



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

CITY OF PELHAM, ALABAMA,

Plaintiff,

v.

GERAR INC, a corporation; et al.,

Defendants.

CASE NO. CV-2020-900619

ORDER GRANTING MOTION FOR SUMMARY JUDGMENT

Plaintiff, City of Pelham, Alabama, having moved the Court pursuant to Rule 56, Ala. R. Civ. P., for a summary judgment in its favor on the complaint, and it appearing to the Court that there is no genuine issue as to any material fact and that the Plaintiff is entitled to a judgment as a matter of law, it is

ORDERED AND ADJUDGED that summary judgment is granted hereby in favor of Plaintiff against Defendants as follows:

1. Publication of the pendency of this action was made in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, on November 29, December 6, December 13, and December 20, 2020, calling upon Defendant Gerar, Inc. and all other persons and entities claiming title to, interest in, or lien or encumbrance upon the lands described in the complaint and notice, or any portion thereof, to plead, answer or otherwise defend on or before the 19th day of January, 2021. More than sixty days has elapsed from the date of the first publication of said notice and the filing of a certified copy thereof in the office of the judge of probate of Shelby County, Alabama.

2. The Court finding that the Complaint filed in this action complies in all respects with



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Shelby Cnty Judge of Probate, AL
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the requirements of Ala. Code ' ' 6-6-560 and -561, and the evidence satisfies the special requirements of Ala. Code ' 40-10-82, providing for a three year statute of limitations for tax titles, it is the opinion of the Court that the Plaintiff is entitled to the *in rem* relief prayed for in the Complaint.

3. The right, title, interest and ownership of the Plaintiff in and to the property is hereby established and forever quieted *in rem* and against the Defendants, and the property which is more particularly described as:

Lot 61, Deer Springs Estates, First Addition, according to the plat thereof recorded in Map Book 5, Page 55, in the Probate Office of Shelby County, Alabama.

The Property is designated in the records of the Shelby County Property Tax Commissioner as parcel # 14-4-20-2-001-044.000, located at 1453 Kelly Drive, Pelham, Alabama.

4. The clerk of this Court shall certify a copy of this judgment and Plaintiff may record it in the Office of the Judge of Probate of Shelby County, Alabama, and the order shall be indexed in the same books and in the same manner in which deeds are recorded, to be indexed in the name of the Defendant, Gerar, Inc., against whom this relief is granted, in the direct index and in the name of the Plaintiff in possession of the property, City of Pelham, Alabama, in the reverse index.

5. The guardian ad litem, Kendra Beauchamp, is awarded the sum of \$ 750.00 as a fee for her services rendered in this action. *Paid by the Plaintiff.*

6. Costs of this action are taxed to the Plaintiff.

Done this 30th day of June, 2021.

Certified a true and correct copy

Date: 9-23-2021

Mary H. Harris c/sb
Mary H. Harris, Circuit Clerk
Shelby County, Alabama


Patrick Kennedy
Circuit Judge