

JESSIE A. MARTIN

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6 BEING THE SOUTHEAST QUARTER, LYING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6, WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 60 FEET TO THE SOUTHWEST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5, OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERINGS THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA: AND CHICAGO GULF BEACH COMPANY, A CORPORATION, ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, CORPORATIONS, ASSOCIATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PORTION THEREOF.

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

This cause coming on to be heard is submitted for final decree upon behalf of the complainant, upon the original bill of complaint and upon the service, pleading and proof as noted by the Register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due

and proper notice of the pendency of the said bill of complaint against the said lands and the named defendants the Chicago Gulf Beach Company, a corporation organized under the laws of the State of Arizona, its successors and assigns, and all persons, firms, associations or corporations; claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof, has been given in the manner required by law, and that the complainant is entitled to the relief as prayed for in her bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said complainant, Jessie A. Martin, is over the age of twenty-one years and a resident of Mobile County, Alabama; that at the time of the filing of the said bill of complaint and at the time of the submission of this cause for final decree, the complainant was and is in the actual and peaceable possession, claiming to own the same absolutely, and in fee simple all of that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the Intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said block 4 of said sub-division, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5, of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence West-erly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said lot 6 to the point of beginning, lying and being in Baldwin County, Alabama.

That the complainant obtained title to the said land by deed from Amos Garrett, dated the 14th day of February, 1945, recorded in the office of the Judge of Probate of Baldwin County, in deed book 89 NS, page 35; who acquired the same by deed of A. B. McPhaul, as guardian for Thekla E. McPhaul, a non compos mentis, by deed the 29th day of September, 1944, recorded in the office of the Judge of Probate of Baldwin County, in Deed Book 86 NS, pages 238-239; who acquired the same from Harry Benton Hamm under the will of the said Harry Benton Hamm, dated the 3rd day of July, 1907, duly admitted to probate and record in Baldwin County on the 20th day of December, 1915, and recorded in Will Book "C", pages 8-10, the said Harry Benton Hamm acquired the same from the Chicago Gulf Beach Company by deed of conveyance, which said deed was not placed of record and has been lost and cannot be found; that the said Chicago Gulf Beach Company acquired the same by mesne conveyances from the United States Government; that the title to the said lands and each parcel thereof stands in the name of the complainant upon the records of Baldwin County, Alabama; that for more than ten years next preceeding the filing of said bill of complaint no person other than those through whom he claims title to the said lands or any part thereof have assessed or paid taxes thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Jessie A. Martin at the time of the filing of the bill of complaint in this cause and at this time had and has the fee simple title to the above described lands, and to each and every part and parcel thereto, that neither of the said defendants, the Chicago Gulf Beach Company, a corporation, its successors and assigns, and any persons, firms, associations or corporations have any right, title to, interest in, claim or encumbrance upon the whole or any part of the said lands, and that the fee simple title to the said lands and each and every part and parcel thereof be and the same is hereby quieted and established in and declared to be in the said

Jessie A. Martin, as against the defendants the Chicago Gulf Beach Company, a corporation, its successors and assigns, and any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title hereby quieted and established in and declared to be in the said Jessie A. Martin, shall inure to the benefit of all persons deriving title to said lands or any part thereon, from or through the said Jessie A. Martin, and the said title so quieted and established in her shall be treated and considered as established in favor of the said Jessie A. Martin and all persons deriving title through her.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be, by the Register of this Court, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in which County the said land lies, within thirty days from the date of this decree, and that the cost thereof be taxed as a part of the cost in this proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Jessie A. Martin be and she is hereby taxed with the cost of this proceeding for which let execution issue.

Done at Bay Minette, this the 30th day of March, 1951.

Jessie J. Maslbury, Jr.
Judge.

RECORDED

Gussie A. Martin
Complainant

VS

Chicago Surf Beach
Co.
Respondents

Final Decree

FILED

MAR 20 1951

ALICE J. RUCK, Register

Filed March 20, 1951

Alice J. Ruck
Register

JESSIE A. MARTIN

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6, BEING THE SOUTHEAST QUARTER, LYING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6, WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5, OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERINGS THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6, TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA; AND CHICAGO GULF BEACH COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA; AND ITS SUCCESSORS AND ASSIGNS; AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PORTION THEREOF.

