



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

SHEILA R. WELDON,
Plaintiff,

v.

CASE NO. CV-2018-900756.00

DWIGHT MORRIS and
DWIGHT MORRIS D/B/A SOUTH CO.,
Defendants.

JUDGMENT

This cause coming before the Court on Plaintiffs' Motion for Default Judgment, and upon consideration of the Complaint, including the facts set out therein, proof of service, recorded lis pendens notice, and the exhibits and testimony submitted to the Court by the Plaintiff Sheila R. Weldon, and Defendants Dwight Morris and Dwight Morris d/b/a South Co. having been duly served by special process server, and the named Defendants not being under disability and having failed to plead or otherwise defend, and their default having been entered by the Clerk, and the Defendant having taken no proceedings since such default was entered, the Court makes the following findings of fact:

1. That Plaintiff Sheila R. Weldon, at the time of the filing of the Complaint, claimed in her own right the fee simple title to and was in actual peaceable possession of the following described real estate in Shelby County, Alabama:

Commence at the SW Corner of the NE 1/4 of the NW 1/4 of Section 29, Township 19 South, Range 1 East, Shelby County, Alabama; thence N 00° 00' 00" E, a distance of 641.86' to the POINT OF BEGINNING; thence continue along the last described course, a distance of 56.87'; thence S 88° 54' 59" E, a distance of 164.00'; thence S 02° 54' 21" E, a distance of 57.00'; thence N 88° 54' 59" W, a distance of 166.89' to the POINT OF BEGINNING.

Said parcel containing 0.22 acres, more or less.

2. That Plaintiff and her predecessor in interest had been in possession of said property for a period exceeding twenty (20) years on the date of the filing of the Complaint.

3. That Plaintiff and her predecessor in interest's possession of said property was under color of title.

4. That at the time of the filing of the Complaint, no suit was pending to test Plaintiff's title to, interest in, or right to the possession of said real estate.

5. That Defendants Dwight Morris and Dwight Morris d/b/a South Co. were served by special process server on February 22, 2019.



6. That a copy of said notice, certified by the Clerk as being correct, was recorded as a lis pendens in the Probate Court of Shelby County, Alabama, said notice being in compliance with § 35-4-131, Code of Alabama 1975.

7. That the Complaint and other filings comply in all respects with the requirements of §§ 6-6-560 and -561, Code of Alabama 1975, it is the opinion of the Court that Plaintiff is entitled to the *in personem* relief and additional relief prayed for in the Complaint.

8. That all of the allegations of fact contained in the Complaint are true.

Accordingly, it is ORDERED, ADJUDGED, and DECREED as follows:

A. The right, title, interest, and ownership of Plaintiff Sheila R. Weldon as fee simple owner is hereby established and forever quieted *in personem* against the Defendants Dwight Morris and Dwight Morris d/b/a South Co.; and none of the Defendants has any right, title or interest in, or encumbrance upon such real property or any part thereof; and Plaintiff's right, title, interest, and ownership is further established and forever quieted against the property, which is more particularly described as:

