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58-CV-2016-901084.00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

LOREN A. STIFFLER,

Plaintiff,

v.

CASE NO. CV 2016-901084

BARKLEY SQUARE HOMEOWNERS)
ASSOCIATION, INC., and a Parcel of)
Real Property Described as a part of)
the Southeast Quarter of the Southeast)
Quarter of Section 2, Township 19 South,)
Range 2 West and a part of the)
Southwest Quarter of the Southwest)
Quarter of Section 1, Township 19 South,)
Range 2 West, Shelby County,)
Alabama, being more particularly)
described as follows: Beginning at the)
Southeast corner Section 2, Township)
19 South, Range 2 West; thence North)
87 degrees 20 minutes 34 seconds West a)
distance of 871.09 feet to a point around)
a curve to the right through a central)
angle of 10 degrees 21 minutes 06)
seconds, an arc distance of 251.56 feet,)
a chord bearing of North 69 degrees 16)
minutes 01 seconds East, a distance of)
251.22 feet to a point; thence North 74)
degrees 26 minutes 34 seconds East a)
distance of 11.08 feet to a point around a)
curve to the left through a central angle)
of 35 degrees 47 minutes 17 seconds, an)
arc distance of 638.00 feet, a chord)
bearing of North 56 degrees 32 minutes)
55 seconds East a distance of 627.67)
feet to a point; thence North 38 degrees)
39 minutes 17 seconds East a distance of)
670.72 feet to a point; thence South)
55 degrees 34 minutes 52 seconds)
East a distance of 79.55 feet to a point;)
thence South 33 degrees 46 minutes 47)
seconds East a distance of 269.26 feet)
to a point; thence South 55 degrees 34)
minutes 52 seconds East a distance of)
312.46 feet to a point; thence South 41)
degrees 06 minutes 53 seconds East a)

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Shelby Cnty Judge of Probate, AL
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distance of 94.63 feet to a point; thence)
 South 46 degrees 54 minutes 16 seconds)
 East a distance of 120.00 feet to a point;)
 thence North 41 degrees 51 minutes 37)
 seconds East a distance of 565.00 feet)
 to a point; thence South 00 degrees 29)
 minutes 28 seconds East a distance)
 of 304.37 feet to a point; thence South)
 10 degrees 09 minutes 21 seconds West)
 a distance of 434.37 feet to a point;)
 thence South 31 degrees 44 minutes 07)
 seconds West a distance of 150.00 feet)
 to a point; thence North 88 degrees)
 15 minutes 53 seconds West a distance)
 of 1165.76 feet to a point; to the point)
 of beginning, less and except that part)
 that lies within Barkley Square, being)
 recorded in Map Book 27, Page 32, in)
 the Probate Office of Shelby County,)
 Alabama; and all other persons)
 claiming any present, future, contingent,)
 remainder, reversion, or other interest in)
 said lands,)
)
 Defendants.)

ORDER

THIS MATTER comes before the Court on the application for entry of default and default judgment filed by plaintiff Loren A. Stiffler, by and through his counsel of record. The Court notes that this an action to quiet title in the plaintiff in a parcel of real property located in Shelby County, Alabama, and described more fully in the complaint. The Court notes that service by publication of this action was ordered on April 7, 2017, that notice of publication was issued on April 13, 2017, and that an affidavit of publication was entered by the Clerk on May 10, 2017. The Court further notes that since that time, no individual or entity has filed any answer or response to the plaintiff's complaint. In light of this, the Court finds that the plaintiff

is entitled to an entry of default in his favor. Accordingly, it is hereby ORDERED, ADJUDGED, AND DECREED, that an entry of default is made in favor of the plaintiff, Loren A. Stiffler.

After having made an entry of default in favor of the plaintiff and having reviewed the allegations of the complaint, the Court further takes note of the following:

1. That this action was brought pursuant to the Code of Alabama, 1975, § 6-6-540, Ala. Code 1975, et seq.
2. That the plaintiff has been since 2010, in the actual, peaceable, notorious, adverse possession of the following described property, claiming to own the same, being the same property described in the caption to this complaint, and has held and holds color of title to the said lands, being the fee simple interest therein so claimed, and plaintiff has duly assessed and paid ad valorem taxes thereon during Plaintiff's period of ownership, the description of the property being:

A parcel of real property described as, a part of the Southeast Quarter of the Southeast Quarter of Section 2, Township 19 South, Range 2 West and a part of the Southwest Quarter of the Southwest Quarter of Section 1, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: Beginning at the Southeast corner Section 2, Township 19 South, Range 2 West; thence North 87 degrees 20 minutes 34 seconds West a distance of 871.09 feet to a point around a curve to the right through a central angle of 10 degrees 21 minutes 06 seconds, an arc distance of 251.56 feet, a chord bearing of North 69 degrees 16 minutes 01 seconds East, a distance of 251.22 feet to a point; thence North 74 degrees 26 minutes 34 seconds East a distance of 11.08 feet to a point around a curve to the left through a central angle of 35 degrees 47 minutes 17 seconds, an arc distance of 638.00 feet, a chord bearing of North 56 degrees 32 minutes 55 seconds East a distance of 627.67 feet to a point; thence North 38 degrees 39 minutes 17 seconds East a distance of 670.72 feet to a point; thence South 55 degrees 34 minutes 52 seconds East a distance of 79.55 feet to a point; thence South 33 degrees 46 minutes 47 seconds East a distance of 269.26 feet to a point; thence South 55 degrees 34 minutes 52 seconds East a distance of 312.46 feet to a point; thence South 41 degrees 06 minutes 53 seconds East a distance of 94.63 feet to a point; thence South 46 degrees 54 minutes 16 seconds East a distance of 120.00 feet to a point; thence North 41 degrees 51 minutes 37 seconds East a distance of 565.00 feet to a point; thence South 00 degrees 29 minutes 28 seconds East a distance of 304.37 feet to a point; thence South 10 degrees 09 minutes 21 seconds West a distance of 434.37 feet to a point; thence South 31 degrees 44 minutes 07 seconds West a distance of 150.00 feet to a point; thence North 88 degrees 15 minutes 53 seconds West a

distance of 1165.76 feet to a point; to the point of beginning, less and except that part that lies within Barkley Square, being recorded in Map Book 27, Page 32, in the Probate Office of Shelby County, Alabama,

3. That the defendants herein are the lands herein described and any and all parties, including any persons claiming any present, future, contingent, reversionary, remainder, or other interest therein who may claim any interest in this property and that the plaintiff is not aware of any such persons who make any such claims who are not individually named herein as Defendants.

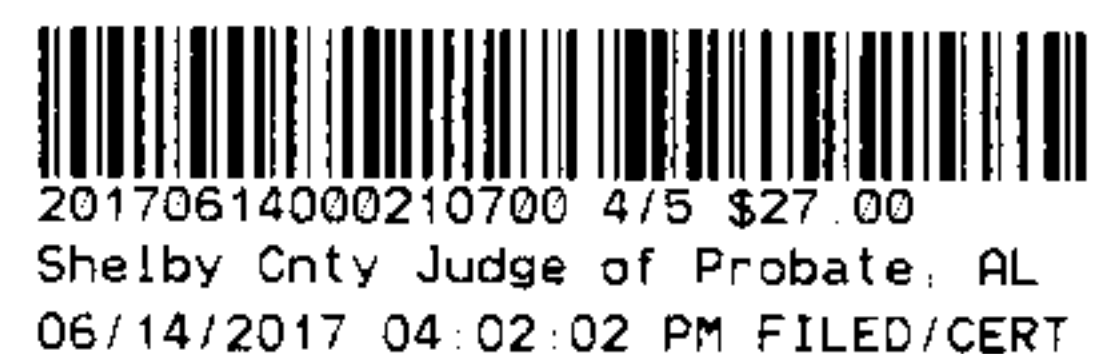
4. That there are no other named Defendants hereto because the Plaintiff has made diligent inquiry and has not been able to ascertain any other person or persons making claim to or interest in the said lands.

5. That the plaintiff does not know of any person who claims any interest in the above-described lands or any part thereof, or lien thereon, or encumbrance thereon.

6. That there is no other or previous suit pending to test or determine the title to or any interest in, or right of possession of the plaintiff in or to the said lands or any part thereof, and that no suit is pending to test or determine any other title to, interest in, or right of possession of the said lands or any part thereof.

7. That the Court appointed Michael T. Atchison, Esq., to serve as guardian ad litem to represent the interest of any heir, devisees, or unknown parties how may have an interest in the real property made the subject of this action. The Court notes that the guardian ad litem has filed a report to the Court indicating that he has made a diligent inquiry as to other persons who may claim an interest in said property but has been unable to ascertain any other person or entity having an interest in said property.

In consideration of the foregoing, it is hereby ORDERED, ADJUDGED, and DECREED that the plaintiff, Loren A. Stiffler, has the entire and undivided fee simple interest, with no