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Notice is hereby given to the Chicago Gulf Beach Company, a corporation, its successors and assigns, and all persons, firms, associations, or corporations claiming any title to, interest in, claim, lien or encumbrance on said land or any portion thereof, viz: All that part of the West half of lot 6,

the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of lot 10 of said Block 4, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5 of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence westerly along the margin of the Gulf of Mexico, following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, lying in Baldwin County, Alabama,

That Jessie A. Martin has filed her bill of complaint on the 15 day of January, 1954, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own those parcels or lots of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

All that part of the West half of Lot 6, the said lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South Margin of Cotton Bayou, run thence South along the said West line 675 feet for a point of beginning, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner

of said Block 3 of said sub-division, thence North 125 feet to the Northeast corner of lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 4, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5 of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence westerly along the margin of the Gulf of Mexico, following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, lying in Baldwin County, Alabama.

Complainant alleges in her bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in her name, that she acquired the same by deed from Amos Garrett, dated the 14th day of February, 1945, recorded in the office of the Judge of Probate of Baldwin County in Deed Book 89 NS, page 35; who acquired the same by deed of A. B. McPhaul, as guardian for Thekla E. McPhaul, a non compos mentis, by deed the 29th day of September, 1944, recorded in the office of the Judge of Probate of Baldwin County in Deed Book 86 NS, pages 238-239; who acquired the same from Harry Benton Hamm under the will of the said Harry Benton Hamm, dated the 3rd day of July, 1907; duly admitted to Probate and record in Baldwin County on the 20th day of December, 1915, and recorded in Will Book "C", pages 8-10, the said Harry Benton Hamm acquired the same from the Chicago Gulf Beach Company by deed of conveyance, which said deed was not placed of record and has been lost and cannot be found; that the said Chicago Gulf Beach Company acquired the same by mesne conveyances from the United States Government; that the Chicago Gulf Beach Company, a corporation, claims or is reputed to claim some title to, interest in, claim, lien or encumbrance upon the following described lands; All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as

follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the First sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said sub-division, thence East 250 feet to the Southeast corner of Block 5, of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence Westerly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, in Baldwin County, Alabama, or some portion thereof.

Complainant further alleges that she and those through whom she claims have, for more than ten years next preceding the filing of said bill of complaint, been in the actual peaceable adverse possession of the said lands and have annually assessed and paid the taxes thereon and that during such period no other person has been in possession of said lands or any portion thereon and that the bill of complaint is filed for the purpose of establishing her title to and interest in said lands and clearing up doubts and disputes concerning the same.

And it appearing from said bill of complaint, that the defendant, Chicago Gulf Beach Company is a corporation and its place of business and its officers and their names are unknown

to complainant and can not be ascertained upon diligent search and inquiry and personal service on said corporation, because of such fact, can not be had.

And an order having been made and entered that notice of the pendency of said suit be given publication once a week for four consecutive weeks, in a newspaper published in Bay Minette, in Baldwin County, Alabama.

It is therefore ordered that the said Chicago Gulf Beach Company, a corporation, and its successors and assigns, and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance on said land described as follows: All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the First subdivision of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said sub-division, thence East 250 feet to the Southeast corner of Block 5, of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence Westerly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said lot 6, thence North along the West line of said lot 6 to the point of beginning, in Baldwin County, Alabama, or some portion thereof, appear and plead, answer or demur to the said bill of complaint within sixty days after the first publication

of this notice, namely the 19th day of March, 1951, at which time the said cause shall stand at issue.

WITNESS my hand this the 15th day of January, 1951.

W. J. Leach
Register, Circuit Court, Baldwin
County, Alabama.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 1-17-51.....1140
Recorded Lib. Ord. book 2 page 334-9
M. Stuart
Judge of Probate

FILED
JAN 17 1951
W. J. Leach, Register

1-17-51
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Leach
Circuit Court
Baldwin County
Alabama

17

2596

1-15-51

Lis Pendens

Jessie A. Martin
v

Chicago Gulf Beach Co.
vs

WITNESS my hand this 15th day of January, 1951.
At the said court held at Chicago
of this notice, namely the 15th day of March, 1951, at which

2 -

County of Chicago
Recorder of Deeds
J. J. Duck

RECORDED
INDEXED
JAN 15 1951
CHICAGO GULF BEACH CO.
JESSIE A. MARTIN

FILED
JAN 15 1951
ALICE J. DUCK, Registrar

BOOK 005 PAGE 389

R-3.00
Mrs. Duck

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in equity wherein Jessie A. Martin, is complainant and Chicago Gulf Beach Company, a corporation, its successors and assigns and the following described lands, to-wit: All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the south margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the first subdivision of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence East 60 feet, thence East 250 feet to the Southeast corner of Block 5, of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence Westerly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said lot 6, thence North along the West line of said lot 6 to the point of beginning, lying in Baldwin County, Alabama; and any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance

upon the said lands in Baldwin County, are defendants as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 15 day of January, 1951.