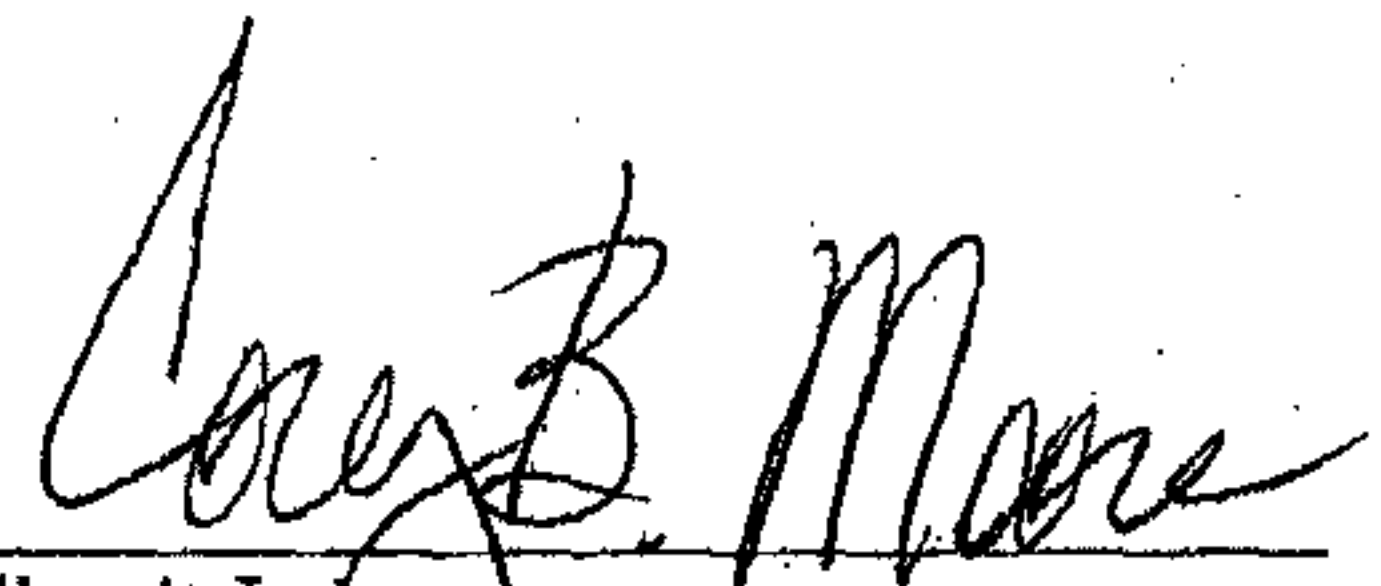
Commence at the SW Corner of the NE 1/4 of the NW 1/4 of Section 29, Township 19 South, Range 1 East, Shelby County, Alabama; thence N 00° 00' 00" E, a distance of 641.86' to the POINT OF BEGINNING; thence continue along the last described course, a distance of 56.87'; thence S 88° 54' 59" E, a distance of 164.00'; thence S 02° 54' 21" E, a distance of 57.00'; thence N 88° 54' 59" W, a distance of 166.89' to the POINT OF BEGINNING.

Said parcel containing 0.22 acres, more or less.

B. The Clerk of this Court shall certify a copy of this judgment and record the same in the Probate Office of Shelby County, Alabama, and the same shall be indexed in the same manner in which deeds are recorded.

C. Costs of this action are taxed to Plaintiff.

August 1, 2019.



