

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

Pinkie Hunt,

Plaintiff

vs.

Willie Beatrice Jones, et al.

Defendants.



Civil Action Number

CV-99-527

FINAL JUDGMENT

The trial of this case was conducted on July 31, 2000 and November 2, 2000. All of the parties appeared either in person or through counsel. After hearing the testimony in the case, and reviewing numerous exhibits offered into evidence by the parties, the Court makes the following findings of fact:

1. The Plaintiff, Pinkie Hunt, filed this action on July 1, 1999 to quiet title to certain real property located in Shelby County, Alabama. The Plaintiff also sought to cancel and set aside a deed recorded on February 20, 1979, in Book 317, Page 901, in the Probate Office of Shelby County, Alabama, claiming that she and her now-deceased husband, J.T. Hunt, did not sign the deed conveying the said property to their son, Larry Hunt. The Plaintiff also sought to set aside a deed in which the Defendants, Larry and Doris Hunt, conveyed the above referenced property to the Defendant, Willie Beatrice Jones. That deed was recorded on January 9, 1995, in Instrument #1995-00697. In addition to claiming that the property should be restored to her, the Plaintiff also requested that the Court award damages against three notaries public, namely Linda Culberson, Norma Shew, and Yvonne Clinkscales.

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2. All of the Defendants were served with process, filed answers and appeared at trial with their respective counsel. The Defendant, Willie Beatrice Jones, filed her answer and claimed to be the owner of the property claimed by the Plaintiff.

3. Based upon the evidence presented, the Plaintiff, Pinkie Hunt, and her now-deceased husband, J.T. Hunt, conveyed the real property made the basis of this action and located at 46855 Highway 25, Vincent, Alabama 35178 to their son, Larry Hunt, by virtue of the deed recorded on February 20, 1979 in Book 317, Page 901, in the Probate Office of Shelby County, Alabama. The deed was properly executed in accordance with law before the notaries public named in the acknowledgments. Furthermore, the Court finds that, even if the deed had not been executed in accordance with law, the Plaintiff's action was barred by the statute of limitations applicable to this case and raised as affirmative defenses to the Complaint.

4. The Defendants, Larry and Doris Hunt, conveyed the property to the Defendant, Willie Beatrice Jones, by virtue of that certain warranty deed recorded on January 9, 1995, in Instrument #1995-00697 in the Probate Office of Shelby County, Alabama. The deed was properly executed in accordance with law. Furthermore, this deed contained warranties of title, and covenants that the Hunts would warrant and defend the title for the benefit of Ms. Jones against the lawful claims of all persons.

5. As a result of the above conveyances, the Defendant, Willie Beatrice Jones, is the sole owner of the property, and is entitled to possession thereof.

6. The Defendants, Larry and Doris Hunt, are liable to Willie Beatrice Jones under Counts One, Two, and Three of the Cross-claim filed by Ms. Jones against the Hunts.

As a result of the above, it is hereby **ORDERED** as follows:

1. Judgment is hereby entered in favor of the Defendants and against the Plaintiff with respect to the allegations of the Complaint.

2. The Defendant, Willie Beatrice Jones, is hereby declared to be the owner of the property made the basis of this action, and title to the following described property located in Shelby County, Alabama is hereby **VESTED IN** her:

A part of the East Half of the Northwest Quarter of Section 33, Township 18, Range 2 East, described as beginning at the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section, Township and Range; thence South to the Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section, Township and Range; thence East to the corner of the land owned by the T.C.I. and R.R. Company, April 19, 1937; thence Northerly (a little East of North) direction to another corner of the lands owned by T.C.I. and R.R. Company, April 9, 1937; thence East about 33 yards to the corner of lands owned by E.A. Turner, Jr., April 9, 1937; thence North to the right-of-way of the Central of Georgia Railway Company; thence in a Westerly direction along said right-of-way of the North line of said Section 33; thence West along said line to the starting point, containing 34 acres, more or less.

LESS AND EXCEPT the property described in Deed Book 211, Page 674; Deed Book 211, Page 676; Deed Book 245, Page 443; Deed Book 267, Page 802; Deed Book 77, Page 369; and, Deed Book 304, Page 02 (as corrected by the corrective deed at Deed Book 352, Page 351), all recorded in the Probate Office of Shelby County, Alabama.

3. The Defendant, Willie Beatrice Jones, is hereby awarded **IMMEDIATE POSSESSION** of the property described in the foregoing paragraph, and shall have all remedies available to her through this Court to regain possession.

4. The Plaintiff, Pinkie Hunt, her now-deceased husband, J.T. Hunt, and the Defendants, Larry and Doris Hunt, are hereby **DIVESTED** of any interest in, and claim and title to the above described property.

5. With respect to Counts One, Two and Three of the Cross-claim, a judgment in the amount of \$6,469.35 is hereby entered in favor of Willie Beatrice Jones and against the Defendants,


Larry and Doris Hunt, jointly and severally.

6. Any claims not addressed above are hereby **DISMISSED**.

7. A copy of this judgment shall be recorded in the Probate Office of Shelby County, Alabama. The Clerk of the Probate Office is directed to record the judgment in the direct/grantor index under the names of Pinkie Hunt, J.T. Hunt, Larry Hunt, and Doris Hunt; and, in the reverse/grantee index under the name of Willie Beatrice Jones.

8. Costs of this action are hereby taxed against the Plaintiff, Pinkie Hunt, and the Defendants, Larry and Doris Hunt, jointly and severally, for which let execution issue.

Done and Ordered on this the 13th day of November, 2000.


George Daniel Reeves, Circuit Judge

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