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58-CV-2017-900948.00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

BOLIVAR CREEK, LLC,

Plaintiff,

v.

**PAUL ALAN ABRAMS, JR.; MELISSA
GRUBBS ABRAMS; and ALABAMA
FARM CREDIT, FLCA,**

Defendants.

CASE NO. CV-2017-900948

CONSENT JUDGMENT

The Court entered a temporary restraining order in this case on October 12, 2017, and set a hearing on Plaintiff's request for preliminary injunction for October 20, 2017. The parties through their respective attorneys have notified the Court that they have resolved this matter and consent to the entry of the following judgment. It is, therefore, ordered and adjudged by this Court as follows:

1. Plaintiff Bolivar Creek, LLC is the record title owner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 20, Township 20 South, Range 1 West, Shelby County, Alabama, and claims a portion of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 17, Township 20 South, Range 1 West, Shelby County, Alabama, lying west of Shelby County Highway No. 74 and south of an old fence line running westerly from Shelby County Highway No. 74 to the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section.

2. Defendants Paul Alan Abrams, Jr. and Melissa Grubbs Abrams are the record title owners of Lot 1, Badham Subdivision, according to the map recorded in Map Book 47, Page 30, in the Probate Office of Shelby County, Alabama. Defendant Alabama Farm Credit, FLCA, held

a mortgage on the Abrams property but it has been satisfied since the lawsuit was filed.

3. A portion of the north line of the Bolivar Creek property adjoins the south line of the Abrams property. The parties consent and agree that the boundary between the Bolivar Creek property and the Abrams property is described as follows:

Begin at the SW corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17, Township 20 South, Range 1 West, Shelby County, Alabama, said point being the SW corner of Lot 1 Badham Subdivision, as recorded in Map Book 47, Page 30 in the Probate Office of Shelby County, Alabama; thence N 87 deg. 50 min. 54 Sec. E along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ line and South line of Lot 1 Badham Subdivision a distance of 88.01 feet; thence N 79 deg. 45 min. 01 sec. E and leaving said South lines a distance of 37.03 feet; thence N 87 deg. 56 min. 33 sec. E a distance of 72.05 feet; thence N 87 deg. 44 min. 19 sec. E a distance of 177.10 feet; thence N 77 deg. 40 min. 00 sec. E a distance of 225.55 feet; thence N 87 deg. 03 min. 43 sec. E a distance of 75.52 feet; thence N 88 deg. 33 min. 09 sec. E a distance of 65.94 feet; thence N 84 deg. 22 min. 10 sec. E a distance of 50.14 feet; thence N 76 deg. 20 min. 38 sec. E a distance of 41.12 feet; thence S 85 deg. 59 min. 04 sec. E a distance of 77.94 feet; thence S 89 deg. 04 min. 40 sec. E a distance of 94.16 feet; thence N 76 deg. 31 min. 01 sec. E a distance of 12.91 feet; thence S 79 deg. 16 min. 14 sec. E a distance of 79.04 feet to a point on the northwesterly right of way of County Highway #74, said point being the Point of Ending of the described line and located N 47 deg. 36 min. 52 sec. E a distance of 43.77 feet from the SE corner of Lot 1 Badham Subdivision.

4. The parties agree not to disturb, damage, or remove marked trees, fragments of old fencing, or signs in trees along the above-described boundary.

5. The Abrams will by April 30, 2019, remove cut trees, damaged trees (not to include marked trees or those with imbedded fragments of old fencing) brush piles, and other debris remaining from their clearing operations south of the above-described boundary and smooth holes and ruts in the ground caused by such clearing operations. Among the trees to be removed is a large oak with roots clipped by the excavator, which is pushed against another big tree. Bolivar Creek will clearly mark this tree so that it may be taken carefully down from the top and cut at the stump.