Circuit Judge

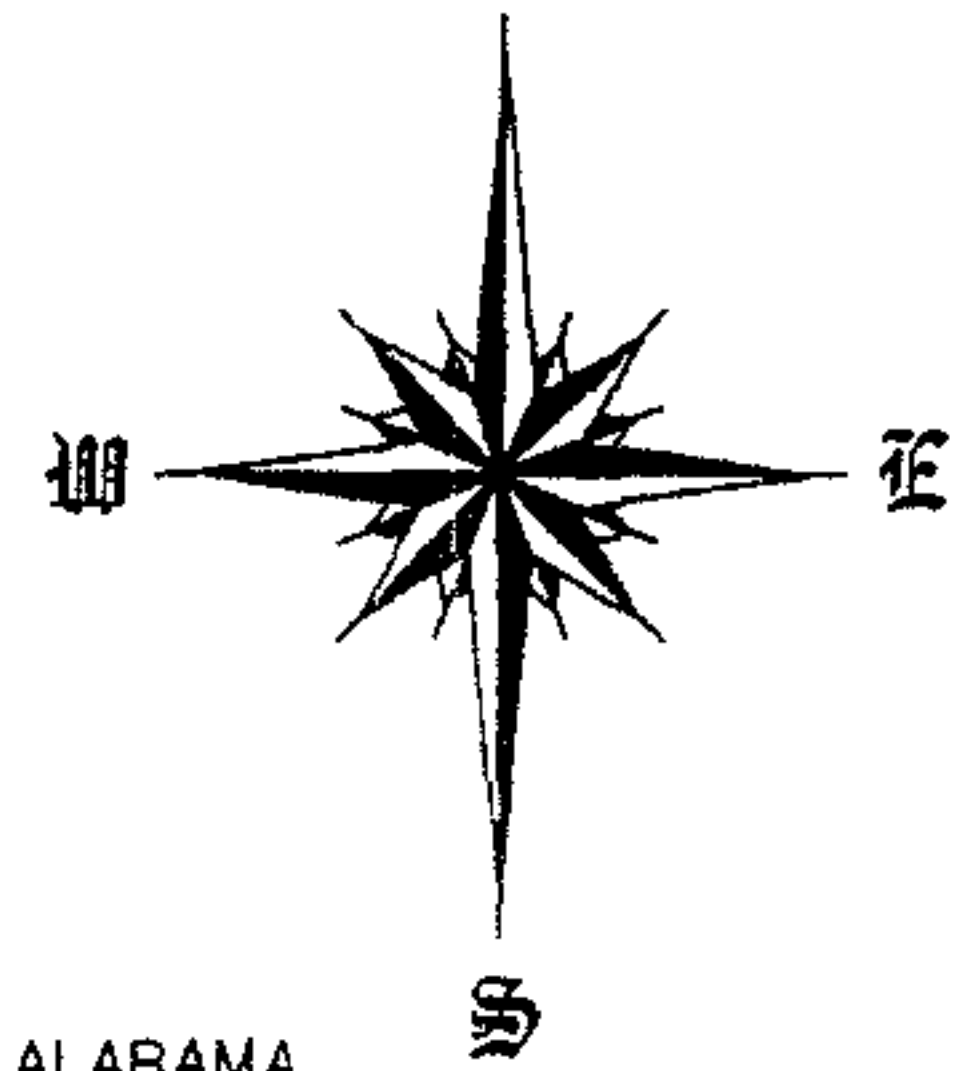
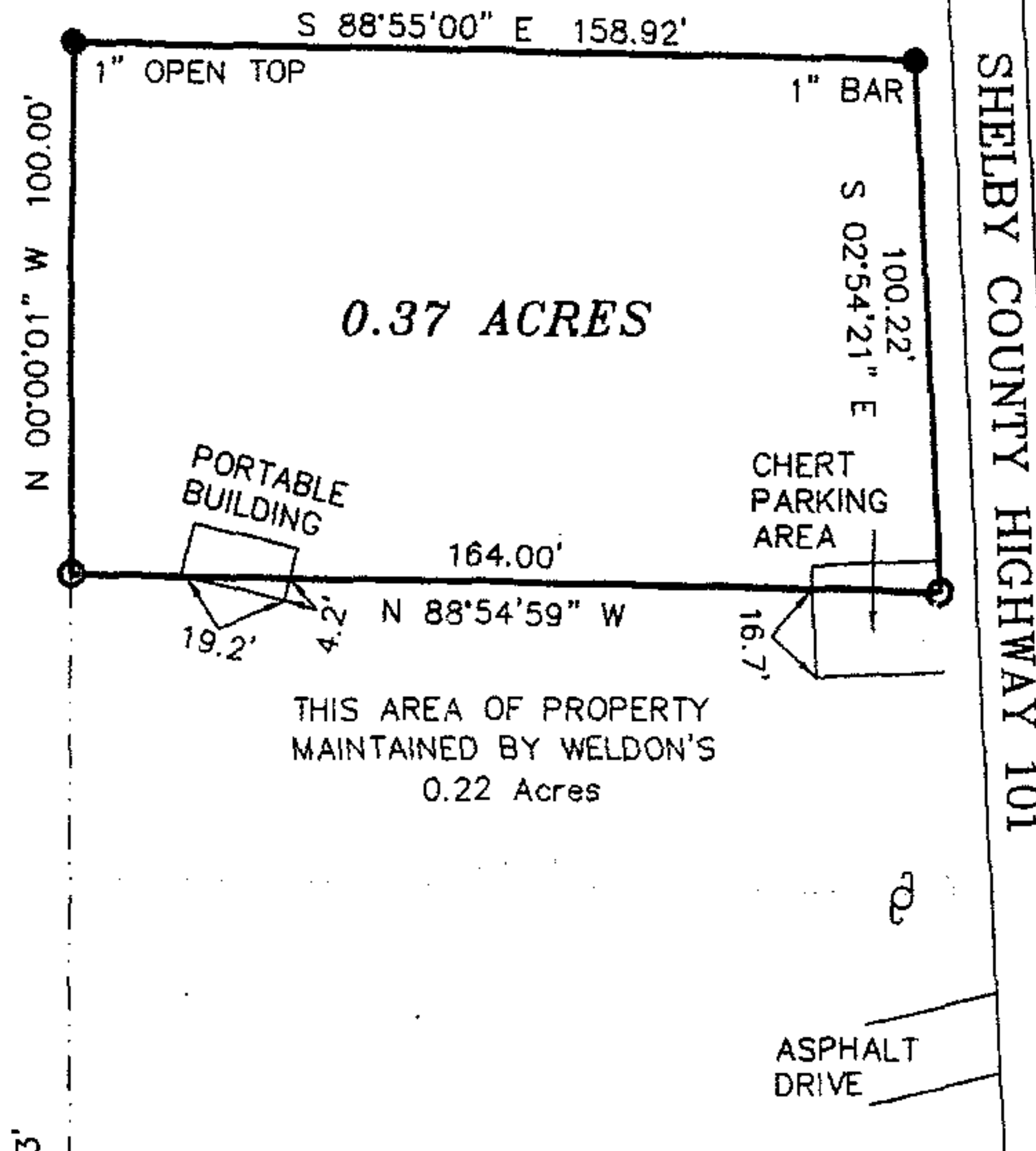


