

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

SYLACAUGA DISTRICT, NORTH
ALABAMA CONFERENCE OF
THE UNITED METHODIST CHURCH,

Plaintiff,

v.

CIVIL ACTION NO. CV-05-1414

JUDITH WHORTON, individually
and as personal representative of the
the ESTATE OF ROBERT J. WHORTON,
deceased; NANCY W. CLARK, individually
and as personal representative of the ESTATE
OF LEAH W. FULLER, deceased; NANCY W.
CLARK, individually and as personal
representative of the ESTATE OF RUBY W.
WOOLLEY, deceased; FRANCES L.
BLALOCK; JOHN HOYT BLALOCK; and the
following described lands located in Shelby
County Alabama: From a 1-inch rebar at the
the NE corner of Section 32, Township 20 South,
Range 1 East, run thence South along the East
boundary of said Section 32 for a distance of
1964.25 feet to a 1/2-inch rebar, being the point
of beginning of herein described parcel of land;
thence continue along said course for a distance
of 415.84 feet to a 1/2-inch rebar that is 2721.21
feet North of a 1/2-inch rebar at the SE corner
of said Section 32; thence turn 90 degrees 00
minutes 27 seconds right and run 208.33 feet
along an accepted property line to a 1.5-inch
rebar; thence turn 89 degrees 52 minutes 17
seconds right and run 312.85 feet along an
accepted property line to a 1.5-inch rebar;
thence turn 61 degrees 39 minutes 28 seconds
right and run 216.05 feet along an accepted
property line to a 5/8-inch rebar; thence turn 28
degrees 28 minutes 15 seconds right and
run 19.06 feet along an accepted property
line to the point of beginning of herein
described parcel of land. Situated in the
SE 1/4 of the NE 1/4 of Section 32,
Township 20 South, Range 1 East,
Shelby County, Alabama; also, a 30-foot

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MARY H. HARRIS

MAY 22 2007

CIRCUIT & DISTRICT
COURT CLERK
SHELBY CO.

non-exclusive easement for ingress and)
egress described to-wit: From a 1-inch)
rebar at the NW corner of Section 33,)
Township 20 South, Range 1 East, run)
thence South along the West boundary of)
said Section 33 for a distance of 2084.42)
feet to a 1/2-inch rebar, being the point of)
beginning of the centerline of herein)
described 30-foot nonexclusive easement)
for ingress and egress; thence turn 92)
degrees 46 minutes 30 seconds left and)
run 152.00 feet along said easement)
centerline to a point of termination in)
the center of Shelby County Road #55.)
According to survey of Sam W. Hickey,)
RLS #4848, dated September 2, 2004;)
all other parties claiming any present,)
future, contingent, remainder, reversion,)
or other interest in said lands,)

Defendants.

FINAL JUDGMENT

This cause coming to be heard on the 24th day of April, 2007, and being submitted to the Court upon the Complaint, as amended, and the Answer of Judith Whorton, individually and as personal representative of the Estate Robert J. Whorton, deceased, and the Answer of Nancy W. Clark, individually and as personal representative of the Estate of Leah W. Fuller, deceased, and the Answer of Nancy W. Clark, as personal representative of the Estate of Ruby W. Woolley, deceased, and the Answer of the Guardian Ad Litem, and the testimony and evidence presented in this cause, the Court finds that the individual defendants were served and/or filed responsive pleadings as parties hereto, and that notice herein was published for four (4) consecutive weeks, commencing on the 11th day of January, 2006, in the Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama, and that Lis Pendens notice was filed in the Office of the Judge of Probate of Shelby County, Alabama, on the 26th day of April, 2006, and appears of record therein.

The Court further finds that more than sixty (60) days have elapsed since the first publication date described above, and since the filing of the notice in the Probate Office as described above.

The Court further finds that the Guardian Ad Litem heretofore appointed to represent such of the defendants to this cause who are now under the age of nineteen (19) years, incompetent, or unknown or unable to be ascertained with reasonable diligence, has accepted the appointment and has filed an answer denying allegations of the Complaint.

The Court further finds that all persons who could have a claim in or to the said real estate described in the Complaint are before this Court and that their interest therein, if any, will be finally and conclusively determined by this Judgment.

