

IN THE CIRCUIT COURT FOR SHELBY COUNTY, ALABAMA



ELLIS GENTRY,
MARY GENTRY,

Plaintiff,

vs.

CASE NO.: CV97-066

GENE CARTER, ET AL.,

Defendant.

Inst # 1998-38399

10/01/1998-38399
03:06 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 CRH 11.00

ORDER

This matter came on for trial on July 28, 1998. The issue joined by the pleadings in this matter and between the parties is the ownership of certain parcels of property. This matter was heard without a jury. Upon consideration of the testimony and evidence presented in this matter by the parties, the Court finds that Clark Carter and Doris Carter have been in adverse possession of the subject property for a period in excess of 20 years. It is hereby

ORDERED, ADJUDGED and DECREED as follows:

1. Clark Carter and Doris Carter are the owners of the property in dispute in this lawsuit, that is, all of Lot #8, Lot #208, Dunstan's map of Calera that lies of east of Foundry Road.

2. Plaintiffs do not own any portion of property east of Foundry Road. All the subject property which adjoins the Carter property has been adversely possessed by the Carters.

3. Clark Carter and Doris Carter properly had timber cut from the subject property and any and all funds presently held by E&M Timber and Trucking Company shall be paid directly to Clark Carter and Doris Carter.

4. The Clerk of this Court, within 30 days of the entry of this judgment, shall file a certified copy of this judgment for record in the Probate Court of Shelby County, Alabama, to be filed and indexed in the same matter in which deeds are recorded. The expense of said filing and recording shall be taxed as cost in this case.

5. The judgment in this matter shall be indexed in the Probate Court as follows:

Wilma Gail Scott (daughter of Ellis Gentry) and Ellis Gentry in the direct index and Clark Carter and Doris Carter in the reverse index.

Cost are taxed as paid.

DONE and ORDERED this 11th day of September, 1998.



J. Michael Joiner
Circuit Judge

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