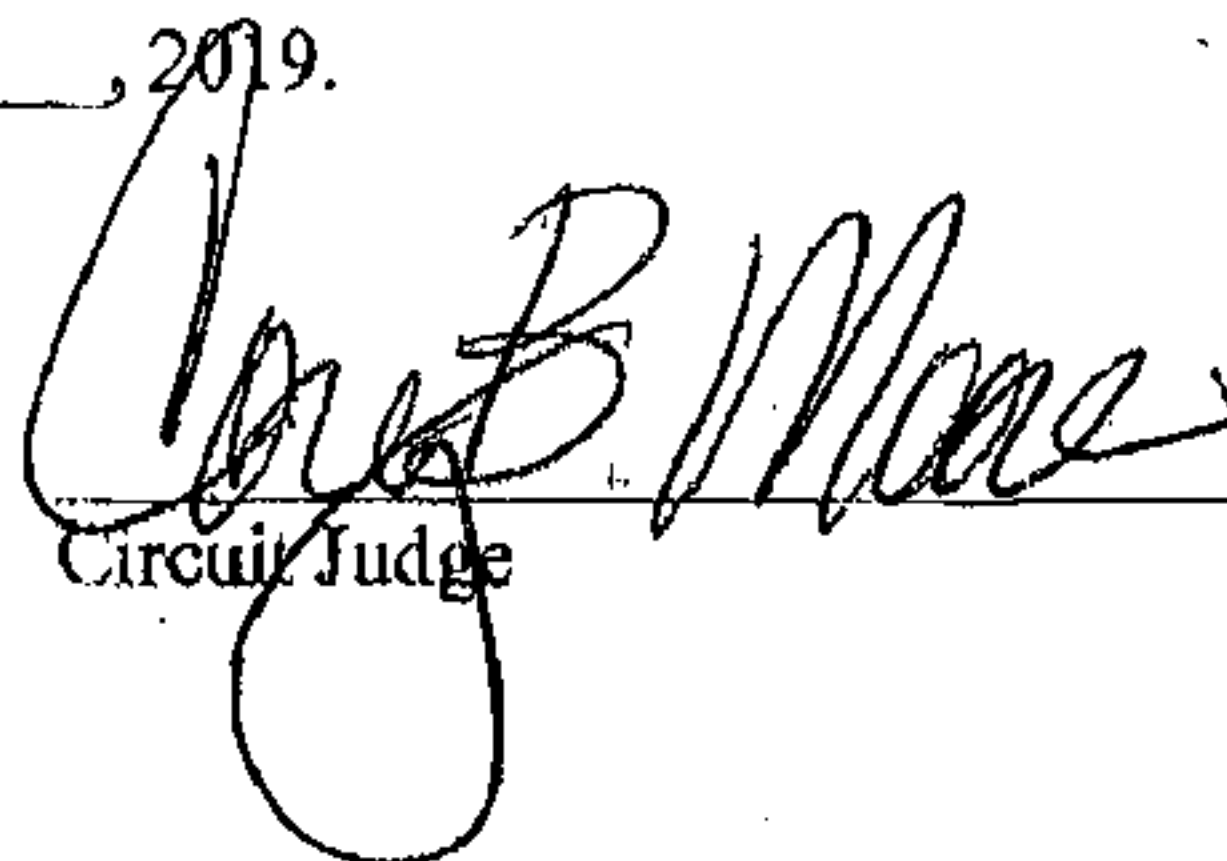
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Shelby Cnty Judge of Probate, AL
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6. The Order of this Court entered on October 18, 2017, is hereby modified to permit the Abrams to perform the cleaning activities described in paragraph 5. Upon notice from Bolivar Creek that those activities have been completed, all further relief requested by Bolivar Creek will be denied and this case will be dismissed.

7. A copy of this order may be recorded in the real property records in the Probate Office of Shelby County, Alabama.

8. Costs of this action are taxed as paid.

This 28th day of JANUARY, 2019.


Circuit Judge



Loan No. 944362
 Name: Paul A. Abrams, Jr., et al.
 Assn: Alabama Farm Credit, FLCA
 Branch: Tallapoosa

The State of Alabama

County of Shelby

SATISFACTION OF MORTGAGE

The undersigned, Mel Koller, President/CEO of Alabama Farm Credit, FLCA, acknowledges full payment of the indebtedness secured by that certain Real Property Mortgage dated 1/24/2017, executed by Paul A. Abrams, Jr. A/K/A Paul Alan Abrams, Jr. and spouse, Melissa Abrams A/K/A Melissa Grubbs Abrams to Alabama Farm Credit, FLCA, in the principal sum of \$153,000.00, and recorded in the office of the Judge of Probate of Shelby County, Alabama, in Book 201/013000035486, Page 129, and the undersigned does further release and satisfy said Mortgage.

IN WITNESS WHEREOF, the undersigned has executed this instrument on this 20th day of November 2018.

ALABAMA FARM CREDIT, FLCA

By: *Mel Koller*
 Mel Koller, President/Chief Executive Officer

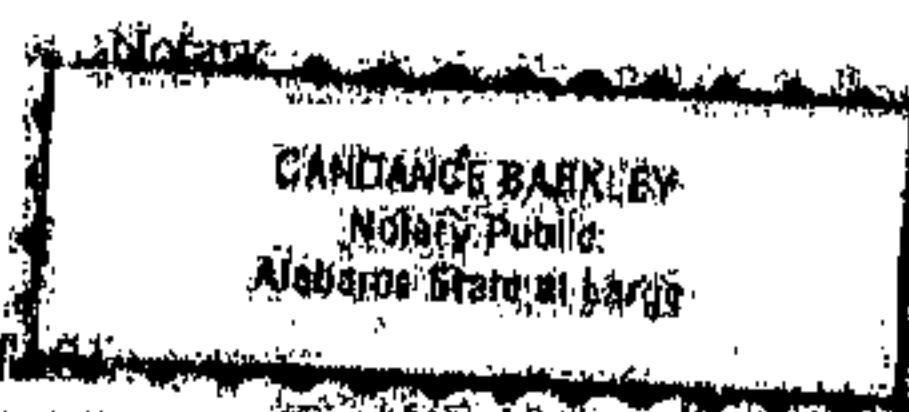
THE STATE OF ALABAMA

COUNTY OF CULLMAN

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Mel Koller, whose name is President and Chief Executive Officer of the Alabama Farm Credit, FLCA, a federally chartered corporation, is signatory to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of the instrument, he/she as such officer and with full authority, executed the same voluntarily for and as the act of said corporation. Given under my hand and official seal this 20th day of November 2018.

(SEAL)

Candace Barkley



My notary expires: 7/15/2020

This instrument prepared by:

Ann Wright

Alabama Farm Credit, FLCA - Cullman

P.O. Box 639

Cullman, AL 35056

(256) 727-7178

Return to:

Alabama Farm Credit, FLCA

Cullman Administrative Office

P.O. Box 639

Cullman, AL 35056

(256) 727-7178



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