

Roy Johnson

JEAN C. LAJOUX

Plaintiff

vs.

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

CASE NO. CV-91-168 NJ

The following described land: the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Township 24 North, Range 13 East, Shelby County, Alabama and one acre starting at the NW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 24 North, Range 13 East, and running East 389 feet, thence South 142 feet, thence West 396 feet, thence North to point of beginning; and the following named persons: the heirs or devisees of Ernest LaJoux, deceased, whose names are unknown to Plaintiff; the heirs or devisees of Arlette LaJoux, whose names are unknown to Plaintiff; and all other parties who, unknown to Plaintiff, claim an interest in or to the above described property,

Defendants.

FINAL JUDGMENT

This cause coming on to be heard is submitted to the Court on the Complaint, the Answer of the Guardian Ad Litem, and the testimony taken in open court on September 5, 1991. The Court finds that notice in this cause was published for four consecutive weeks, commencing on the 27th day of March, 1991, in the "Shelby County Reporter," a newspaper of general circulation published in the City of Columbiana, County of Shelby, State of Alabama, and that notice was filed in the office of the Judge of Probate of Shelby County, Alabama, on the 22nd day of March, 1991.

Conwill Justice



The Court further finds that more than sixty days have now elapsed since the first publication date described above and since the filing of the Notice in the Probate Office as described above.

The Court further finds that Honorable William F. Mathews, Guardian Ad Litem and Attorney heretofore appointed to represent such of the defendants to this cause, who are now under the age of twenty-one years or incompetent, or otherwise unknown, has accepted the appointment and has filed an Answer denying the averments of the Complaint and demanding strict proof of same and that the same Guardian Ad Litem did represent the interests of all minors and incompetents, and unknown persons; and that the defendants to this cause have failed to answer the Complaint within the time allowed by law, and that this cause is now at issue.

The Court further finds that all persons who could have a claim in or to the said real estate described in the Complaint are before this Court and that their interests therein, if any, will be finally and conclusively determined by this Judgment.

The Court further finds that the plaintiff, at the time of filing this Complaint in this cause, claimed in his own right a fee simple title to and was in the actual, peaceable, notorious, adverse possession of the property described in the Complaint.

The Court further finds that the possession of said lands by plaintiff has been continuous, actual, peaceable, notorious and adverse for a period in excess of thirty (30) years.

The Court further finds that the plaintiff and his predecessors in title have held color of title to said tract or parcel of land for a period in excess of thirty (30) years next preceding the filing of the Complaint in this cause and that he has paid taxes on the lands described in said Complaint for more than twenty (20) years prior to filing his Complaint and that no other person has paid any taxes on said lands during any part of said period.

The Court further finds that the Complaint filed in this cause was duly verified and at the time said Complaint was filed there was no suit pending to test his title to, interest in, or right to the possession of such lands.

The Court further finds that the plaintiff has exercised due diligence to ascertain the facts with regard to unknown defendants.

Upon consideration of all the evidence presented in this cause, the Court is of the opinion that all of the averments of the Complaint are true, and that plaintiff is entitled to the relief prayed for in his said Complaint.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That all persons who could possibly have a claim in or to the real estate described in the Complaint in this cause are before the Court and that their interests therein are finally and conclusively determined by this Judgment.

2. That, the plaintiff in this cause, Jean C. LaJoux, is the owner of a fee simple title in and to the real estate described in the Complaint, which said real estate is located in the County of Shelby, State of Alabama, and is more particularly described as follows, to-wit:

The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Township 24 North, Range 13 East, Shelby County, Alabama; and one acre starting at the NW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 24 North, Range 13 East, and running East 389 feet, thence South 142 feet, thence West 396 feet, thence North to point of beginning.

3. That, none of the defendants in this cause have any right, title, interest, claim, or encumbrance upon the real estate described in the said Complaint and in the preceding paragraph.

4. That, the Guardian Ad Litem in this cause, Honorable William R. Mathews, be and he is hereby awarded a fee in the amount of Five Hundred Dollars.

5. That, the costs of this cause be taxed against the plaintiff against whom let execution issue.

6. That, forthwith, the Clerk of this Court file a verified copy of this Decree in the Probate Office of Shelby County, Alabama, the county in which the real estate above described lies, and that the Probate Judge index this Judgment under the direct index of deeds in the following names: All of the named plaintiffs herein and under the reverse index of deeds under the name of all the named defendants herein.

Done and Ordered this 6th day of Nov., 1991.


Oliver Head, Circuit Judge

BOOK 373 PAGE 659

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

91 NOV 18 PM 2:56


JUDGE OF PROBATE

1. Deed Tax	\$	
2. Mtg. Tax	\$	
3. Recording Fee	\$	12.50
4. Indexing Fee	\$	3.00
5. No Tax Fee	\$	
6. Certified Fee	\$	1.00
Total	\$	16.50