

IN THE PROBATE COURT OF BALDWIN COUNTY, ALABAMA

IN RE:

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CASE NO: 10,431

ELLEN C. PROPST, Application for
location of private cemetery.

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PETITION TO AMEND CEMETERY BOUNDARY LINES

COMES NOW, SHIRLEY R. PROPST, by and through her attorney of record, Julie Taylor Curry, and states as follows:

1. ELLEN C. PROPST, deceased, Mother-in-law of your Petitioner, was granted approval for her application for a private cemetery by this Court in its Order Granting Application for Location of Private Cemetery, dated the 19th day of May, 1982, and then recorded in Real Property Book 114, page 805 of the records in the Office of the Judge of Probate, Baldwin County, Alabama; a copy of which is attached to this petition.

2. The legal description on the above stated Order was not the same as what the Propst family had believed it to be. ELLEN C. PROPST had her late husband's remains moved, and then herself was buried on property which was not the described property, but immediately adjacent to the described property.

3. Since the approval was give in 1982, there have been five sets of Propst family remains interred on the wrong property.

4. SHIRLEY R. PROPST, the daughter-in-law of ELLEN C. PROPST, wishes to correct the legal description and complete the necessary documents for the "Propst Family Cemetery" so that she may be interred next to her late husband without any future possible issues.

5. SHIRLEY R. PROPST, hired surveyors to survey the actual property and give a correct legal description, which is the following:

Commencing at the Northwest Corner of the Southwest Quarter of the Northwest Quarter of Section 12, Township 2 South, Range 3 East, Baldwin County, Alabama; Thence South a distance of 1,155.5 feet to a point on the North margin of the right-of-way of County Road 112; thence in a Southeasterly direction along said North margin a distance of 2,064.43 feet to a point marked by a capped iron rod (rebar) and the POINT OF BEGINNING of the property herein described; thence North 23°29'59" East a distance of 23.00 feet to a point marked by a capped iron rod (rebar); thence along an 86.03' radius curve to the right, a distance of 71.97', chord bearing North 52°17'05" East, length 69.89', to a point marked by a capped iron rod (rebar); thence with a compound 24.03' radius curve to the right a distance of 26.53', chord bearing South 68°17'22" East, length 25.20', to a point marked by a capped iron rod (rebar); thence South 51°06'45" East a distance of

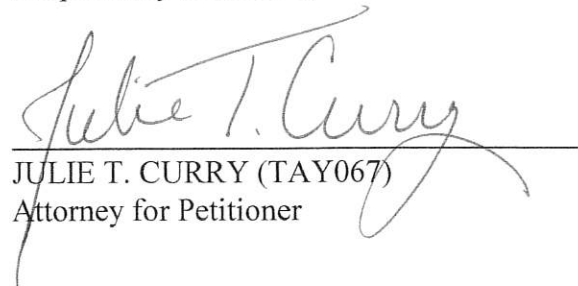
14.92 feet to a point marked by a capped iron rod (rebar); thence South $64^{\circ}03'46''$ East a distance of 53.76 feet to a point marked by a capped iron rod (rebar); thence along a 44.68' radius curve to the right a distance of 59.57', chord bearing South $23^{\circ}06'05''$ East, length 55.25', to a point marked by a capped iron rod (rebar); thence South $12^{\circ}10'52''$ West a distance of 17.32 feet to a point marked by a chain link fence post; thence South $18^{\circ}19'23''$ West a distance of 8.38 feet to a point on the aforementioned North margin marked by a capped iron rod (rebar); thence Northwesterly along said North margin a distance of 237.79 feet to the POINT OF BEGINNING; containing 11,394 square feet, (0.262 acres), more or less.

A copy of said survey plat is attached hereto as an Exhibit to this Petition. The above description encompasses the majority of the previously approved legal description, as well as the remains already interred.

6. SHIRLEY R. PROPST shall receive legal title to the above described property in full by agreement with her daughter, Patricia Propst Clay, who currently owns a portion of the above described property.

WHEREAS, your Petitioner requests this Honorable Court grant this Petition and amend the boundary lines of the private cemetery initially granted to Ellen C. Propst, for the "Propst Family Cemetery."

Respectfully submitted,


JULIE T. CURRY (TAY067)
Attorney for Petitioner

OF COUNSEL:

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Baldwin County, Alabama
Harry D'Olive, Jr.
Judge Of Probate
Filed Jun 10 2024 1:44 PM

IN RE:

ELLEN C. PROPST, Application
for location of private
cemetery

* IN THE PROBATE COURT OF
* BALDWIN COUNTY, ALABAMA
* CASE NO. 10,431
*

ORDER GRANTING APPLICATION
FOR LOCATION OF PRIVATE CEMETARY

The Application of Ellen C. Propst for location of private cemetery having heretofore been filed in the Probate Court of Baldwin County, Alabama and having been referred to the Probate Judge for approval or denial thereof in accordance with Section 22-20-4 of the Code of Alabama, and it appearing to the Probate Judge that the Board of Health of Baldwin County, Alabama has investigated the property described in said application from a sanitary standpoint and has submitted his report to the Baldwin County Commission and the Judge of Probate and has approved said application, it is therefore ordered by the Probate Judge that said application of Ellen C. Propst be granted and she is hereby issued a license to establish the cemetery in question on the following described real property situated in Baldwin County, Alabama, to-wit:

From the Northwest corner of the Southwest corner of the Northwest Quarter of Section 12, Township 2 South, Range 3 East, run South 1155 feet 6 inches to the North line of County Highway No. 112; run thence in a Southeasterly direction along the North line of said highway a distance of 2133 feet for a point or place of beginning; run thence North 60 feet; run thence East 115 feet; run thence South 60 feet; run thence West 115 feet to the point or place of beginning.

ORDERED on this the 19th day of May, 1982,

By: Harry D. Oliver
JUDGE OF PROBATE
Baldwin County, Alabama



STATE OF ALABAMA
BALDWIN COUNTY

I certify that this instrument was filed on

JUN 3 1982 2 PM

and that no fee was collected. Recorded in PP
Book 114 Page 85 Harry D. Oliver
Judge of Probate
Index & by OC