Witness my hand this the 15 day of January, 1951.

W. J. H. H. H.
Register

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in equity, wherein Jessie A. Martin, is complainant and the Chicago Gulf Beach Company, a corporation, its successors and assigns and the following described land, to-wit: All that part of the West half of Lot 6, the said lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the west line of said lot 6 with the south margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence East 60 feet, thence East 250 feet to the Southeast corner of Block 5, of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence Westerly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said lot 6, thence North along the West line of said lot 6 to the point of beginning, lying in Baldwin County, Alabama; and any and all persons, firms, associations, or corporations claiming title to, interest in,

claim, lien or encumbrance on the said land are defendants
as the same was drawn by me and caused to be published in the
Baldwin Times, a newspaper, published in Baldwin County, Alabama,
under and in pursuance of an order of this court made in said
cause on the 15 day of January, 1951, and I do further certify
that the same was published in the Baldwin Times, a newspaper
designated therein in its issues of Jan. 18, '51,
Jan. 25, 1951, Feb. 1, 1951,
Feb. 8, 1951.

And I do further certify that the foregoing notice was filed
by me for record in the office of the Judge of Probate in
Baldwin County, Alabama, recorded by the said Judge of Probate
in his pendens 2, page 334-339, on the 15 day
of January, 1951.

Witness my hand this the ___ day of ___, 1951.

Walter J. Wierke
Register.

FILED

MAR 31 1951

ALICE J. DUCK, Register

JESSIE A. MARTIN

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6 BEING THE SOUTHEAST QUARTER, LYING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6, WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 60 FEET TO THE SOUTHWEST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5, OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERINGS THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA: AND CHICAGO GULF BEACH COMPANY, A CORPORATION, ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, CORPORATIONS, ASSOCIATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PORTION THEREOF.

RESPONDENTS

This cause coming on to be heard is submitted for final decree upon behalf of the complainant, upon the original bill of complaint and upon the service, pleading and proof as noted by the Register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due

STATE OF ALABAMA, BALDWIN COUNTY
 Filed 7-3-51
 Recorded 10-10-51
 book 164 page 266-70
 J. M. Stewart
 Judge of Probate

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

and proper notice of the pendency of the said bill of complaint against the said lands and the named defendants the Chicago Gulf Beach Company, a corporation organized under the laws of the State of Arizona, its successors and assigns, and all persons, firms, associations or corporations; claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof, has been given in the manner required by law, and that the complainant is entitled to the relief as prayed for in her bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said complainant, Jessie A. Martin, is over the age of twenty-one years and a resident of Mobile County, Alabama; that at the time of the filing of the said bill of complaint and at the time of the submission of this cause for final decree, the complainant was and is ~~in the~~ actual and peaceable possession, claiming to own the same absolutely, and in fee simple all of that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the Intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said block 4 of said sub-division, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5, of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence West-erly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said lot 6 to the point of beginning, lying and being in Baldwin County, Alabama.

That the complainant obtained title to the said land by deed from Amos Garrett, dated the 14th day of February, 1945, recorded in the office of the Judge of Probate of Baldwin County, in deed book 89 NS, page 35; who acquired the same by deed of A. B. McPhaul, as guardian for Thekla E. McPhaul, a non compos mentis, by deed the 29th day of September, 1944, recorded in the office of the Judge of Probate of Baldwin County, in Deed Book 86 NS, pages 238-239; who acquired the same from Harry Benton Hamm under the will of the said Harry Benton Hamm, dated the 3rd day of July, 1907, duly admitted to probate and record in Baldwin County on the 20th day of December, 1915, and recorded in Will Book "C", pages 8-10, the said Harry Benton Hamm acquired the same from the Chicago Gulf Beach Company by deed of conveyance, which said deed was not placed of record and has been lost and cannot be found; that the said Chicago Gulf Beach Company acquired the same by mesne conveyances from the United States Government; that the title to the said lands and each parcel thereof stands in the name of the complainant upon the records of Baldwin County, Alabama; that for more than ten years next preceeding the filing of said bill of complaint no person other than those through whom he claims title to the said lands or any part thereof have assessed or paid taxes thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Jessie A. Martin at the time of the filing of the bill of complaint in this cause and at this time had and has the fee simple title to the above described lands, and to each and every part and parcel thereto, that neither of the said defendants, the Chicago Gulf Beach Company, a corporation, its successors and assigns, and any persons, firms, associations or corporations have any right, title to, interest in, claim or encumbrance upon the whole or any part of the said lands, and that the fee simple title to the said lands and each and every part and parcel thereof be and the same is hereby quieted and established in and declared to be in the said

