

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

D & D, L.L.C.,
an Alabama Limited Liability Company,

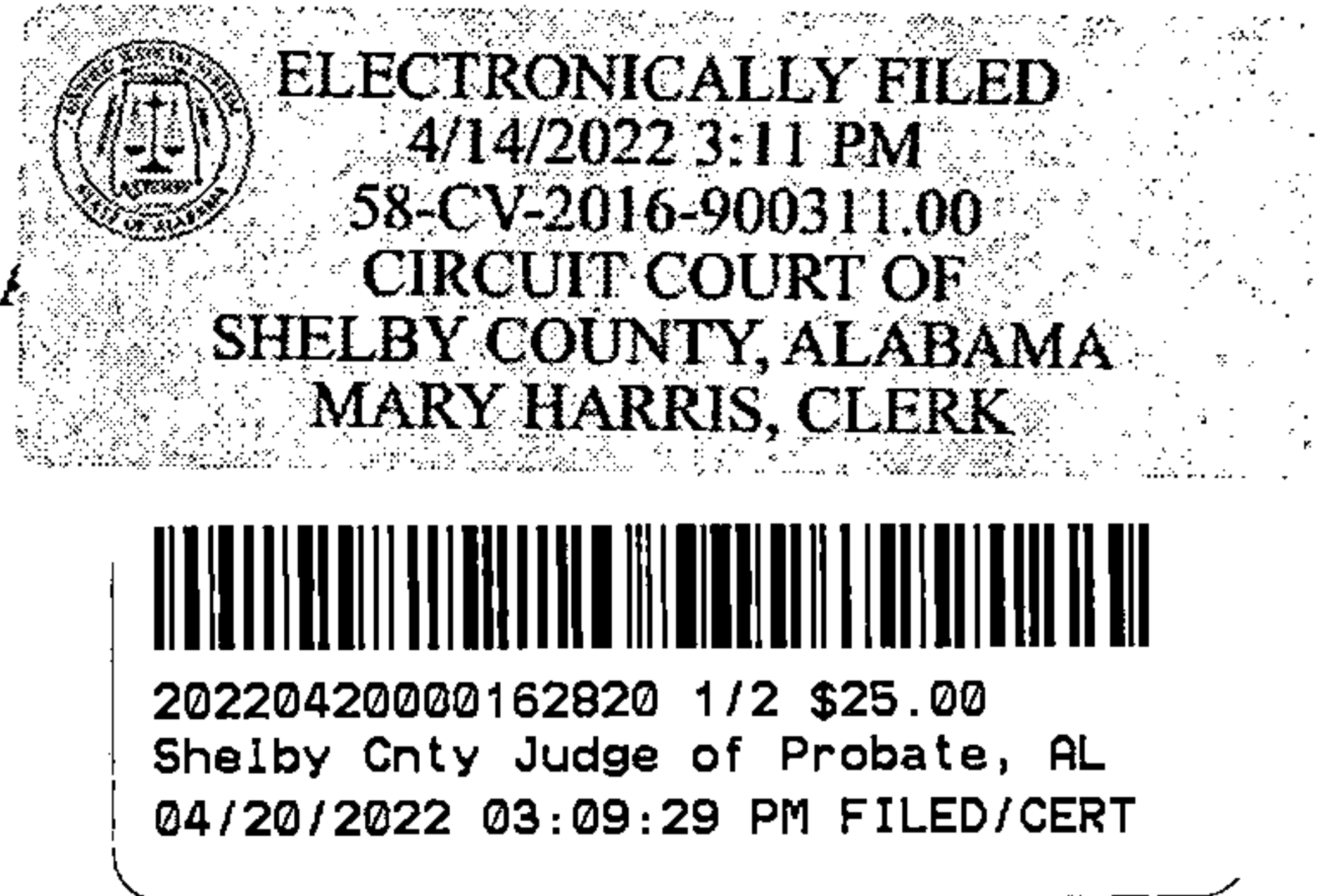
Plaintiff,

v.

WALTER ALBERT TATUM, JR. Et al.,

Defendants.

CLAIM#: CV-2016-900311



FINAL ORDER

This action came on to be heard before the court on August 25, 2020. John A. Daugherty was present in court as the Managing Member of the Plaintiff D & D, L.L.C. and to represent D & D, L.L.C. Vicki Smith was present and was appointed as the guardian ad litem in this matter. No other parties appeared in this matter. The Plaintiff submitted for judgment on the pleadings, the GAL report from Vicki Smith and an affidavit from the Shelby County Reporter testifying that it ran a publication of this action on 6/7/2020, 6/14/2020, 6/21/2020 and 6/28/2020 authorizing any answers to this complaint no later than 7/28/2020. More than sixty days has elapsed from the date of the first publication of said notice and the filing of a certified copy therefor in the office of the Judge of Probate of Shelby County.

