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58-CV-2008-000116-00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY

CAROL LOUISE BATES SIMMONS,
as personal representative of the
ESTATE OF MARGARET K. BATES,
et al.,

Plaintiffs,

v.

KAREN BATES, et al.,

Defendants.

CIVIL ACTION NO.:

CV-2008-116

ORDER OF JUDGMENT

This matter came before the Court on the Motion for Summary Judgment filed by plaintiff Carole Louise Bates Simmons, as personal representative of the Estate of Margaret K. Bates. Plaintiff, via said motion, submitted a Joint Stipulation to Entry of Judgment by Consent executed by parties to this action except defendant Cari Rebecca Bates Davis. Counsel and defendant Delores Bates attended the hearing of the Motion for Summary Judgment, with defendant Davis failing to attend or opposing said motion in any manner. Having considered said Motion for Summary Judgment and the premises demonstrated therein, as well as the Joint Stipulation executed by the vast majority of the parties, this Court finds that the motion is well taken and that judgment is due to be entered in this action as follows:

1. The Court finds that the parties to this action are entitled to share as described herein interests in the two (2) parcels of real property at issue in the above-styled action to quiet title and which is situated in Shelby County, Alabama, located at 2516 Valleydale Road, Birmingham, Alabama 35244 and more specifically described as follows:

Begin at the Southwest corner of the NW3 of the SE3 of Section 16, Township 19 South, Range 2 West; thence run southerly along the West boundary line of the SW3 of the SE3 of Section 16, Township 19 South, Range 2 West for 114.16 feet, more or less, to a point on the North Right of Way line of Shelby County Road No. 17 (Valley Dale Road); thence turn an angle of 124 Degrees, 42 minutes to the left and run Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 04 Degrees, 29 Minutes to the left and continue

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Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 04 Degrees, 45 minutes to the left and continue Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 05 Degrees, 20 minutes to the left and continue Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 75 degrees, 12 minutes, 15 seconds to the left and run Northwesterly 524.62 feet, more or less, to a point on the West boundary line of the NW3 of the SE3 of Section 16, Township 19 South, Range 2 West; thence run Southerly along the West boundary line of the NW3 of the SE3 of Section 16, Township 19 South, Range 2 West for 583.69 feet to the point of beginning.

This land being a part of the West half of the SE3 of Section 16, Township 19 South, Range 2 West, and being 2.4752 acres, more or less;

and,

Commencing at the Southwest corner of the NW3 of the SE3 of Section 16, Township 19 South, Range 2 West, run Northerly along the West Boundary line of the said NW3 of the SE3 of Section 16, Township 19 South, Range 2 West, for 583.69 feet to the point of beginning of the land herein described and conveyed; from the point of beginning continue Northerly along the said West boundary line for a distance of 124.2 feet; thence turn an angle of 141 degrees 51 minutes to the right and run Southeasterly for a distance of 324.4 feet; thence turn an angle of 39 degrees 31 minutes to the right and run Southerly for a distance of 62.1 feet; thence turn an angle of 43 degrees 35 minutes to the left and run Southeasterly for a distance of 225.65 feet to a point on the Northwest Right of Way line of County Road No. 17; Thence turn an angle of 78 degrees 38 minutes to the right and run Southwesterly along the Northwest Right of Way line of said County Road for a distance of 90.1 feet; thence turn an angle of 109 degrees 06 minutes 45 seconds to the right and run for a distance in a Northwesterly direction for 524.62 feet, more or less, to the point of beginning.

This land being a part of the NW3 of the SE3 of Section 16, Township 19 South, Range 2 West and containing 0.99 acres, more or less.

(said parcels shall be hereinafter referred to together as the AProperty@).

2. Judgment is hereby ENTERED to declare the Court=s specific finding that the interests of the parties in said Property are divided as follows:

Estate of Margaret K. Bates	50%
Carol Louise Bates Simmons	12.5%
Richard Winslett Bates	12.5%
Timothy Joel Bates	12.5%
Delores Bates	2.5%
Chris Bates	2.5%
Brenda Bates Hopper	2.5%

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Joshua Robert Stricklin (formerly Bates)	0.83%
Zackery Lee Bates	0.83%
Elyse Keaton Bates	0.84%
Cari Rebecca Bates Davis	0.625%
Stephanie Lynn Bates Hall	0.625%
Jason Stephen Bates	0.625%
Paula Price	0.3125%
Jerry Price	0.3125%

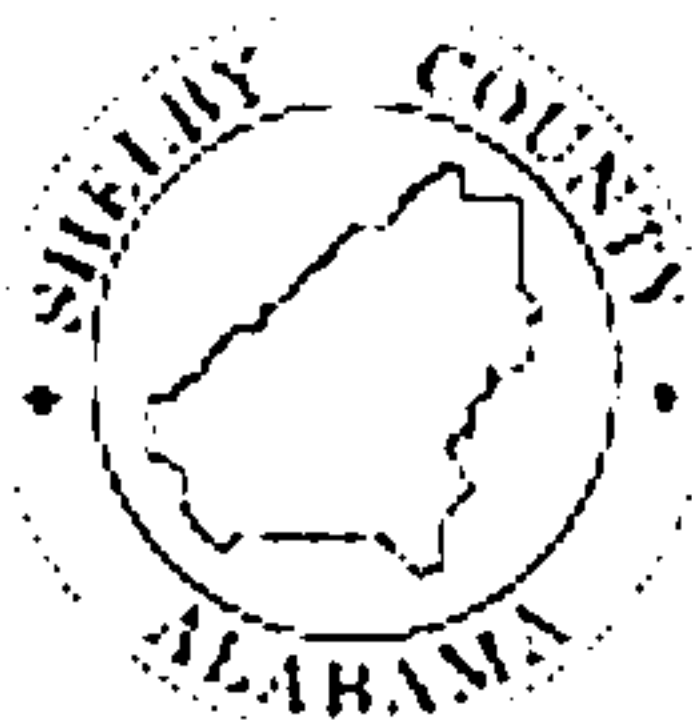
3. The Court makes its findings herein in order to quiet title in the subject Property as to all parties to this action as listed in the preceding paragraph. The Court retains jurisdiction in this action to address the reformation claim and to approve any subsequent sale of the Property and the distribution of proceeds of such sale as shall be necessary. In the event all parties shall agree to such sale, the parties and/or their counsel are instructed to report to the Court any such sale in order to obtain final closure of this action. Pursuant to Rule 54(b) of the Alabama Rules of Civil Procedure and in order to make this a final order, the Court specifically finds that there is no just reason for delay and specifically directs the immediate entry of judgment to quiet the title to the Property in the parties as provided herein.

4. Counsel for the plaintiff is DIRECTED to record this Judgment in the Office of the Judge of Probate of Shelby County, Alabama. *Costs are prepaid as paid.*

Done this the 22nd day of June, 2017.


COREY B. MOORE
CIRCUIT JUDGE

cc: J. Todd Miner, Esq.
William R. Justice, Esq.



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
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