

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

WAVERLINE GARRETT,

Plaintiff,

vs.

WILLIAM KEITH, et al.,

Defendants.

CASE NO. CV 92-261

Certified a true and complete copy

Clerk of Circuit Court



FINAL ORDER

The Court having considered the Clerk's Report of Sale as filed by Honorable Dan Reeves, Circuit Clerk of Shelby County, Alabama, and said Clerk's Report of Sale having been filed in this cause, more than 10 days prior hereto; the Court having considered its prior Order dated July 8, 1994, filed in this cause, and all matters therein having been complied with; the Court having considered and approved the Petition to Intervene filed by Delores Keith Hollis, the Court notes that, Delores Keith Hollis is a lawful heir to the property in question, that she is a lawfully adopted daughter of Ernest Keith (son of Nonie and Lula Keith) and Eva Kirksey Keith, having been adopted as shown by the certified Final Decree of Adoption, dated November 9, 1944, and the certified Certificate of Birth, attached to her Petition to Intervene, filed by Roy Johnson, III, as amicus curiae, and therefore, she shall receive her respective share as shown herein.

The Court has received and reviewed the Motion for Award of Guardian Ad Litem's Fee and The Fee Petition of Plaintiff's attorney.

The Court notes that it has been brought to its attention that Grover Keith's wife's name is Lula Mae Keith rather than Catherine

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Keith as previously designated.

The Court notes that Lanice Glass's true name is Denitha Glass White.

The Court has received and reviewed requests for payment from the surveyor, Roland Jackins, and the appraiser, Robert K. Fleming, both having been chosen by the Guardian Ad Litem in this case.

The Court having considered said fee petitions and requests for payment, the Court hereby directs the Clerk of the Court to make the following payments from the proceeds received from the Intervenor, Regency Development, Inc.:

Received from Regency Development, Inc.	\$300,000.00
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1. James W. Fuhrmeister	9,915.00
2. Roy M. Johnson, III	32,930.99
3. Robert K. Fleming	600.00
4. Roland Jackins	<u>2,200.00</u>

Balance remaining after the above disbursements:	\$254,355.00
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The following named individuals shall receive the following amounts, which sums are calculated to equal each individuals respective share in the property which is the subject of this suit, less the above expenses:

William Keith (.050797)	\$ 12,920.47
William Keith and Lois Keith (.304784)	77,523.33
Grover Keith (.143099)	36,397.94
Grover Keith and Lula Mae Keith (.068089)	17,318.78
Dorothy Battle (.031957)	8,128.42
Maybelline Battle (.031957)	8,128.42
Sally Battle Matthews (.031957)	8,128.42
Walter Battle (.031957)	8,128.42
Stella Countess Felder (.031957)	8,128.42
DeLeon London Buddy Battle (.031957)	8,128.42
Samella McWhorter Ware (.037411)	9,515.68
James Edward Henderson, Jr. (.006235176)	1,585.93
Jan Michelle Henderson Gildersleeve (.006235176)	1,585.93
Michael Henderson (.006235176)	1,585.93
Debbie Henderson Broughton (.006235176)	1,585.93
Lisa Samella Jenkins (.006235176)	1,585.93

Rita Renee Henderson (.006235176)	1,585.93
Waverline Garrett (.0166668)	4,239.28
Geneva Jackson (.0166668)	4,239.28
Minnie Glass (.0041667)	1,059.86
Wanda Glass (.0041667)	1,059.86
Charles Glass (.0041667)	1,059.86
Denitha Glass White a/k/a Laurice Glass (.0041667)	1,059.86
Cheryl Keith (.0166668)	4,239.28
Delores Keith Hollis (.0166668)	4,239.28
James Keith, Jr. (.083333)	<u>21,196.14</u>
	\$254,355.00

The Court hereby confirms the Clerk's Report of Sale and orders Honorable Dan Reeves, Clerk of the Court, to issue the deed of conveyance to the purchaser, Regency Development, Inc., and to disburse the above sums as aforesaid, forthwith.

DONE AND ORDERED this 21st day of October, 1994.

