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58-CV-2024-900226.00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY,

D.H.F. INVESTMENTS,
Plaintiff,

V.

ARMEGE INVESTMENTS, LLC,
PROGRESSIVE UNITED
COMMUNICATIONS, INC.,
DON ARMSTRONG, TAX COLLECTOR,
Defendants.

Case No.: CV-2024-900226.00



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Shelby Cnty Judge of Probate, AL
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FINAL JUDGMENT

THIS CAUSE COMING ON TO BE HEARD by the Court on the Plaintiff's Complaint asking that the title to the herein below described real property be vested in the Plaintiff, both *in personam* and *in rem*, under the provisions of the Code of Alabama 1975, as amended:

1. That the Plaintiff, D.H.F. Investments, at the time of the filing of the Complaint in this cause, claims in their own right a fee simple title to and was in actual peaceable possession of the following-described land, lying in Shelby County, Alabama, and more particular described as follows:

The following described real estate situated in Shelby County, Alabama, to-wit:

Being at the Southwest corner of the Southeast quarter of Northeast quarter of Section 4, Township 24 North, Range 13 East and run East along said forty acre line 550 feet; thence turn an angle of 98 degrees to the left and run North 550 feet; thence turn an angle of 82 degrees to the left and run in a Westerly direction 530 feet to a point 20 feet East of the West line of said forty acres; thence North and parallel to said 40 acre line 337.7 feet, plus or minus, to the South line of the Calera radio station lot; thence turn an angle of 78 degrees 49 minutes to the right and run in a Northeasterly direction 130 feet; thence North and parallel with the West line of said forty acres 150 feet to the Southerly Right of Way line of Alabama Highway 25; thence along same in a Westerly direction 150 feet, plus or minus, to the West line of said forty acres; thence along said 1037.7 feet, plus or minus, to the point of beginning.

Said parcel also being described as: Begin at the intersection of the South Right of Way of Alabama 25 with West line of East half of Northeast quarter Section 4, Township 24 North; Range 13 East thence East on South Right of Way 133 feet; thence Southerly 150 feet; thence Southwesterly 150 feet; thence North



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150 feet to point of beginning. (NOTE: This paragraph only describes a portion of the above described 1st paragraph.)

Less and Except:

The following described property, lying and being in Shelby County, Alabama, and more particularly described as follows:

And as shown on the right of way map of Project No. S-44-10 of record in the State of Alabama Highway Department, a copy of which is also deposited in the Office of the Judge of Probate of Shelby County, Alabama as an aid to persons and entities interested therein and as shown on the Properties Plat attached hereto and made a part hereof:

Commencing at the Southwest corner of the Southeast quarter of Northeast quarter, Section 4, Township 24 North, Range 13 East; thence Northerly along the West line of said Southeast quarter of Northeast quarter, a distance of 1165 feet, more or less, to a point that is 50 feet Southeasterly of and at right angles to the centerline of Project No. S-44-10 and the point of beginning of the property herein described; thence continuing Northerly along said West line and distance of 25 feet; more or less, to the present South right of way line of Alabama Highway No. 25; thence Easterly along said present South right of way line a distance of 150 feet; more or less, to the East property line; thence Southerly along said East property line a distance of 25 feet, more or less, to a point that is 50 feet Southwesterly of and at right angles to the centerline of said project; thence Southwesterly along a curve to the right (concave Northwesternly) having a radius of 3021.716 feet, parallel with the centerline of said project, a distance of 150 feet more or less, to the point of beginning. Said strip of land lying in the Southeast quarter of Northeast quarter, Section 4, Township 24 North, Range 13 East.

Parcel No.: 35-2-04-1-001-005.000

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

3. That the Plaintiff's said Complaint was filed against said land 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 of title to such land or interest, and declare all doubts or disputes concerning the same, and that said Complaint did in all respects comply with the provisions of the law of Alabama.

4. That the named Defendants are Armege Investments, LLC, Progressive United Communications, Inc., Don Armstrong, and all of their heirs, assigns, and their successors; whose addresses are unknown to the Plaintiff. The names of none of the other parties Defendants were known to the Plaintiff, and they have exercised diligence to ascertain the facts with regard



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thereto.

5. That notice of the pendency of said Complaint was drawn and duly executed, and the Clerk of this Court did have such notice published once a week for four consecutive weeks in the Shelby County Reporter, a newspaper having general circulation and being published in Shelby County, Alabama, as prescribed by the rules of this Court, and the law in such cases made and provided.

6. That no person has intervened or appeared in this cause.

7. That The Honorable Daniel Head was appointed Guardian *Ad Litem* by this Court to represent the minor Defendants, the unknown Defendants, or persons of unsound mind, and all of their heirs, assigns, devisees, and beneficiaries. Said Guardian *Ad Litem* has found no other heirs or other parties who might have an interest in the property described herein.

8. That the Plaintiff has proven to the Court its chain of title to said land and that they have exercised and demonstrated their possession and ownership of the subject land required by the law of this State to establish title to same.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED:

A. That the Plaintiff is entitled to the relief prayed for in their Complaint and that the fee simple title claimed by the Plaintiff in the above-described land has been duly proven.

B. That the Plaintiff is the owner of said land and have a fee simple title thereto, free of all liens and encumbrances, and that the Plaintiff's title thereto be and is hereby established, and that all doubts and disputes concerning the same be and are hereby cleared.

C. That the interests of all Defendants are hereby extinguished and held for naught, and the title in and to the above-described property is established in the Plaintiff against the said Defendants, and *in rem* against the above-described property and against any and all persons, whomsoever, known or unknown, claiming any title to, interest in, or lien or encumbrance upon said real property, or any part thereof.

D. That the Honorable Daniel Head, Guardian *Ad Litem* in this cause, is hereby awarded the sum of One Thousand Dollars (\$1,000.00), for serving as such Guardian *Ad Litem* for any and all minors, unknown persons, and persons of

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unsound mind, which said amount has been paid directly by Plaintiff to the said Daniel Head.

E. That upon receipt of the funds taxed as costs in this case, which shall include recording fees, the Clerk of this Court shall certify copies of this Judgment and record 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 Judgment shall be indexed in the name of the Defendants against whom this relief is granted in the direct index and in the name of the Plaintiff, D.H.F. Investments, in quiet possession of the land in the reverse index.

F. That Plaintiff shall pay the costs of these proceedings for which let execution issue.

DONE this 28th day of January, 2025.


CIRCUIT JUDGE

Certified a true and correct copy

Date: 2/13/25

Mary H. Harris *SB*

Mary H. Harris, Circuit Clerk
Shelby County, Alabama