

J. & R. AGENCY, INC., a
corporation,

:: IN THE CIRCUIT COURT OF

Plaintiff

:: BALDWIN COUNTY, ALABAMA

VS.

::

HAROLD G. ALWERT,

Defendant

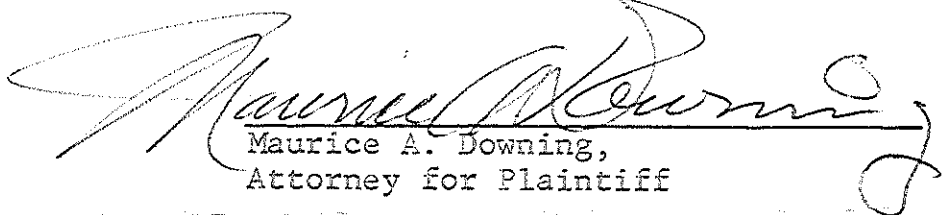
:: CASE NO. 6133

COUNT ONE

The Plaintiff sues to recover possession of the following
tract of land:

From a concrete monument at NW Corner SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section
22 run East along fence line dividing SE $\frac{1}{4}$ NE $\frac{1}{4}$ from
NE $\frac{1}{4}$, NE $\frac{1}{4}$, 744.5 feet to NW corner of Puckett leasehold;
Thence South 238 feet along W/S and S 89° 35' E, 173
ft. along S/S of Puckett leasehold for a point of
beginning of the land herein leased; thence continue
S 89° 35' E, 154 ft. to NW corner Stimpson leasehold;
thence South 210 ft. along W/S and S 89° 35' E, 203
ft. along S/S of Stimpson leasehold to W/S Belforest
Highway; thence along said Highway 207.7 ft. to a
corner; thence N 89° 42' W, 377.4 ft. to a corner
and thence N 02° 55' E, 419.2 ft. to beginning,
containing 2.56 acres, more or less, Section 22, Town-
ship 6 South, Range 2 East, Baldwin County, Alabama.

to the immediate possession of which the Plaintiff is entitled
by virtue of the purchase of said land at a sale on a foreclosure
of a mortgage, and which the Defendant, after the termination of
his possessory interest, and after the Plaintiffs, Grantor, demand
in writing therefor, unlawfully detains, together with One Hundred
Thirty and No/100 (\$130.00) Dollars for the detention thereof.


Maurice A. Downing,
Attorney for Plaintiff

Defendant's address:

Fairhope, Alabama

FILED

JUL 30 1964

AUGUST DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 6133

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summon Harold G. Alwert

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Harold G. Alwert

, Defendant

by J. & R. Agency

, Plaintiff

Witness my hand this 30 day of July 19 64

EJ-11-20-64

W. J. Alwert, Clerk

No. 6133 Page

The State of Alabama

Baldwin County

CIRCUIT COURT

J. & R AGENCY, INC., a corp

Plaintiffs

vs.

HAROLD G. ALWERT

Defendants

Summons and Complaint

Filed 7-30 19 64

Alice J. Duck

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

11/20/64 7/30 19 64

Sheriff

I have executed this summons

this Nov 20 19 64

by leaving a copy with

Harold G. Alwert

Returned 1 day of Sept 19 64

Not found in my county after diligent search and inquiry In Hospital

Taylor Wilkins, Sheriff

By H. Wilkins Deputy Sheriff

G. Hope

Taylor Wilkins Sheriff

Roy Randall Deputy Sheriff

Ten Cents per mile Total \$ 7.00

TAYLOR WILKINS, Sheriff

BY ck

STATE OF ALABAMA
COUNTY OF MOBILE

STATE OF ALABAMA, BALDWIN COUNTY

Filed

4/27/64

11:26 AM

Recorded

Deed

book

344

page

315-16

1

J. D. Owen Jr.
Judge of Probate

KNOW ALL MEN BY THESE PRESENTS, that, WHEREAS, heretofore and on, to-wit, July 29, 1960, Harold G. Alwert, a single man, executed a certain mortgage on the hereinafter described real property to Security Homes which said mortgage is recorded in Mortgage Book 347, page 257 of the Probate Court Records of Baldwin County, Alabama, and which said mortgage has been assigned by Security Homes to J. & R. Agency, Inc., a Florida corporation, which said assignment is recorded in Mortgage Book 347, page 548 in the records in the office of the Judge of Probate of Baldwin County, Alabama; and,

