

D. B. TAYLOR,

Plaintiff,

vs.

JAMES L. HARRISON and
LILLIE MAE J. HARRISON,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

4978

JUDGMENT

This cause coming on to be heard by the Court without a jury and the Court having considered the pleadings and heard the testimony ore tenus of the witnesses for the Plaintiff and the Defendants does hereby find and conclude as follows:

FINDINGS OF FACT

1. That the Plaintiff D. B. Taylor is the record owner of the following described real property situated in Baldwin County, Alabama, to-wit:

From the Northwest corner of Section 25, Township 8 South, Range 3 East, run South 3,336 feet to the point of beginning; run thence South 211 feet; run thence East 261 feet; run thence North $44^{\circ} 15'$ West 253 feet; run thence North 67° West 100 feet, more or less, to the point of beginning, excepting therefrom the following: From the Northwest corner of Section 25, Township 8 South, Range 3 East, run South 3423.8 feet for a point of beginning of the property to be excepted; run thence South 123.2 feet to a point; run thence East 84 feet, more or less, to a point which is South $34^{\circ} 45'$ East of the point of beginning; run thence North $34^{\circ} 45'$ West 150 feet, more or less, to the point and place of beginning.

2. That the Defendants have for three years next before the commencement of this suit had adverse possession of the property described above of the same character as will put in operation the statute of limitations; and said Defendants have suggested upon the record in this cause that they have had such possession and such suggestion is true.

3. That the Defendants have, during the time in which they have been in adverse possession of said property placed permanent improvements thereon in the nature of a home or residence

of the value as shown by the evidence of Five Thousand Seven Hundred and Thirty Dollars (\$5,730.00).

4. That the value of the lands described above is One Hundred and Fifty Dollars (\$150.00); and of the use and occupation thereof, not including the increased value by reason of such improvements, is Fifty Dollars (\$50.00) per year.

5. That the Defendants have been holding possession under color of title, in good faith.

JUDGMENT

The Court having considered all of the above, it is, therefore

ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, that the Plaintiff D. B. Taylor, have and recover of the Defendants the following described real property situated in Baldwin County, Alabama, to-wit:

From the Northwest corner of Section 25, Township 8 South, Range 3 East, run South 3,336 feet to the point of beginning; run thence South 211 feet; run thence East 261 feet; run thence North $44^{\circ} 15'$ West 253 feet; run thence North 67° West 100 feet, more or less, to the point of beginning, excepting therefrom the following: From the Northwest corner of Section 25, Township 8 South, Range 3 East, run South 3,423.8 feet for a point of beginning of the property to be excepted; run thence South 123.2 feet to a point; run thence East 84 feet, more or less, to a point which is South $34^{\circ} 45'$ East of the point of beginning; run thence North $34^{\circ} 45'$ West 150 feet, more or less, to the point and place of beginning;

provided, however, that no writ of possession shall issue for one year after the rendition of this judgment unless the Plaintiff, or his legal representative, pay the Defendants, or deposit with the clerk of this court for them, the sum of Five Thousand Six Hundred and Eighty Dollars (\$5,680.00), the excess of the value of the improvements which are hereby assessed at Five Thousand Seven Hundred and Thirty Dollars (\$5,730.00), over the value of the use and occupation for one year which is hereby fixed at Fifty Dollars (\$50.00).

It is further ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, that if the Plaintiff or his legal representative neglect for the term of one year from the

date hereof to pay such excess, and the Defendants or their legal representaives, within three months after the expiration of the year, pays to the Plaintiff, or to the Clerk of this Court for him, the value of the land in the amount of One Hundred and Fifty Dollars (\$150.00) and of the use and occupation in the amount of Fifty Dollars (\$50.00) as assessed herein by the Court, the Plaintiff is, and will be, forever barred from his writ of possession, and from maintaining any action whatever against the Defendants, their heirs, or assigns, to recover such land or the possession thereof.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Plaintiff be, and he is hereby taxed with the costs of Court, for which let execution issue.

Done this 1st day of May, 1964.

Hubert M. Wallace
Circuit Judge

FILED
MAY 15 1964
ALICE L. DICK, CLERK
REGISTER

D. B. TAYLOR,

Plaintiff,

vs.

JAMES L. HARRISON and
LILLIE MAE J. HARRISON,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

PLEA

Come now the Defendants in the above styled cause, by their attorneys, and for answer to the Complaint heretofore filed against them, plead as follows:

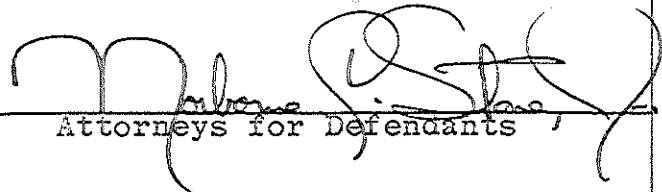
1. Not guilty.

Come now the Defendants, by their attorneys, and suggest upon the record that they have for three years next before the commencement of this suit, had adverse possession of the property described in the complaint.

Respectfully submitted,

CHASON, STONE & CHASON

By:


Attorneys for Defendants

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ALICE I. DUCK, CLERK
REGISTER

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon James L. Harrison and Lillie Mae J. Harrison to appear within thirty days from the service of this writ in the Circuit Court, to be held for said County at the place of holding the same, then and there to answer the complaint of D. B. Taylor.