The guardian *ad litem*, Vicki Smith, filed an answer and denial and actively participated in the taking of testimony in this action and the court finding that the complaint filed in this action complies in all respects with the requirements of Ala Code §§6-6-560 and -561, it is of the opinion of the court that the plaintiff is entitled to the *in rem* relief prayed for in the complaint.

No defendants have answered this complaint other than the guardian ad litem, Vicki Smith.

Accordingly, it is ordered, adjudged, and decreed:

1) D & D, L.L.C. paid Charlene and James Prentice for the amount of ad valorem taxes they have paid for an interest in the Subject Property at the statutory rate of interest of twelve (12%) percent simple interest or rather one (1%) percent per month in exchange for a quit claim deed executed to D & D, L.L.C. from Charlene and James Prentice on 9/23/2020 and recorded of even date calculated as follows:

1) 2/16/2018	Purchase interest from state	\$1,666.54
	Interest $\$1,666.54 \times 0.01 \times 31 \text{ months} =$	\$516.27
2) 1/31/2020	Paid	\$196.65
	Interest $\$196.65 \times 0.01 \times 8 \text{ months}$	<u>\$15.73</u>

Total due on 9/23/2020 to Prentices for its interest in Subject Property \$2,395.19

2) The *guardian ad litem*, Vicki Smith, is awarded the sum of One Thousand and 00/100 dollars (\$1,000.00) from D & D, L.L.C. as a fee for her services rendered in this action.

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 property which is more particularly described as:

LONG LEGAL: Lot 3A, containing four (4) acres, more or less, according to L.E. Shaw Survey and map of certain lands situated in te SE 1/4 of the NE 1/4 Sec. 19, Tsp. 22 R 3 W, as located in Shelby County, Alabama.

And more particularly known as:

A parcel of land in the SE 1/4 of the NE 1/4 of Section 19, Township 22 South, Range 3 West, being the same land described in a deed to D & D, L.L.C., recorded in Instrument#: 1999-52414, of the real property records of Shelby County, Alabama, said parcel of land being Lot 3A of the L.E. Shaw Addition to Aldrich and more particularly described as follows:

Commencing at the intersection of the North ROW of County Highway 10 and the West ROW of County Highway 223; thence N 07E 51'46" W, along the West ROW of County Highway 223, a distance of 210.98 feet to a 1" iron, found at the SE corner of Lot 2A; thence N 07E 51'46" W, along said ROW, a distance of 274.86 feet to the SE corner of Lot 3A and the POB, said corner bearing N 81E 46' 25" E a distance of 2.3' from a 2" pipe, found; thence N 07E 51' 46" W, along said ROW, a distance of 52.46 feet, to a point; thence along a curve, to the left, in said ROW, having a radius of 625.00 feet ad a chord bearing of N 19E 24' 41" W, an arc length 251.95 feet to a point; thence N 30E 57' 36" W, along said ROW, a distance of 89.88 feet to a 1/2" re-bar set, with a cap stamped 'S. Wheeler PLS16165", at the NE corner of Lot 3A; thence S 70E 47' 04" W, along the N line of Lot 3A, a distance of 518.96 feet to a point in the center of Davis Creek; thence Southerly along the meanders of Davis Creek, a distance of 299.90 feet to the N line of Lot 2A; thence N 81E 46' 24" E, along the remains of an old fence, a distance of 488.12 feet to the POB. The herein described parcel contains 4.037 acres of land.

Parcel Id#: 58-27-4-19-1-001-017.000-RR

(if any description above differs then the legal description shall be followed).

4) The clerk of this court shall certify copies of this judgment and record the same in the office of the Judge of Probate of Shelby County, Alabama, and the same shall be indexed in the same book and in the same manner in which deeds are recorded and said judgement shall be indexed in the name of the defendants against whom is relief is granted in the direct index and in the name of the plaintiff in possession of the property in the reverse index.

5) Cost of this action are taxed to D & D, L.L.C., an Alabama Limited Liability Company.

Done this 14th day of April, 2022.

Certified a true and correct copy

Date: 04/20/22

Mary H. Harris, Circuit Clerk
Shelby County, Alabama

Patrick E. Kennedy
Shelby County Circuit Court Judge



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Shelby Cnty Judge of Probate, AL
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