The Court further finds that the plaintiff, Sylacauga District, North Alabama Conference of The United Methodist Church, at the time of the filing of this Complaint, had and claimed in its own right a fee simple title, and easement, as described herein, and was in actual, peaceable, notorious, and adverse possession of said property described in the Complaint for a period in excess of One Hundred (100) years next preceding the filing of the Complaint.

The Court further finds that the Complaint filed in this cause was duly verified, and at the time said Complaint was filed there was no suit pending to test title to, interest in, or right to possession of said lands.

The Court further finds that the plaintiff has exercised due diligence to ascertain the facts with regard to unknown defendants.

The Court further finds that the plaintiff has complied with all regulations, requirements, policies and discipline of the North Alabama Conference of the United Methodist Church, and the Sylacauga or other District therein, of which Blue Springs Methodist Church was a part thereof, and that any requirements for continuation of use of said property for religious purposes have been properly dissolved or terminated. Upon consideration of all the evidence presented, the Court finds that the allegations of the Complaint are true, and all requirements necessary to quiet title in the above described lands have been met, and that the plaintiff is entitled to the relief prayed for herein.

WHEREFORE, upon consideration thereof, it is therefore, ORDERED, ADJUDGED and DECREED as follows:

1. That all persons who could possibly have a claim or interest in or to the real estate described in the Complaint in this cause are before the Court, and their interest therein is finally and conclusively determined by this Judgment.

2. That the right, title, interest and ownership of the plaintiff in and to the property is hereby established and forever quieted in personam against the individual defendants, and in rem against the property, and the plaintiff, Sylacauga District, North Alabama Conference of The United Methodist Church, is the sole owner of a fee simple interest in and to that certain real estate described in the Complaint, with an easement as identified thereto, which said real estate is located in Shelby County, Alabama, and is more particularly described as follows:

From a 1-inch rebar at the NE corner of Section 32, Township 20 South, Range 1 East, run thence South along the East boundary of said Section 32 for a distance of 1964.25 feet to a ½-inch rebar, being the point of beginning of herein described parcel of land; thence continue along said course for a distance of 415.84 feet to a ½-inch rebar that is 2721.21 feet North of a ½-inch rebar at the SE corner of said Section 32; thence turn 90 degrees 00 minutes 27 seconds right and run 208.33 feet along an accepted property line to a 1.5-inch rebar; thence turn 89 degrees 52 minutes 17 seconds right and run 312.85 feet along an accepted property

line to a 1.5-inch rebar; thence turn 61 degrees 39 minutes 28 seconds right and run 216.05 feet along an accepted property line to a 5/8-inch rebar; thence turn 28 degrees 28 minutes 15 seconds right and run 19.06 feet along an accepted property line to the point of beginning of herein described parcel of land. Situated in the SE 1/4 of the NE 1/4 of Section 32, Township 20 South, Range 1 East, Shelby County, Alabama.

Also, a 30-foot non-exclusive easement for ingress and egress described to-wit: From a 1-inch rebar at the NW corner of Section 33, Township 20 South, Range 1 East, run thence South along the West boundary of said Section 33 for a distance of 2084.42 feet to a 1/2-inch rebar, being the point of beginning of the centerline of herein described 30-foot nonexclusive easement for ingress and egress; thence turn 92 degrees 46 minutes 30 seconds left and run 152.00 feet along said easement centerline to a point of termination in the center of Shelby County Road #55. According to survey of Sam W. Hickey, RLS #4848, dated September 2, 2004.

