

JUDGMENT QUIETING TITLE

This cause came on to be heard on the 9th day of July, 2003. Upon consideration of the verified complaint, including facts verified relative to service by publication, prior orders prescribing and directing notice to the Defendants and appointment of guardian ad litem, the lis pendens recorded in the records in the Office of the Judge of Probate of Shelby County, Alabama, proof of publication of notice of pendency of this proceeding, answer of the guardian ad litem appointed by the Court, denying all of the allegations of the complaint, and oral testimony taken in open court, the Court makes the following as findings of fact, among other things:

1. That the Plaintiffs,

The heirs at law of Sallie Purnell, to wit;
Reginal Woods, Robert Woods, Nanette Woods, Vertell Woods, Homer Woods, Joseph Woods, Diane Woods, Mary Jones, Clarcie Dubose, Samuel Purnell, Jr.,
Kim Purnell, Nora Jean Purnell, Bonita Purnell,
Herman Purnell, Kerry Purnell, Tajuanna McNeal,
Eddie Staffney, Jr., Bryant Staffney, Kevin Staffney, Tracy S. Cook, Julie Staffney, Donna O'Hara, Brenda Purnell, Charlene Curtis, Patricia Purnell,

At the time of the filing of the complaint in this cause, claimed in their own right fee simple title to and was in actual peaceable possession of the following described lands:

Commence at the intersection of the South right of way of Valley Street and West right of way of Wadsworth Street and run thence Southwest along the South line of Valley Street a distance of 75 feet to the point of beginning; thence continue Southwest along the South line of Valley Street 190 feet; thence run Southeast and parallel with Wadsworth Street, a distance of 190 feet to the North line of Main Street; thence run Northeast along the North line of Main Street a distance of 190 feet; thence run Northwest and parallel with Wadsworth Street a distance of 190 feet to the point of beginning; being situated in the City of Montevallo, Shelby County, Alabama.

2. That at the time of the filing of the complaint, no suit was pending to test Plaintiff's title, interest in, or the right to possession of said land.

3. That Plaintiff's complaint was duly verified, and was filed against said lands and against any and all persons claiming any title to, interest, lien or encumbrance on said land or any part thereof, and was to establish the right or title to such lands or interest, and to clear up all doubts or disputes concerning the same, and that said complainant did in all respects comply with the provisions of the Code of Alabama, 1975, Section 6-6-51.

4. That service of process was had in strict compliance with the provisions of the Code of Alabama, 1975, Section 6-6-564 and Rule 4.3 of the Alabama Rules of Civil Procedure, and the Court finds as a fact that Plaintiff exercised diligence to ascertain all of the facts in regard to the names of proper parties Defendants.

5. That notice of the pendency of said complaint was issued by the Court and published once a week for four consecutive weeks in the *Shelby County Reporter*, a newspaper of general circulation and published in Shelby County, Alabama.

6. That a copy of said notice, certified by the Court as being correct, was recorded as a *lis pendens* in the Office of the Judge of Probate of Shelby County, said notice being in compliance with the Code of Alabama, 1975, Section 35-4-31.

7. That it has been more than thirty days since the last publication of said notice and the filing of a certified copy of said notice in the Office of the Judge of Probate of Shelby County, Alabama.

8. That no person has intervened in this case except that the Honorable Bruce M. Green, appointed by the Court herein as guardian ad litem for interest of infant, lunatic, and unknown parties in the proceeding has appeared herein, denied the allegations of the complaint, demanded strict proof thereof, and examined the entire file in this proceeding, including the testimony on behalf of the Plaintiff.

9. That all of the allegations of fact contained in the complaint are true; that there was proper service of process on all of the Defendants named in the complaint.

10. That the Defendants named in the complaint contained all names known to Plaintiffs after the exercise of due diligence, and that all of the Defendants were represented in this proceeding by guardian ad litem.

11. That the Plaintiffs complied with all of the provisions of law relative to this proceeding in rem to establish title to land. It is, therefore,

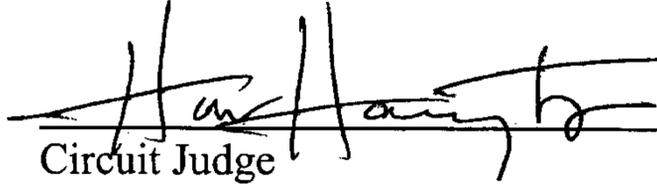
ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiffs are entitled to the relief prayed for in the complaint, and that the fee simple title claimed by the Plaintiffs in and to the above described lands has been duly proved, and that the Plaintiffs are the owner of said lands and has a fee simple title thereto, free of all liens and encumbrances, and that their title thereto be and is hereby established, and that all doubts and disputes concerning same be and the same are hereby cleared. It is further

ORDERED, ADJUDGED AND DECREED by the Court that a certified copy of this decree be recorded in the Office of the Judge of Probate of Shelby County, Alabama, and that it be indexed in the names of the Plaintiffs herein, in both the direct index and indirect index of the records thereof. It is further

ORDERED ADJUDGED AND DECREED by the Court that the Honorable Bruce M Green, be and he is hereby awarded a fee of Four Hundred Dollars (\$400.00) for his services as guardian ad litem in this proceeding, to be paid directly by the Plaintiffs. It is further

ORDERED ADJUDGED AND DECREED by the Court that the Plaintiff's herein pay the costs of the proceedings, for which execution may issue.

Done this 25th Day of July, 2003.


Circuit Judge
Shelby County Circuit Court

December 16, 2004
Mary H. Harris Clerk