WHEREAS, in and by said mortgage the mortgagee was authorized and empowered in case of default in the payment of indebtedness thereby secured, according to the terms thereof, to sell said property in front of the Court House door in the City of Bay Minette, Baldwin County, Alabama, after giving notice of the time, place, and terms of said sale in some newspaper published in said County by publication once a week for four consecutive weeks prior to said sale, which sale was by public outcry for cash, to the highest bidder and said mortgage provided that in case of sale under the power and authority contained in same, the mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if it was the highest bidder therefor; and,

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said J. & R. Agency, Inc. did declare all of the indebtedness secured by said mortgage due and payable and said mortgage subject to foreclosure as herein provided and gave due and proper notice of the foreclosure of said mortgage

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by publication in "The Baldwin County Times", a newspaper published in Baldwin County, Alabama, and of general circulation in Baldwin County, Alabama, in its issues of February 14, 21, 28, and March 6, 1964; and,

WHEREAS, on March 20, 1964, the day on which the foreclosure was due to be held under the terms of said notice, at 12:00 noon which was between the legal hours of sale, said foreclosure was duly and properly conducted, and J. & R. Agency, Inc., as assignee did offer for sale and sell at public outcry in front of the Court House door of the County Court House of Baldwin County, Alabama, the property hereinafter described; and,

WHEREAS, John Earle Chason, was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said J. & R. Agency, Inc.; and,

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of J. & R. Agency, Inc. in the amount of \$3,514.03, which sum of money J. & R. Agency, Inc. offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to J. & R. Agency, Inc.

NOW THEREFORE, in consideration of the premises and of a credit in the amount of \$3,514.03, on the indebtedness secured by said mortgage, the said J. & R. Agency, Inc. by and through John Earle Chason, as Auctioneer conducting said sale and as Attorney in Fact for J. & R. Agency, Inc., and the said John Earle Chason as the Auctioneer conducting said sale, do hereby GRANT, BARGAIN, ~~SELL AND CONVEY~~ unto the said J. & R. Agency, Inc. the following described property situated in Baldwin County, Alabama, to-wit:

From a concrete monument at NW Corner SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22 run East along fence line dividing SE $\frac{1}{4}$ NE $\frac{1}{4}$ from NE $\frac{1}{4}$, NE $\frac{1}{4}$, 744.5 feet to NW corner of Puckett leasehold; thence South 238 feet along W/S and S 89° 35' E, 173

ft. along S/S of Puckett leasehold for a point of beginning of the land herein leased; thence continue S89° 35' E, 154 ft. to NW corner Stimpson leasehold; thence South 210 ft. along W/S and S 89° 35' E, 203 ft. along S/S of Stimpson leasehold to W/S Belforest Highway; thence along said Highway, 207.7 ft. to a corner; thence N 89° 42' W, 377.4 ft. to a corner and thence N 02° 55' E, 419.2 ft. to beginning, containing 2.56 acres, more or less, Section 22, Township 6 South, Range 2 East, Baldwin County, Alabama.

TO HAVE AND TO HOLD the above described property unto J. & R. Agency, Inc., its successors and assigns forever, subject, however to the statutory right of redemption on the part of those entitled to redeem as provided by the Laws of the State of Alabama.

IN WITNESS WHEREOF, J. & R. Agency, Inc. has caused this instrument to be executed by and through John Earle Chason, as Auctioneer conducting said sale, and as Attorney in Fact, and John Earle Chason, as Auctioneer conducting said sale, has hereunto set his hand and seal on this the 13th day of April, 1964.

John Earle Chason
John Earle Chason, As Auctioneer
and Attorney in Fact

John Earle Chason
John Earle Chason, as Auctioneer
conducting said sale

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STATE OF ALABAMA
COUNTY OF BALDWIN

I, Blanche White, a Notary Public in and for said State and County, hereby certify that John Earle Chason, whose name as Auctioneer and Attorney in Fact for J. & R. Agency, Inc., is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacity as said Auctioneer and Attorney in Fact with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 13th day of April, 1964.

Blanche White
Notary Public, Baldwin County, Alabama