Jessie A. Martin, as against the defendants the Chicago Gulf Beach Company, a corporation, its successors and assigns, and any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title hereby quieted and established in and declared to be in the said Jessie A. Martin, shall inure to the benefit of all persons deriving title to said lands or any part thereon, from or through the said Jessie A. Martin, and the said title so quieted and established in her shall be treated and considered as established in favor of the said Jessie A. Martin and all persons deriving title through her.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be, by the Register of this Court, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in which County the said land lies, within thirty days from the date of this decree, and that the cost thereof be taxed as a part of the cost in this proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Jessie A. Martin be and she is hereby taxed with the cost of this proceeding for which let execution issue.

Done at Bay Minette, this the 30th day of March, 1951.

Telfair J. Mashburn, Jr
Judge.

BOOK 101 PAGE 270

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the 30th day of March, 1951.

Alice J. Duck
Register of Circuit Court, In Equity.

7-20-62

JESSIE A. MARTIN

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6, BEING THE SOUTHEAST QUARTER, LING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6 WITH THE SOUTH-MARGIN OF COTTON BAYOU, RUN THENCE-SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE EAST 250 FEET TO THE SOUTHWEST CORNER OF BLOCK 5, OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERING THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6, TO THE POINT OF BEGINNING, LING IN BALDWIN COUNTY, ALABAMA: AND CHICAGO GULF BEACH COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ALABAMA; AND ITS SUCCESSORS AND ASSIGNS AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, HOLDING ANY TITLE OR INTEREST IN, OR IN, LIEU OF ENCUMBRANCE

IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

ALABAMA,

IN BALDWIN COUNTY,

DEFENDANTS:

Notice having been given to the Chicago Gulf Beach Company, a corporation, defendant in the above styled cause as required by law, and the time within which it is required to plead, answer or demur having expired, and it having failed to plead,

or demur within the time required by law, application is made for decree pro confesso against the said Chicago Gulf Beach Company, a corporation, in the above styled cause.

Witness my hand this the 20 day of March, 1951.

J. W. Beebe
Solicitor for Complainant

RECORDED

Jessie A. Martin
Complainant

VS

Chicago Gulf Beach
Company & Certain lands
Respondent

Application for
Decree Pro Confesso

Filed March 20, 1951

W. J. H. H. H.
Registrar

JESSIE A. MARTIN

COMPLAINANT

VS

CHICAGO GULF BEACH COMPANY,
AND CERTAIN LANDS

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Testimony having been taken in this cause and
the same being ready for final decree, motion is hereby
made that the said cause be set down for final decree.

This the 26 day of March, 1951.

W. P. Bucke

Solicitor for complainant.

RECORDED

Jesse A. Martin
Complainant

vs

Chicago Gulf Beach Co., &
certainllands
Respondents

Motion for final decree

Filed: March 26, 1951

W. J. French
Register

JESSIE A. MARTIN,

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6, BEING THE SOUTHEAST QUARTER, LYING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6 WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 60 FEET TO THE SOUTHWEST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5, OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE BOUNDARY THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA; AND CHICAGO GULF BEACH COMPANY, A CORPORATION, ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, CORPORATIONS OR ASSOCIATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PORTION THEREOF.

DEPENDANTS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

The attorney for the complainant in the above styled cause hereby gives notice to the above named persons, firms, associations, or corporations that the deposition of Amos Garrett, witness for the complainant, will be taken before Madeline S. Bryars,

Commissioner, heretofore named by this Honorable Court, on the
26 day of March, 1951, at the office of W. C. Beebe in the
Town of Bay Minette, Alabama, at 10:00 o'clock A.M.

Witness this the 23 day of March, 1951.

