

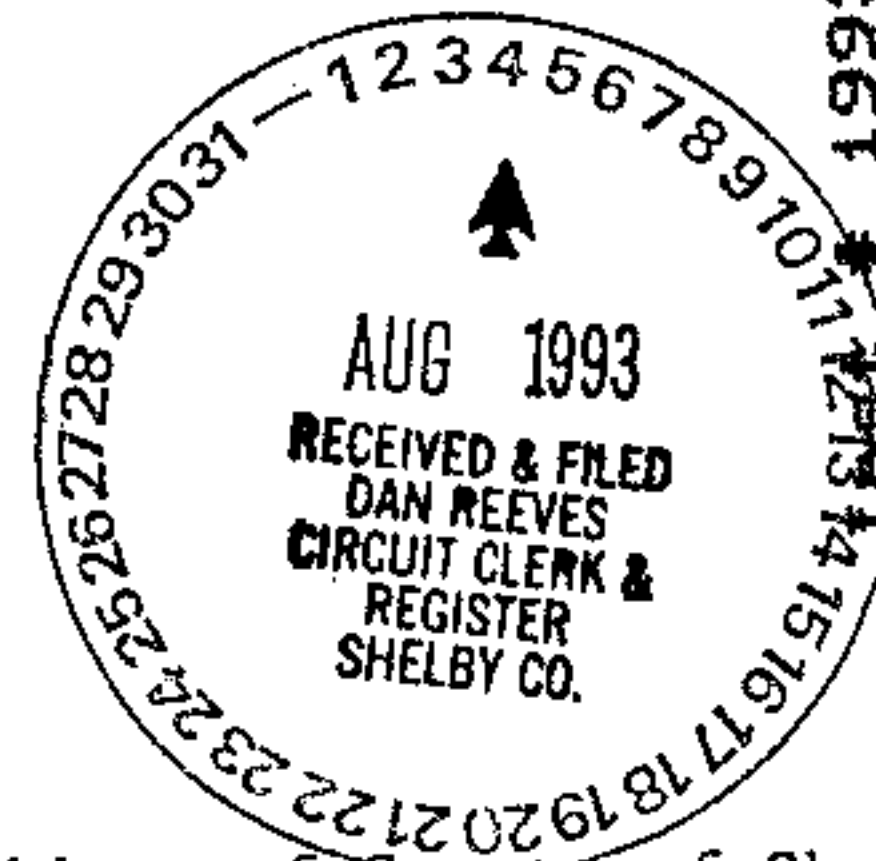
TRENA B. CARR,  
PLAINTIFF

VS.

JUNE SMITH, HER HEIRS AND  
ASSIGNS AND ANY OTHER PARTIES  
KNOWN OR UNKNOWN WHO MAY HAVE  
INTEREST IN THE FOLLOWING  
DESCRIBED PROPERTY  
DEFENDANTS

IN THE CIRCUIT COURT OF  
SHELBY COUNTY, ALABAMA

CIVIL ACTION NO. CV-93-45



ORDER

WHEREAS, Plaintiff is over the age of 21 and resident of County of Shelby, State of Alabama, address being 475 Finley Road, Columbiana, Alabama 35051, and

WHEREAS, Defendants are over the age of 21 and residents of County of Shelby, State of Alabama, address being 135 Finley Road, Columbiana, Alabama 35051, and

WHEREAS, Plaintiffs on or about November of 1992 acquired property from Charles E. Finley and wife, Virginia Finley by warranty deed, said deed recorded in Instrument #1993-3459. Property being described as follows:

One acre of land being 210 feet North and South and 210 feet East and West located in the Southeast corner of the West 15 acres of the NE 1/4 of SW 1/4 of Section 4, Township 22 South, Range 1 East, Shelby County, Alabama.

WHEREAS, Plaintiffs recently had property surveyed, a copy of which has been furnished to the court. Survey reveals that plaintiffs residence and surrounding property are located outside of the boundaries of said survey and are lying partially on property being claimed by Defendant. Defendants property is recorded in Deed Book 276, Page 33.

