



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

TAX LIEN INCOME FUND I, LLC

Plaintiff,

CASE NO.: CV15-900956

HOMER BEARDEN LEE,

ELIZABETH LEE SABO; and

BEG NW COR SE ¼ NW ¼ E 1040 S 840 SW

61.9 SW 289.9 SE 173.5 TO CREEK NELY ON

CREEK 600 S TO N ROW CO RD 12 SW ON

ROW 150 NW 1 415.1 N TO POB S14 T 22 S

R 03 W AC,

Defendants.

**SECOND AMENDED ORDER**

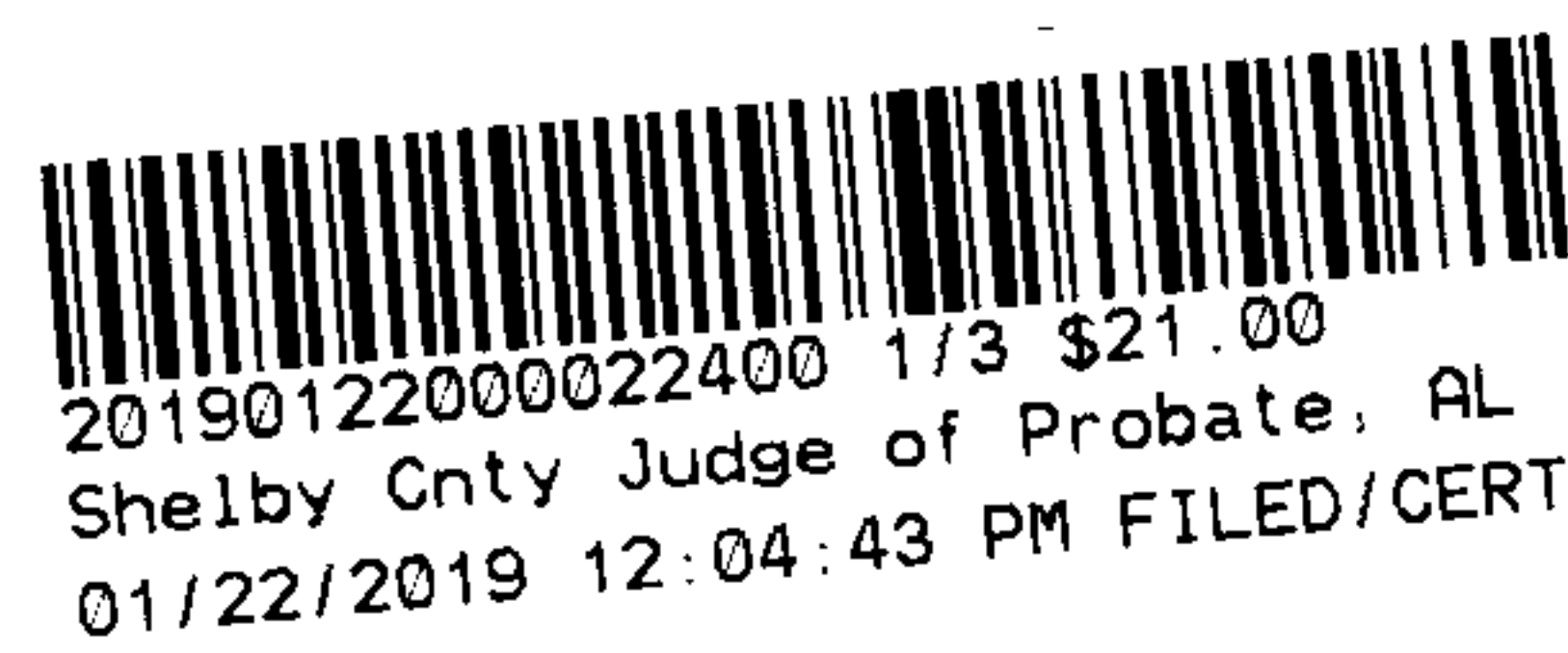
This matter having come before the Court on the Plaintiff's Verified Complaint, and the Verified Complaint having been published with publication ending on June 22, 2016, and more than thirty (30) days have passed since said publication, and no answer having been filed on behalf of any person with an interest in the property, and upon consideration of the Verified Complaint, Plaintiff's Motion to Amend and the supporting Affidavit, the Court makes the following as findings of fact, among other things:

1. That Tax Lien Income Fund I, LLC, at the time of the filing of the complaint in this cause, and as a result of a tax sale occurring on May 1, 2008, claimed in its own right the fee simple title to the following described lands:

**BEG NW COR SE ¼ NW ¼ E 1040 S 840 SW 61.9 SW 289.9  
SE 173.5 TO CREEK NELY ON CREEK 600 S TO N ROW CO  
RD 12 SW ON ROW 150 NW 1 415.1 N TO POB S14 T 22 S R  
03 W AC**

2. The description on the property in Paragraph 1 is one in the same as the property described as:

**BEGIN at the NW Corner of the SE 1/4 of the NW 1/4 of Section 14, Township 22 South, Range 3 West, Shelby County, Alabama, said point being the POINT OF BEGINNING; thence S87°46'39"E, a distance of 1107.40'; thence S04°39'01"W, a distance of 886.35'; thence S49°32'46"W, a distance of 61.90'; thence S18°52'07"W, a distance of 289.90'; thence S60°59'07"E, a distance of 186.64 to the approximate center of Spring Creek, all further calls will be along said center of creek until otherwise**



noted, thence N22°08'09"E, a distance of 138.32'; thence N03°11'00"E, a distance of 156.36'; thence N27°23'07"E, a distance of 50.27'; thence N37°09'00"E, a distance of 235.11'; thence S86°47'11"E, a distance of 55.01'; thence S00°47'46"E and leaving said approximate center of Spring Creek, a distance of 812.12' to the Northwesterly R.O.W. line of Spring Creek Road, 80' R.O.W.; thence S31°14'20"W and along said R.O.W. line, a distance of 152.88'; thence N57°27'29"W and leaving said R.O.W. line, a distance of 363.83' to the approximate center of Spring Creek, all further calls will be along said center of creek until otherwise noted; thence S16°04'14"W, a distance of 206.52'; thence S24°43'28"W, a distance of 57.30'; thence S52°09'05"W, a distance of 66.16'; thence S70°41'16"W, a distance of 131.61'; thence N70°11'42"W and leaving said approximate center of Spring Creek, a distance of 274.96'; thence N43°23'21"W, a distance of 677.56'; thence N00°48'29"E, a distance of 1314.49' to the POINT OF BEGINNING.

3. That at the time of the filing of the complaint, no suit was pending to test Plaintiff's title to, interest in, or the right to the possession of said land.

4. That Plaintiff's complaint was duly verified, and was filed against said lands and against any and all persons claiming any title to, interest in, lien or encumbrance on said land or any part thereof, and was to establish the right or title to such lands or interest, and to clear up all doubts or disputes concerning the same, and that said complaint did in all respects comply with the provisions of the Code of Alabama, 1975, §6-6-561.

5. That service of process was had in strict compliance with the provisions of Rule 4.3 of Alabama Rules of Civil Procedure and the Court finds as a fact that service of process was obtained upon any person with an interest in the property made the subject of the instant matter.

6. That no person with an interest in the property has answered or otherwise appeared in this matter.

7. That all of the allegations of fact contained in the complaint are uncontested. It is, therefore,

ORDERED, ADJUDGED AND DECREED that the Plaintiff is entitled to the relief prayed for in the complaint and that the fee simple title claimed by the Plaintiff in and to the property as described in Paragraph 2 above, has been duly proved, and that the Plaintiff is the owner of said lands and has a fee simple title thereto, free of all liens and encumbrances except as hereinabove referred to, and that their title thereto be and is hereby established, and that all doubts and disputes concerning same be and the same are hereby resolved as to any person with an interest in the property. It is further



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Shelby Cnty Judge of Probate, AL  
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ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be recorded in the Office of the Judge of Probate of Shelby County, Alabama, and that it be indexed in the names of the Plaintiff herein, in both the direct index and indirect index of the records thereof. It is further

ORDERED, ADJUDGED AND DECREED that possession of the Property is hereby granted to the Plaintiff. It is further

ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff herein pay the costs of the proceedings.

DONE and ORDERED this the 6<sup>th</sup> day of December, 2018.

*[Signature]*  
CIRCUIT COURT JUDGE Date: 12/07/18

*Mary H. Harris*  
Mary H. Harris, Circuit Clerk  
Shelby County, Alabama



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