duly assessed and paid ad valorem taxes thereon during said period of ownership; and that the subject property is more particularly described as follows:

Tract 1

The Southwest 1/4 of the Northwest 1/4 less and except one (1) acre in the Northwest corner of said forty;

The North 1/2 of the Northwest 1/4 of the Southwest 1/4; and

Beginning at the point where the West line of the Southwest 1/4 intersects with Yellowleaf Creek; thence Northeasterly along the creek to Little Fork Creek; thence Northerly to the North line of the South 1/2 of the Northwest 1/4 of the Southwest 1/4; thence West to the Section Line; thence South to the point of beginning.

Certified a true and complete copy

Hibson Alexander
P.O. Box 615
Belle Mina, Ala.

Kyle Sanford
Clerk of Circuit Court

All lying and being in Section 1, Township 20 South, Range 1 West, in Shelby County, Alabama and containing 65.5 acres, more or less, and being a part of the property described in deed recorded in Deed Book 104, Page 236.

Tract 2

Southeast 1/4 of Northeast 1/4, Section 34, Township 20 South, Range 1 West, less and except the right-of-way of Shelby County Highway #47. Containing 37 acres, more or less.

Tract 3

The east 420.69 feet of the Northeast Quarter of the Northeast Quarter of Section 2, Township 20 South, Range 1 West, in Shelby County, Alabama, containing 12.9 acres, more or less.

Tract 4

Commence at the Northeast corner of Lot No. 5 of the Owen's Addition to the City of Columbiana, Alabama, as shown by map of said Addition on record in the Office of the Judge of Probate of Shelby County, Alabama; thence proceed West along the South boundary of Huges Street for a distance of 200 feet to the point of beginning. From this beginning point continue West along the South boundary of said Huges Street for a distance of 424.86 feet; thence turn an angle of 110° 52' to the left and proceed Southeasterly for a distance of 738.69 feet; thence turn an angle of 67° to the right and proceed Southwesterly for a distance of 82.37 feet to a point on the Northerly boundary of Depot Street; thence turn an angle of 103° 54' to the left and proceed Southeasterly along the Northerly boundary of said Depot Street for a distance of 261.59 feet; thence turn an angle of 122° 15' to the left and proceed North along the East boundary of Collin Street for a distance of 886.87 feet to the point of beginning.

The above described land is located in the East one-half of the Northwest one-fourth of the Northeast one-fourth of Section 26, Township 21 South, Range 1 West, Shelby County, Alabama, and contains 5.26 acres, more or less.

That the hereinabove described real property is properly before the Court in an IN REM action and that Jim Bill Longcrier and all heirs, devisees and assigns of the following are properly before the Court:

R. F. Cox, Sr., Deceased; Daisey Farley, Deceased; W. L. Farley, Deceased; Corelli Farley Green, Deceased; Elizabeth Farley Bryan, Deceased; Eleanor Longcrier, Deceased; Jim Bill Longcrier, Deceased; Lena Cox, Deceased; Claudia Cox, Deceased; Amos A. Holman, Deceased; Olive Nelson, Deceased; Frank Cox, Deceased; Holland Cox, Deceased; and all other persons claiming any present, future, contingent, remainder, reversion, or other interest in and to the above described lands.

That all of said Defendants are Deceased and that all Plaintiffs are living; that Jim Bill Longcrier is Deceased; that Plaintiffs R. F. Cox, III and Terree Cox Blue are the owners of any and all interest in Tracts 1, 2, 3, and 4 except an undivided three-twentieths ($3/20$ th) interest in and to Tracts 2 and 3 which is jointly and equally owned by Plaintiff's Louise Holman Stumpf and Olive Holman Morris; that no other party owns any interest in any of said tracts; that the employment of an attorney is beneficial to all of the Plaintiffs and all of said Plaintiffs should share pro rata in the payment of said attorney expense; that all Plaintiffs are in agreement that a private sale is in the best interest of all parties as set forth in the Complaint; and that all costs, expenses and advancements are due to be shared on the same basis as their ownership interest before distributing the remainder thereof to the owners. It is, therefore

ORDERED, ADJUDGED AND DECREED that title to Tracts 1, 2, 3, and 4 as hereinabove described be and the same are hereby vested as follows:

TERREE COX BLUE - an undivided $8 \frac{1}{2}/20$ ths interest in and to Tracts 2 and 3; and an undivided one-half ($1/2$) interest in Tracts 1 and 4.

R. F. COX, III - an undivided $8 \frac{1}{2}/20$ ths interest in and to Tracts 2 and 3; and an undivided one-half ($1/2$) interest in Tracts 1 and 4.

LOUISE HOLMAN STUMPF - an undivided $1 \frac{1}{2}/20$ ths interest in and to Tracts 2 and 3.

OLIVE HOLMAN MORRIS - an undivided $1 \frac{1}{2}/20$ ths interest in and to Tracts 2 and 3.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Plaintiff's attorney, Bill Thompson, be and he is hereby awarded an attorney fee equal to ten percent (10%) of the sales price of each of said Tracts and that the same be deducted from said sales price and shared by all Plaintiffs on a pro rata basis; and that all other court costs, advertising costs and incidental expenses in connection with this action be borne by the Plaintiffs on the same basis as their ownership interest.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that a Judgment by Default is rendered against Jim Bill Longcrier and all heirs, devisees and assigns of the following:

R. F. Cox, Sr., Deceased; Daisey Farley, Deceased; W. L. Farley, Deceased; Corelli Farley Green, Deceased; Elizabeth Farley Bryan, Deceased; Eleanor Longcrier, Deceased; Jim Bill Longcrier, Deceased; Lena Cox, Deceased; Claudia Cox, Deceased; Amos A. Holman, Deceased; Olive Nelson, Deceased; Frank Cox, Deceased; Holland Cox, Deceased; and all other persons claiming any present, future, contingent, remainder, reversion, or other interest in and to the above described lands.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Plaintiffs be, and they are, hereby allowed to sell any and all Tracts of the above described property at private sale on terms agreeable to them.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all costs herein are taxed against the Plaintiffs.

DONE, this 22 day of July, 1988.

John P. [Signature]
Circuit Judge

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

88 SEP 14 AM 11:33

Thomas A. [Signature]
JUDGE OF PROBATE

FILED IN OFFICE OF JUL 22 1988 DAY

OF

Kyle [Signature]

Circuit Clerk and Register
Shelby County, Alabama

1. Deed Tax \$
2. Mtg. Tax
3. Recording Fee 10.00
4. Indexing Fee 3.00
TOTAL 13.00

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