20191017000382420 2/3 \$29.00
Shelby Cnty Judge of Probate, AL
10/17/2019 11:08:04 AM FILED/CERT

RESIDENCE NOT LOCATED, PER OWNER'S REQUEST.



20191017000382420 3/3 \$29.00
Shelby Cnty Judge of Probate, AL
10/17/2019 11:08:04 AM FILED/CERT



STATE OF ALABAMA
SHELBY COUNTY

I, Rodney Shiflett, a Registered Professional Land Surveyor in the State of Alabama do hereby certify that this is a true and correct plat of my survey as shown hereon. That there are no visible encroachments of any kind upon the subject lot except as shown hereon, excluding utility service lines, wires or pipes that serve the subject lot only that are within dedicated easements or rights of way. That steel corners have been found or installed at all lot corners. I further certify that this survey and this plat meets the standards of practice for land surveying in the State of Alabama, the correct legal description being as follows:

Commence at the SW Corner of the NE 1/4 of the NW 1/4 of Section 29, Township 19 South, Range 1 East, Shelby County, Alabama; thence N00°00'00"E, a distance of 698.73' to the POINT OF BEGINNING; thence continue along the last described course, a distance of 100.00'; thence S88°55'00"E, a distance of 158.92'; thence S02°54'21"E, a distance of 100.22'; thence N88°54'59"W, a distance of 164.00' to the POINT OF BEGINNING.

Said Parcel containing 0.37 acres, more or less.

I further certify that I have consulted the Federal Insurance Rate Map (F.I.R.M.) Community Panel #01117C 0252 E, Zone 'X', dated February 20, 2013 and found that the above described Parcel does not lie in a Flood Hazard Zone.

NOTE:

This Parcel shown and described herein may be subject to setbacks, Right-of-Ways, easements, zoning and restrictions that may be found in the Probate Office of said County.

According to my survey of July 31, 2018

Rodney Shiflett
Rodney Shiflett Al. Reg. #21784

SW CORNER
NE 1/4 - NW 1/4
SEC. 29, T-19S, R-1E
SHELBY COUNTY, AL
RE-ESTABLISHED
BY PLAT

SEAL

LEGEND

- 1/2" REBAR SET
- IRON PIN FOUND
- R.O.W. RIGHT-OF-WAY
- NOT TO SCALE
- UTILITY POLE
- E OVERHEAD UTILITIES
- (M) FIELD MEASURED
- (P) PLAT / RECORDED MAP
- ⊗ COVERED DECK/PORCH

JOB NO. 18180A

DATE 7/31/18 DATE OF FIELD SURVEY 7/30/18

ADDRESS 86 Highway 101 SCALE 1" = 50'

DRAWN BY H. LETTS CHECK BY R.Y.S.

RODNEY SHIFLETT SURVEYING

P.O. BOX 204
COLUMBIANA, ALABAMA 35051