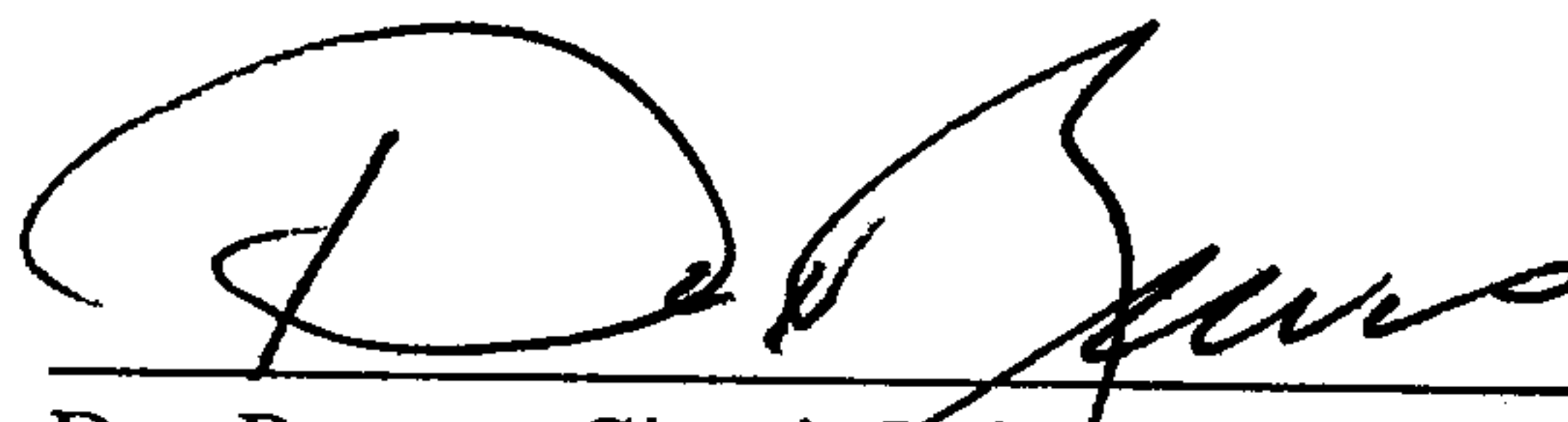
3. That none of the defendants have any right, title, interest, claim or encumbrance in, to or upon the real estate described in the preceding paragraph, and judgment is entered against all said defendants.

4. That the Guardian Ad Litem be and is hereby awarded a fee in the amount of \$ _____.

5. That costs of Court are taxed as paid.

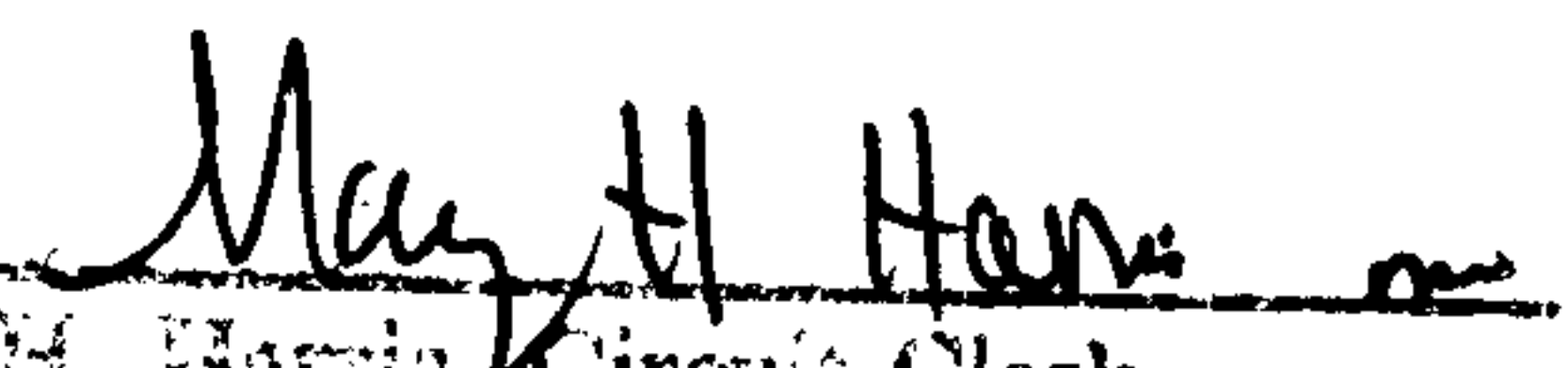
6. That a certified copy of this Judgment shall be recorded in the Probate Office of Shelby County, Alabama, to be indexed under the name of the plaintiff, Sylacauga District, North Alabama Conference of The United Methodist Church.

DONE and ORDERED this 14th day of May, 2007.



Dan Reeves, Circuit Judge

Certified a true and correct copy
Date: 5-25-07



Mary H. Harris, Circuit Clerk
Shelby County, Alabama