W. C. Beebe
Solicitor for complainant.

Notice of time & place
of taking testimony

Filed
March 23, 1951

Chief Clerk
Register

JESSIE A. MARTIN

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6, BEING THE SOUTHEAST QUARTER, LYING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6, WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5, OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERINGS THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6, TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA; AND CHICAGO GULF BEACH COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA; AND ITS SUCCESSORS AND ASSIGNS; AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PORTION THEREOF.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

DEFENDANTS

Notice is hereby given to the Chicago Gulf Beach Company, a corporation, its successors and assigns, and all persons, firms, associations, or corporations claiming any title to, interest in, claim, lien or encumbrance on said land or any portion thereof, viz: All that part of the West half of Lot 6,

the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of lot 10 of said Block 4, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5 of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence westerly along the margin of the Gulf of Mexico, following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, lying in Baldwin County, Alabama,

That Jessie A. Martin has filed her bill of complaint on the 15 day of January,, 1950, in this court on the equity side claiming to be in actual peaceable possession, owning and ~~claiming to own those parcels or lots of land, lying and being~~ situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

All that part of the West half of Lot 6, the said lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South Margin of Cotton Bayou, run thence South along the said West line 675 feet for a point of beginning, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner

of said Block 3 of said sub-division, thence North 125 feet to the Northeast corner of lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 4, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5 of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence westerly along the margin of the Gulf of Mexico, following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, lying in Baldwin County, Alabama.

Complainant alleges in her bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in her name, that she acquired the same by deed from Amos Garrett, dated the 14th day of February, 1945, recorded in the office of the Judge of Probate of Baldwin County in Deed Book 89 NS, page 35; who acquired the same by deed of A. B. McPhaul, as guardian for Thekla E. McPhaul, a non compos mentis, by deed the 29th day of September, 1944, recorded in the office of the Judge of Probate of Baldwin County in Deed Book 86 NS, pages 238-239; who acquired the same from Harry Benton Hamm under the will of the said Harry Benton Hamm, dated the 3rd day of July, 1907; duly admitted to Probate and record in Baldwin County on the 20th day of December, 1915, and recorded in Will Book "C", pages 8-10, the said Harry Benton Hamm acquired the same from the Chicago Gulf Beach Company by deed of conveyance, which said deed was not placed of record and has been lost and cannot be found; that the said Chicago Gulf Beach Company acquired the same by mesne conveyances from the United States Government; that the Chicago Gulf Beach Company, a corporation, claims or is reputed to claim some title to, interest in, claim, lien or encumbrance upon the following described lands; All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as

follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the First sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said sub-division, thence East 250 feet to the Southeast corner of Block 5, of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence Westerly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, in Baldwin County, Alabama, or some portion thereof.

Complainant further alleges that she and those through whom she claims have, for more than ten years next preceding the filing of said bill of complaint, been in the actual peaceable adverse possession of the said lands and have annually assessed and paid the taxes thereon and that during such period no other person has been in possession of said lands or any portion thereon and that the bill of complaint is filed for the purpose of establishing her title to and interest in said lands and clearing up doubts and disputes concerning the same.

And it appearing from said bill of complaint, that the defendant, Chicago Gulf Beach Company is a corporation and its place of business and its officers and their names are unknown

to complainant and can not be ascertained upon diligent search and inquiry and personal service on said corporation, because of such fact, can not be had.

And an order having been made and entered that notice of the pendency of said suit be given publication once a week for four consecutive weeks, in a newspaper published in Bay Minette, in Baldwin County, Alabama.

It is therefore ordered that the said Chicago Gulf Beach Company, a corporation, and its successors and assigns, and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance on said land described as follows: All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the First subdivision of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said sub-division, thence East 250 feet to the Southeast corner of Block 5, of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence Westerly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said lot 6, thence North along the West line of said lot 6 to the point of beginning, in Baldwin County, Alabama, or some portion thereof, appear and plead, answer or demur to the said bill of complaint within sixty days after the first publication

of this notice, namely the 19th day of March, 1951, at which
time the said cause shall stand at issue.

WITNESS my hand this the 15th day of January, 1951.

Russell Leuck
Register, Circuit Court, Baldwin
County, Alabama.

