

IN THE MATTER OF THE ESTATE OF)	IN THE PROBATE COURT OF
)	
GRACIE HUTCHISON)	SHELBY COUNTY, ALABAMA
)	
DECEASED)	CASE NO. PR-2013-000069

ORDER ON PETITION TO RELEASE LIEN ON REAL PROPERTY

This matter coming on to be heard On January 6, 2015 upon a PETITION TO RELEASE LIEN ON REAL PROPERTY (the "Petition") as filed by Shane Caton as Administrator of the Estate of Gracie Hutchison, deceased, for an order of this Court to release a judgment against Gaynell Caton, an heir and next of kin of Gracie Hutchison, in favor of Palisades Collection LLC and recorded in Shelby Instrument #20060630000318400, which is a lien on the real estate (hereinafter the "Lien") described as follows:

Commence at a 2" open top pipe in place being the Northeast corner of the Northwest one-fourth of the Southwest one-fourth of Section 6, Township 20 South, Range 2 West, Shelby County, Alabama, said point being the Point of Beginning. From this beginning point proceed South 00° 02' 25" West along the East boundary of said quarter-quarter section for a distance of 1004.42 feet to a capped rebar in place; thence proceed North 65° 29' 57" West for a distance of 717.89 feet to a capped rebar in place; thence proceed North 65° 33' 20" West for a distance of 253.16 feet to a capped rebar in place; thence proceed North 65° 30' 51" West for a distance of 250.30 feet to ½" rebar to a point on the Easterly right-of-way of U. S. Highway 31; thence proceed North 26° 58' 38" East along Easterly right-of-way of said highway for a distance of 594.18 feet to a ½" rebar in place; thence proceed South 87° 36' 13" East along the North boundary of said quarterquarter section for a distance of 303.25 feet to a 1" crimp top pipe in place; thence proceed South 88° 08' 01" East along the North boundary of said quarter-quarter section for a distance of 387.85 feet to a ½" open top pipe in place; thence proceed South 87° 44' 07" East along the North boundary of said quarter-quarter section for a distance of 152.15 feet to the Point of Beginning.


The above described land is located in the Northwest one-fourth of the Southwest onefourth of Section 6, Township 20 South, Range 2 West, Shelby County, Alabama, and contains 18.0 acres.

(the "Real Estate"). The Real Estate has been sold pursuant to this Court's prior Order and the Administrator moves to have the Lien released to clear title on the sale and to subject the share of Gaynell Caton from the Estate of Gracie Hutchison to the Lien on final settlement of this estate.

Notice of the hearing was given as required by law¹ and it is noted that this Court has Jurisdiction for this matter as the Real Estate is located in Shelby County, the Certificate of Judgment creating the Lien was filed in Shelby County and Gaynell Caton is an heir and next of kin of Gracie Hutchison and the Estate of Gracie Hutchison is being administered in this Court. Present at the hearing was Terrill W. Sanders as attorney for the Estate of Gracie Hutchison, Robert Matthew Talley as Administrator ad Litem for Robert Masters, deceased, and, present by telephone conference call, Sanford D. Hatton Jr. as Guardian ad Litem for Danielle Headley, a minor. The Administrator ad Litem and Guardian ad Litem both objected to the Petition and demanded strict proof thereof.

Now comes said administrator and moves the Court to grant said Petition; it having been proven to the satisfaction of the Court that it would be inequitable for all of the beneficiaries of the Estate of Gracie Hutchison to share in the payment of the Lien filed by Palisades Collection L.L.C. in respect to Gaynell Caton and that Gaynell Caton will be entitled to a share of the Estate of Gracie Hutchison which will not be determined until final settlement of this estate and it appearing to the satisfaction of the Court that all parties in interest have been given notice as required by law and that it will be to the best interest of the Estate of Gracie Hutchison for the share of Gaynell Caton to be subject to the Lien and for the Lien to be released on the Real Estate.

It is, therefore,



20150611000195330 2/4 \$23.00
Shelby Cnty Judge of Probate, AL
06/11/2015 10:41:39 AM FILED/CERT

¹ Specifically, Palisades was served with the petition and notice of the hearing by certified mail on November 25, 2014. Palisades has not filed any response, did not appear for the hearing and has had no communication with this Court regarding the petition.

ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the Lien filed in the Shelby County Probate Court in Shelby Instrument #20060630000318400 in respect to Gaynell Caton and in favor of Palisades Collection Services L.L.C. is hereby satisfied as to the Real Estate and is no longer a lien on the above described Real Estate and,

2. The share of the Estate of Gracie Hutchison to which Gaynell Caton will be entitled on final settlement shall be subject to the Lien filed in the Shelby County Court in Shelby Instrument #20060630000318400 and such entitlement shall be paid first to the lienholder, and, if there are any funds to which Gaynell Caton will be entitled on final settlement in excess of the amount of the Lien, the balance of such entitlement shall be paid to Gaynell Caton. Upon the payment of such funds to the leinholder, any obligation of the Estate of Gracie Hutchison created in this Order shall be satisfied,

3. This Order shall not release the Lein in respect to any other property of Gaynell Caton and

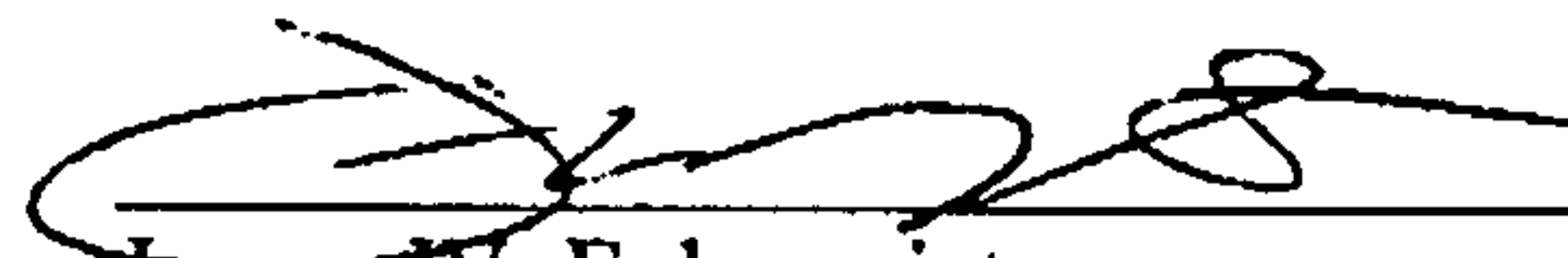
4. It is further **ORDERED** that court costs for all matters which have occurred in this estate to the time of and including this proceeding, which includes an Administrator ad Litem fee for Robert Matthew Talley in the amount of \$700.00 and a Guardian ad Litem fee for Sanford D. Hatton Jr. in the amount of \$100.00, be taxed against said estate for which let execution issue.

DONE AND ORDERED this 18 day of MARCH, 2015.


ENTERED AND FILED

MAR 20 2015

KIMBERLY N. HARRIS, CLERK
SHELBY COUNTY, ALABAMA


James W. Fuhrmeister
Shelby County, Alabama, Judge of Probate
In Equity Sitting


cc: Terrill W. Sanders, Esq.
Gregory S. Graham, Esq.


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Andre' Toffel, Esq.
Gary Young, Esq.
John C. Headley
Patricia Maxwell



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I certify this to be a true and
correct copy 
(CIR) 6-11-15 Probate Judge
4 pages Shelby County