

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

BRIAN ALLEN,

Plaintiff,

v.

ANN L. THOMAS, and her heirs or devisees, if deceased, and the following described lands in the Town of Wilsonville, Shelby County, Alabama, to wit: From the Southwest corner of the NE¼ of the NE¼ of Section 7, Township 21 South, Range 2 East, run West a distance of 47.21 feet; thence right 79 degrees, 39 minutes, a distance of 372.95 feet to the point of beginning; thence continue a distance of 100.00 feet; thence right 89 degrees 50 minutes, a distance of 199.13 feet; thence right 90 degrees 00 minutes a distance of 100.00 feet; thence right 90 degrees, 00 minutes a distance of 199.42 feet to the point of beginning. There is also conveyed to grantee, her heirs, successors and assigns, the right to use the present boat launching site of grantor on Lay Lake for the purpose of launching boats for their private use, together with the right to fish from the bank of Lay Lake or property now owned by grantor,

Defendants.

20060619000292650 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
06/19/2006 03:01:45PM FILED/CERT

CASE NO. CV-06-19

RECEIVED AND FILED  
MARY H. HARRIS  
JUN 19 2006  
CIRCUIT & DISTRICT  
COURT CLERK  
SHELBY CO.

JUDGMENT

This action is submitted for judgment on of the verified complaint and Plaintiff's motion for default judgment and affidavits in support thereof.

Publication of the pendency of this action was made in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, on March 15, March 22, March



29, and April 5, 2006, calling upon the defendant, Ann L. Thomas, and her heirs and devisees if deceased, to plead, answer or otherwise defend on or before the 5th day of May, 2006. More than sixty days has elapsed from the date of the first publication of said notice and the filing of a certified copy thereof in the office of the judge of probate of Shelby County, Alabama.

The Court finding that the Complaint filed in this action complies in all respects with the requirements of Ala. Code §§ 6-6-560 and -561, and the evidence satisfies the special requirements of Ala. Code § 40-10-82, it is the opinion of the Court that the Plaintiff is entitled to the *in rem* relief prayed for in the Complaint.

Accordingly, it is ordered, adjudged and decreed:

1. The right, title, interest and ownership of the Plaintiff in and to the property is hereby established and forever quieted *in rem* and against the Defendant, and the property which is more particularly described as:

From the Southwest corner of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 7, Township 21 South, Range 2 East, run West a distance of 47.21 feet; thence right 79 degrees, 39 minutes, a distance of 372.95 feet to the point of beginning; thence continue a distance of 100.00 feet; thence right 89 degrees 50 minutes, a distance of 199.13 feet; thence right 90 degrees 00 minutes a distance of 100.00 feet; thence right 90 degrees, 00 minutes a distance of 199.42 feet to the point of beginning. There is also conveyed to grantee, her heirs, successors and assigns, the right to use the present boat launching site of grantor on Lay Lake for the purpose of launching boats for their private use, together with the right to fish from the bank of Lay Lake or property now owned by grantor.

2. The clerk of this Court shall certify copies of this judgment and record the same in the Office of the Judge of Probate of Shelby County, Alabama, and the same shall be indexed in the same books and in the same manner in which deeds are recorded, and said judgment shall be indexed in the name of the Defendant against whom this relief is granted in the direct index and in the name of the Plaintiff in possession of the property in the reverse index.

3. The guardian ad litem, William E. Swatek, is awarded the sum of \$ 500.00 as a fee

for his services rendered in this action.

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4. Costs of this action are taxed to the Plaintiff.

Done and ordered this the 14<sup>th</sup> day of June, 2006.



Dan Reeves, Circuit Judge

certified a true and correct copy  
Date 6/19/06  
Mary A. Harris