2596

~~Ernest M. Roberts~~

Jessie A. Martin
Complainant

Chicago & North Branch Co.
2 (Magnolia Springs
Lands et al &
1 Certain lands

Notice

FILED

JAN 15 1951

ALICE J. DUCK, Register

JESSIE A. MARTIN

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6, BEING THE SOUTHEAST QUARTER, LIES SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6, WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 60 FEET TO THE SOUTHWEST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5, OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERINGS THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA; AND CHICAGO GULF BEACH COMPANY, A CORPORATION, ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, CORPORATIONS OR ASSOCIATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, DEED OR ENCUMBRANCE ON SAID LAND OR ANY PORTION THEREOF.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

DEFENDANTS.

Complainant having on the 20 day of March, 1951, filed his motion and request for oral examination of Amos Garrett, witness for complainant and due and proper notice thereof having been given as required by law on the Order Book of this Court and Madeline S. Bryars of the Town of Bay Minette being a suitable person to act as commissioner to take the deposition of said witness.

It is therefore ordered, adjudged and decreed that the
said motion for the oral examination of Amos Garrett,
witness for complainant be and is hereby granted.

And that Madeline S. Bryers be and she is hereby appoint-
ed as commissioner to take the deposition of said witness.

Witness my hand this the 23 day of March, 1951.

Deirdre W. W. W.
Register

Jessie O. Martin
Complainant

VS

Chicago Gulf Beach
Co. & certain lands
Respondents

Order appointing
Commissioner

Filed March 23, 1951

Wm. F. Luck
Register

JESSIE A. MARTIN,

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6, BEING THE SOUTHEAST QUARTER, LYING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6 WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 60 FEET TO THE SOUTHWEST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5, OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERING THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA; AND CHICAGO GULF BEACH COMPANY, A CORPORATION, ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, CORPORATIONS OR ASSOCIATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PORTION THEREOF.

DEFENDANTS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

The attorney for the complainant in the above styled cause hereby gives notice to the above named persons, firms, associations, or corporations that the deposition of Amos Garrett, witness for the complainant, will be taken before Madeline S. Bryars,

Commissioner, heretofore named by this Honorable Court, on the
26 day of March, 1951, at the office of W. C. Beebe in the
Town of Bay Minette, Alabama, at 10:00 o'clock A.M.

Witness this the 23 day of March, 1951.


Solicitor for complainant.

I, Alice J. Duck, Register of the Circuit Court of
Baldwin County, in equity, do hereby certify that the foregoing
~~notice of the time and place of taking deposition of complainant's~~
Witness was filed and entered on the order book of the Register
on the 23 day of March, 1951.

Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Madeline S. Bryars

KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Amos Garrett

as witnesses in behalf of Jesse A. Martin in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Jesse A. Martin, Complainant
and

Chicago Gulf Beach Co., Respondent
on oath, to be by you administered, upon oral examination
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 29 day of March, 1951

Register.

Commissioner's Fee, \$

Witness' Fees, \$

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

JESSIE A. MARTIN

Complainant

VS.

CHICAGO GULF BEACH CO., A CORP. OF ALA.

Respondent

I, Madelaine S. Brvare

as Register and Commissioner

have called and caused to come before me Amos Garrett

witness named in the Requirement for Oral Examination, on the 26 day of March
1941, at the office of W. C. Beebe

in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said Amos
Garrett doth depose and say as follows:

My name is Amos Garrett. I am over 50 years of age and have been a resident of Baldwin County for more than 27 years continuously and for more than 20 years have known all that part of the West half of Lot 6, the said lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said lot 6, with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division, thence North 125 feet to the Northwest corner of lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of lot 10 of said Block 4 of said sub-division, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5 of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence Westerly along the margin of the Gulf of Mexico, following the meanderings thereof, to the West line of said lot 6, thence North along the West line of said lot 6 to the point of beginning, lying in Baldwin County, Alabama. I also know Jessie A. Martin. She is over the age of twenty-one years and a resident of Mobile County, Alabama. The Chicago Gulf Beach Company is a corporation organized under the laws of the State of Alabama, its principal place of business is unknown, its officers and incorporators are unknown. Jessie A. Martin is the owner of the said above described lands and she is in the actual peaceable possession of the said land and has been continuously since her purchase of the same on February 14, 1945. I sold her the said land by deed recorded in 49 FB, page 33 of the Baldwin County records. Upon her purchase she went into possession of the said land claiming to own it. I bought the said land from Thekla E. McPhaul on October 22, 1941 by deed recorded 60 FB, page 236-9. Upon my purchase of the property I entered into possession of the said lands claiming to own it. Then I purchased the said property from Thekla E. McPhaul she was in possession of the said land and had been in possession of the said land and had been in possession continuously since I first knew the property in the late 1920's. She claimed to own the said lands under the will of her former husband, H. B. Homa, deceased. For 20 years or more the said Thekla E. McPhaul and I and the said Jessie A. Martin have annually assessed and paid taxes on the said land and have been in continuous adverse possession of the said land. The title to the said land stands on the records of Baldwin County in the name of Jessie A. Martin and no other person has been in possession of the same or assessed or claimed any interest in the same for more than 20 years consecutively.