WITNESS my hand this 20 day of December, 1961.

Alvin J. Smith
Clerk

Defendant's can be served at
Bon Secour, Alabama.

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D. B. TAYLOR,)	
)	
Plaintiff,)	IN THE CIRCUIT COURT OF
)	
VS.)	BALDWIN COUNTY, ALABAMA
)	
JAMES L. HARRISON and)	AT LAW
LILLIE MAE J. HARRISON,)	4978
)	
Defendants.)	

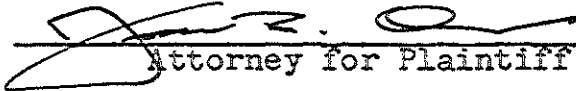
COMPLAINT

The Plaintiff sues to recover possession of the following tract of land situated in Baldwin County, Alabama, to-wit:

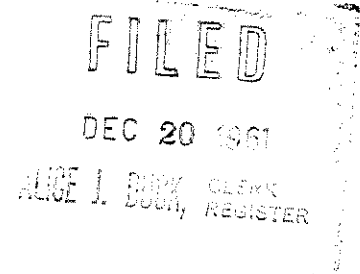
From the Northwest corner of Section 25, Township 8 South, Range 3 East run South 3336 feet to the point of beginning; run thence South 211 feet; run thence East 261 feet; run thence North 44° 15' West 253 feet; run thence North 67° West 100 feet, more or less, to the point of beginning, excepting therefrom the following:

From the Northwest corner of Section 25, Township 8 South, Range 3 East run South 3423.8 feet for a point of beginning of the property to be excepted; run thence South 123.2 feet to a point; run thence East 84 feet, more or less, to a point which is South 34° 45' East of the point of beginning; run thence North 34° 45' West 150 feet, more or less, to the point or place of beginning.

of which he was in possession, and upon which, pending such possession, and before the commencement of this suit, the Defendants entered and unlawfully withhold, together with \$500.00 for the detention thereof.


Attorney for Plaintiff

64-12-28-61



COMPLAINT

4978

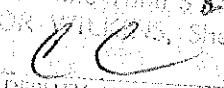
D. B. TAYLOR,

Plaintiff,


VS.

JAMES L. HARRISON and
LILLIE MAE J. HARRISON,

Defendants.

172
Sheriff claims ~~84~~ miles at
Tin Can's per mile Total \$ ~~84~~ 172
TAYLOR WILKINS, Sheriff
BY  DEPUTY SHERIFF

Received 26 day of December 1921
and on 27 day of December 1921
I served a copy of the within 172
on James L. Harrison
By service on Lillie Mae J. Harrison

TAYLOR WILKINS, Sheriff
By  D.S.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

FILED

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ALICE J. OWEN, CLERK
REGISTER

JAMES R. OWEN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

24 -
D. B. TAYLOR,

Plaintiff,

VS.

JAMES L. HARRISON and
LILLIE MAE J. HARRISON,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

4978
ORDER

It having been made to appear to the Court that the Plaintiff in the above styled cause has, to the date hereof, failed to pay the Defendants, or deposit with the Clerk of this Court for them, the sum of Five Thousand Six Hundred Eighty Dollars (\$5,680.00), the excess of the value of the improvements on the property involved in this suit over the value of the use and occupation for one year of said property, as particularly set forth in the decree of this Court entered on May 1, 1964; and it further appearing to the Court that the Defendants have this day paid to the Clerk of this Court the sum of Two Hundred Dollars (\$200.00) as provided in said decree of May 1, 1964, upon the failure of the Plaintiff to pay the above sum to them or to the Clerk of this Court for them; and the Court having considered all of the above is of the opinion that an order should now be entered in accordance with said decree of May 1, 1964, forever barring the Plaintiff from his writ of possession, and for maintaining any action whatever against the Defendants, their heirs or assigns, to recover the land described in said decree of May 1, 1964; it is, therefore

ORDERED and DECREED by the Circuit Court of Baldwin County, Alabama, that D. B. Taylor, the Plaintiff in this cause, be, and he is hereby, forever barred from a writ of possession to the following described real property situated in Baldwin County, Alabama, to-wit:

From the Northwest corner of Section 35, Township 8 South, Range 3 East, run South 3,336 feet to the point of beginning; run thence South 211 feet run thence East 261 feet; run thence North 44° 15' West 253 feet; run thence North 67° West 100 feet, more or less, to the point of beginning, excepting therefrom the following: From the Northwest corner of Section 25, Township 8 South, Range 3 East, run South 3423.8 feet for a point of beginning of the property to be excepted; run thence South 123.2 feet to a point; run thence East 84 feet, more or less, to a point which is South 34° 45' East of the point of beginning; run thence North 34° 45' West 150 feet, more or less, to the point and place of beginning.

or for maintaining any action whatever against the Defendants in this cause, their heirs or assigns, to recover the above described property or the possession thereof.

Done this 5th day of May, 1965.

J. G. Fair J. Masliburn
Circuit Judge

FILED

5-5-65

CLERK
J. L. DICK, REGISTER

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D. B. TAYLOR,
Plaintiff,
VS.

JAMES L. HARRISON
and
LILLIE MAE J. HARRISON
Defendants.

ORDER

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