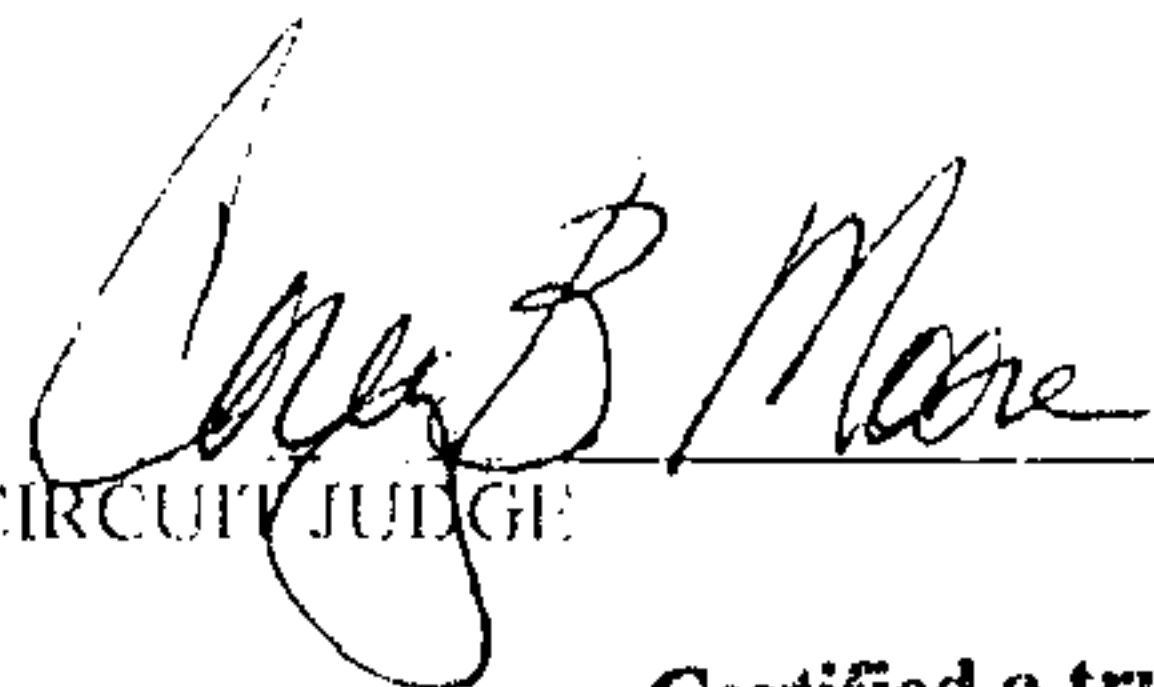


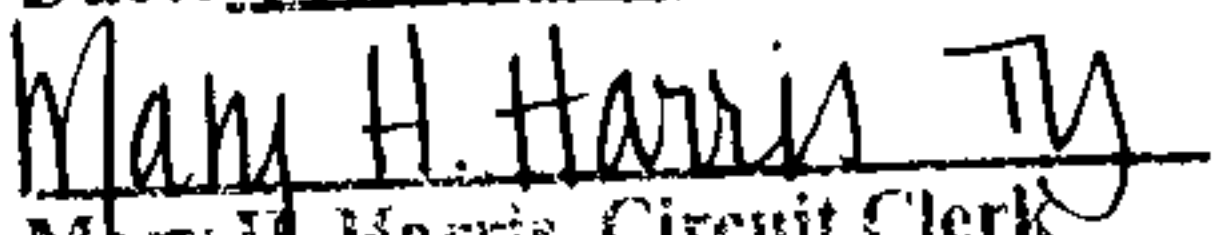
restrictions thereon in the land described as follows:


A parcel of real property described as, a part of the Southeast Quarter of the Southeast Quarter of Section 2, Township 19 South, Range 2 West and a part of the Southwest Quarter of the Southwest Quarter of Section 1, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: Beginning at the Southeast corner Section 2, Township 19 South, Range 2 West; thence North 87 degrees 20 minutes 34 seconds West a distance of 871.09 feet to a point around a curve to the right through a central angle of 10 degrees 21 minutes 06 seconds, an arc distance of 251.56 feet, a chord bearing of North 69 degrees 16 minutes 01 seconds East, a distance of 251.22 feet to a point; thence North 74 degrees 26 minutes 34 seconds East a distance of 11.08 feet to a point around a curve to the left through a central angle of 35 degrees 47 minutes 17 seconds, an arc distance of 638.00 feet, a chord bearing of North 56 degrees 32 minutes 55 seconds East a distance of 627.67 feet to a point; thence North 38 degrees 39 minutes 17 seconds East a distance of 670.72 feet to a point; thence South 55 degrees 34 minutes 52 seconds East a distance of 79.55 feet to a point; thence South 33 degrees 46 minutes 47 seconds East a distance of 269.26 feet to a point; thence South 55 degrees 34 minutes 52 seconds East a distance of 312.46 feet to a point; thence South 41 degrees 06 minutes 53 seconds East a distance of 94.63 feet to a point; thence South 46 degrees 54 minutes 16 seconds East a distance of 120.00 feet to a point; thence North 41 degrees 51 minutes 37 seconds East a distance of 565.00 feet to a point; thence South 00 degrees 29 minutes 28 seconds East a distance of 304.37 feet to a point; thence South 10 degrees 09 minutes 21 seconds West a distance of 434.37 feet to a point; thence South 31 degrees 44 minutes 07 seconds West a distance of 150.00 feet to a point; thence North 88 degrees 15 minutes 53 seconds West a distance of 1165.76 feet to a point; to the point of beginning, less and except that part that lies within Barkley Square, being recorded in Map Book 27, Page 32, in the Probate Office of Shelby County, Alabama.

It is further ORDERED that Michael T. Atchison is entitled to a fee in the amount of \$550.00 for his services as guardian ad litem in this matter. The Court has been advised that the said fee has been paid directly to Michael T. Atchison by the plaintiff. It is also ORDERED that costs of this said action shall be taxed as paid.

DONE this the 14th day of June, 2017.


CIRCUIT JUDGE

Certified a true and correct copy
Date: June 14, 2017

Mary H. Harris, Circuit Clerk
Shelby County, Alabama


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