WHEREAS, Plaintiffs and Defendants have disputed area 60 feet in width by 210 feet lying in the Southwest corner of property claimed by Defendant and East of property as described in deed of Plaintiff, said property being more particularly described as follows:

Begin at the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of Section 4 Township 22 South Range 1 East. Thence run Westerly along the Southern boundary a distance of 770.32 feet to the point of beginning; thence continue Westerly along said south line a distance of 60 feet; thence run North parallel to the East line a distance of 210 feet; thence run East parallel with the Southern line a distance of 60 feet; thence run Southerly parallel to the East line a distance of 210 feet to the point of beginning.

THEREFORE, there exists an actual controversy between Plaintiff and Defendants on which substantial property ownership rights are in question. The controversy herein creates a substantial cloud on the title to Plaintiffs property.

Certified a true and complete copy

*Dan Reeves* 8/16/93  
Register of Circuit Court

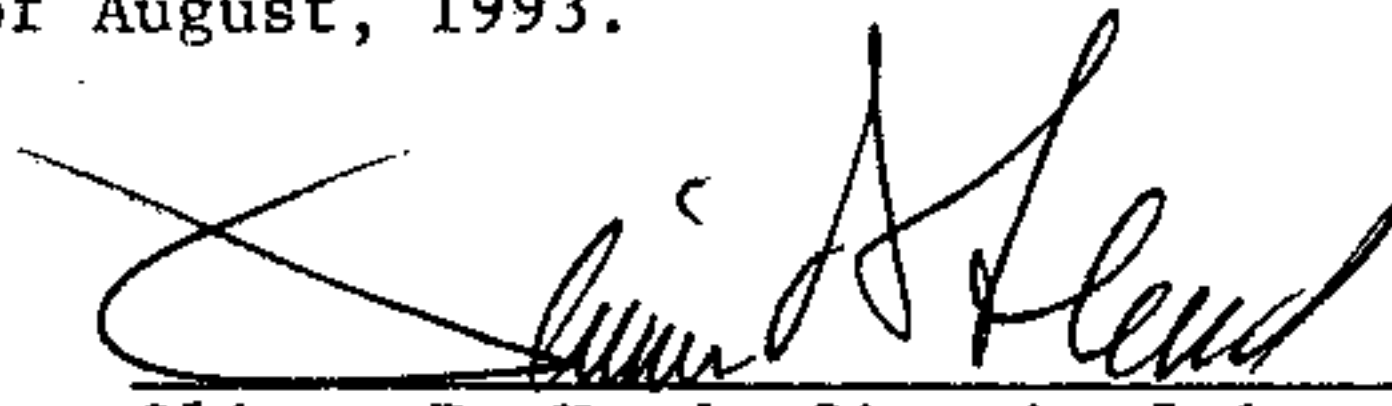
MTA

WHEREAS, Defendant was served with summons on 24 June, 1993, and Default was entered on July 30, 1993.

WHEREAS, there being no issue of material fact in question, testimony being taken by affidavit and submitted to the Court, the Court hereby orders as follows:

Plaintiff, Trena B. Carr and her predecessors in title have been in open, notorious, continuous and actual possession of the property in controversy under color of title for a period of at least 20 years preceding the filing of this complaint. That Plaintiff is declared sole and legal owner of 60-foot strip as above described and as described in the complaint, holding title to same in fee simple, absolute, and against all claimants, subject to easements and restrictions of record, and rights of appeal hereunder. That defendants, June Smith, her heirs and assigns are hereby divested on any interest in said 60-foot strip, as above described and as described in the complaint.

Done and ordered this 4<sup>th</sup> day of August, 1993.

  
\_\_\_\_\_  
Oliver P. Head, Circuit Judge

Certified a true and complete copy

Dan Reems 8/6/93  
Register of Circuit Court

Inst # 1993-23649

08/10/1993-23649  
03:26 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00