

JUL 3 2001

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

BILLY WAYNE OWENS,

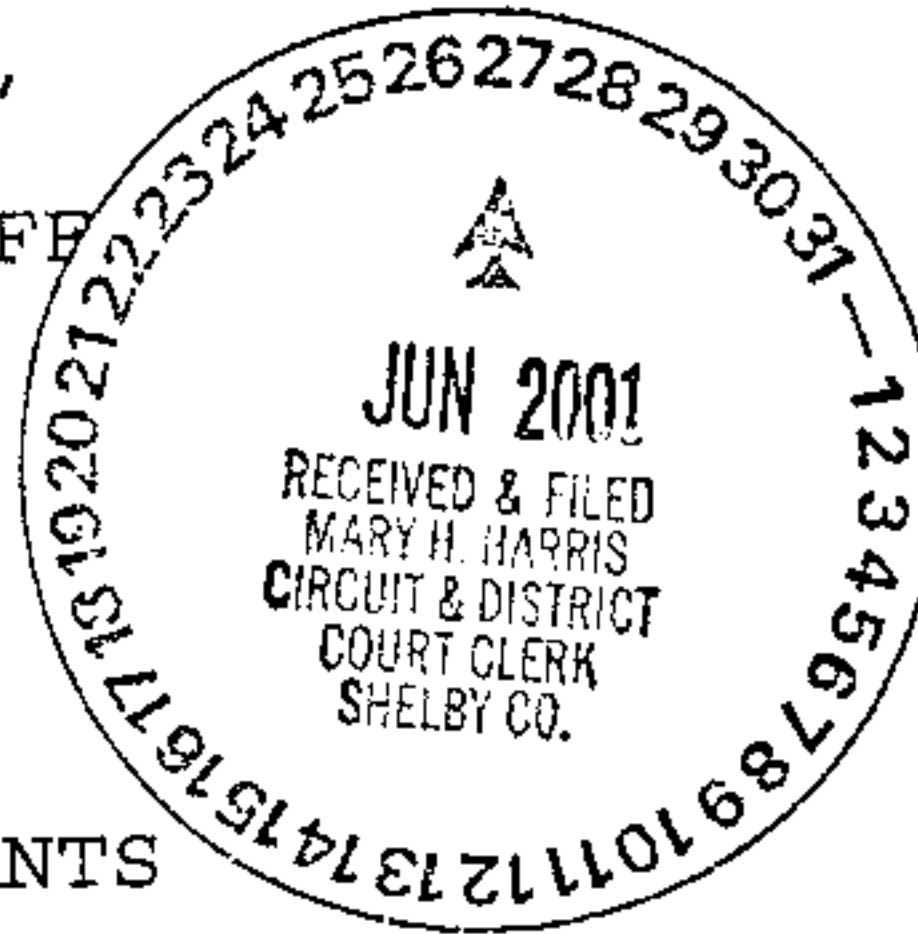
PLAINTIFF

VS.

JAMES E. LEE and
ARTHUR E. LEE,

DEFENDANTS

CIVIL ACTION NO. CV-9-722



Inst # 2001-9-32277

08/03/2001-32277
08:42 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
14.00
002 CH

ORDER OF COURT

This cause being heard on the 6th day of March, 2001, and the 15th day of May, 2001, and the plaintiff, Billy Wayne Owens, appearing in court with his attorney of record, Hon. J. Frank Head, and the defendants, James E. Lee and Arthur E. Lee, appearing in court with their attorney of record, Hon. William P. Powers, III, and the parties having offered testimony and evidence in support of their positions, and the parties thereafter having reached a settlement agreement as to all issues in this cause, and upon consideration thereof, it is, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the plaintiff, Billy Wayne Owens, is adjudged as the sole and lawful owner of the following described property:

Commence at the SE corner of the NE 1/4 of SW 1/4 of SW 1/4 of Section 9, Township 22 South, Range 2 West, and run North 105 feet to the point of beginning; thence continue North along the East boundary of said NE 1/4 of SW 1/4 of SW 1/4 of said Section, a distance of 315 feet to a point, being the NE corner of Eva Owens property; thence West parallel with the North boundary of said NE 1/4 of SW 1/4 of SW 1/4 210 feet; thence South parallel with the East boundary of said NE 1/4 of SW 1/4 of SW 1/4, being along the West boundary of said Owens land, 315 feet to a point; thence East parallel with the South boundary of said NE 1/4 of SW 1/4 of SW 1/4, 210 feet to the point of beginning.

Also, all such property as is currently under fence, at or near the boundaries of the above described property, and/or as heretofore claimed and lawfully possessed by Eva Owens, deceased.

2. That the defendant, James E. Lee, shall have the right to continue living on the above described property for as long as he may desire to do so, conditioned upon him reimbursing the plaintiff for the premium of a homeowner's insurance policy in the amount of \$25,000.00, and paying the annual ad valorem real estate taxes and the annual fire dues, within forty-five (45) days upon receiving notice of such. The said James E. Lee shall make the said payments to bank account number 81-838051 at Central State Bank. The plaintiff shall have the right to periodically inspect the house and property upon reasonable notice. The said James E. Lee shall also be responsible for the upkeep, maintenance and repair of the property while he is living there, and shall not commit waste, and as between the parties, shall be responsible for any liability that may be incurred on or about the premises. In the event the said James E. Lee fails to comply with the terms hereof, he shall immediately vacate said property upon request of the plaintiff.

3. Costs of court are taxed as paid.

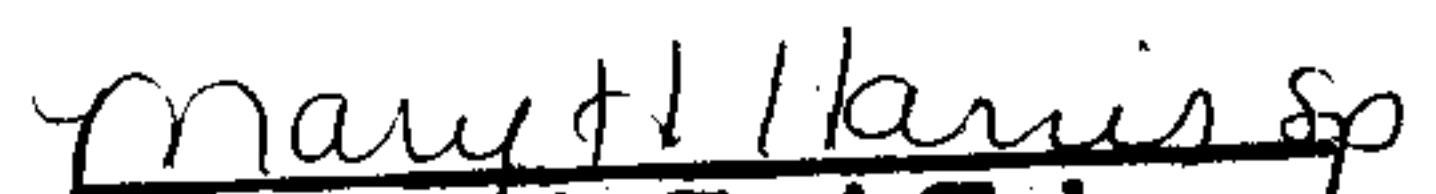
DONE AND ORDERED this 27th day of June, 2001.


D. Al Crowson, Circuit Judge

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SHELBY COUNTY JUDGE OF PROBATE
002 CH 14.00

Certified a true and correct copy
Date: 8/3/01


Mary H. Harris, Circuit Clerk
Shelby County, Alabama