Al Crowder
Circuit Judge

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Dan Reeves
Register of Circuit Court

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

WAVERLINE GARRETT,

Plaintiff,

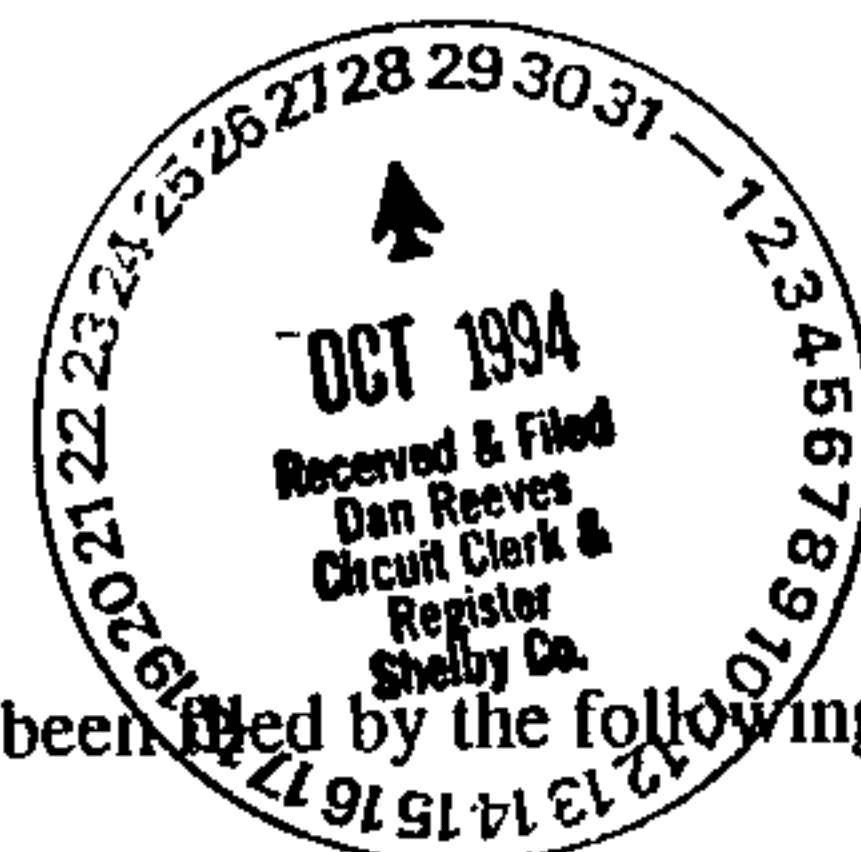
VS.

WILLIAM KEITH, et al,

Defendants.

CIVIL ACTION NO. CV 92-261

AMENDMENT TO FINAL ORDER



The Court has been advised that the following judgments have been filed by the following individuals, which such individuals may be one and same individuals as the heirs listed in the Court's Final Order dated October 21, 1994:

A. Judgment in favor of First Alabama Bank against *William H. Keith*, dated 9-15-86, in the amount of \$499.51, recorded in the Office of the Judge of Probate of Shelby County, Alabama in Book 98, Page 959, Case No. SM8622230, Sirote & Permutt, attorneys; and

B. Judgment in favor of Shelby County Health Care Authorities d/b/a Shelby Medical Center against *Charles Edward Glass*, dated 9-25-90, in the amount of \$436.99, recorded in the Office of the Judge of Probate of Shelby County, Alabama in Book 317, Page 60, Case No. SM9001350, Sirote & Permutt attorneys.

The Court has been further advised that ad valorem taxes for the tax year 1994 are due and payable on the property which is the subject of this action in the amount of \$15.20.

The Court hereby amends its Final Order dated October 21, 1994, as follows:

1. The Court hereby directs the Clerk not to distribute to William Keith or his attorney, Mr. Keith's distributive share of the property which is the subject of this suit ("Distributive Share") unless and until Mr. Keith has delivered to the Clerk either (a) an

affidavit certifying under oath that he is not one and the same individual as against whom the judgment described in paragraph A. above was taken, or (b) evidence that said judgment has been paid in full. In the event that William Keith is one and the same individual as against whom the judgment described in paragraph A. was taken and such judgment has not been paid in full, then the Clerk is directed to deduct the amount due and owing to the judgment holder thereof from the Distributive Share owing to Mr. Keith, and to pay such deduction to the judgment holder or its attorneys.

2. The Court further directs the Clerk to deduct from the Distributive Share owing to William Keith the sum of \$15.20 in payment of the 1994 ad valorem taxes, and to pay the same to the Tax Collector of Shelby County, unless Mr. Keith provides to the Clerk evidence that said taxes have been paid in full.

3. The Court further directs the Clerk not to distribute to Charles Glass or his attorney Mr. Glass' Distributive Share unless and until Mr. Glass has delivered to the Clerk either (a) an affidavit certifying under oath that he is not one and the same individual as against whom the judgment described in paragraph B. above was taken, or (b) evidence that said judgment has been paid in full. In the event that Charles Glass is one and the same individual as against whom the judgment described in paragraph B. was taken and such judgment has not been paid in full, then the Clerk is directed to deduct the amount due and owing to the judgment

holder thereof from the Distributive Share owing to Mr. Glass, and to pay such deduction to said judgment holder or its attorneys.

DONE AND ORDERED, this 28th day of October, 1994.

D. Al Cowson
Circuit Judge

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