Amos Garrett

ORAL EXAMINATION.

I, Madeline S. Bryars, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness _____ and read over to him and he signed the same in the presence of myself and W. C. Beebe

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness _____ or had proom made before me of the identity of said witness _____; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 26 day of March, 1951

Madeline S. Bryars (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Jesse A. Martin

vs. Complainant

Chicago Gulf Beach Co., &

certain lands

Respondent.

Oral Deposition

Filed March 26, 1951, 194

, Register.

Recorded in

Record

Vol. _____ Page _____

Register. removed, Register.

JESSIE A. MARTIN

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6 BEING THE SOUTHEAST QUARTER, LYING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6, WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 4, THENCE EAST 60 FEET TO THE SOUTHWEST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5, OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERINGS THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA; AND CHICAGO GULF BEACH COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA; AND ITS SUCCESSORS AND ASSIGNS; AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PORTION THEREOF,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

DEPENDANTS.

Whereas, Jessie A. Martin has filed her bill of complaint on the 15 day of January, 1959, in this Court on the Equity side, claiming to be in actual peaceable possession, owning and claiming to own those certain parcels or lots of land, lying

and being situated in the County of Baldwin, State of Alabama,
described as follows:

All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the First sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3 of said sub-division, thence North 125 feet to the Northeast corner of lot 10 of said block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said block 4 of said sub-division, thence North 125 feet to the Northeast corner of lot 10 of said block 4 of said sub-division, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5 of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence Westerly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said lot 6, thence North along the West line of said Lot 6 to the point of beginning, lying and being in Baldwin County, Alabama.

Complainant alleges in her bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in her, Jessie A. Martin's, name; that she acquired title to the said lands from Amos Garrett, by deed dated the 14th day of February, 1945, recorded in the office of the Judge of Probate of Baldwin County in Deed Book 89 NS, page 35; who acquired the same by deed of A. B. McPhaul, as guardian for Thekla E. McPhaul, a non compos mentis, by deed the 29th day of September, 1944, recorded in the office of the Judge of Probate of Baldwin County, in Deed Book 86 NS, pages 238-239; who acquired the same from Harry Benton Hamm under the will of the said Harry Benton Hamm, dated the 3rd day of July, 1907, duly admitted to Probate and record in Baldwin County on the 20th day of December, 1915, and recorded in Will Book "C", pages 8-10, the said Harry Benton Hamm acquired the same from the Chicago Gulf Beach Company by deed of conveyance, which said deed was

not placed of record and has been lost and can not be found; that the said Chicago Gulf Beach Company acquired the same by mesne conveyances from the United States Government; that the Chicago Gulf Beach Company, a corporation, claims or is reported to claim some title to, interest in, claim, lien or encumbrance upon the aforesaid lands, or some portion thereof.

Complainant further alleges that she and those through whom she claims have for more than ten years next preceding the filing of said bill of complaint been in the actual peaceable adverse possession of the said lands and have annually assessed and paid the taxes thereon and that during such period no other person has been in possession of the said lands or any portion thereof, or assessed or paid taxes on said lands or any portion thereof and that the bill of complaint is filed for the purpose of establishing her title to and interest in said lands and clearing up doubts and disputes concerning the same.

And it appearing from the said bill of complaint, the same being duly verified, that the defendant, Chicago Gulf Beach Company, a corporation, place of business and its officers and their names and place of business is unknown to complainant and can not be ascertained upon diligent search and inquiry.

It is therefore ordered, adjudged and decreed that notice of the pendency of said suit be given by publication once a week for four weeks consecutively in the Baldwin Times, a newspaper, published in Bay Minette, in Baldwin County, Alabama.

WITNESS my hand and seal this the 15 day of January

1954.

Alice J. Duck
Register.

704596

RECORDED

James A. Martin
Comptroller

US
Chicago Bay Beach Co
Morgan Springs
Land Co & Citizens
Lang et al

Order directing
publication

FILED
JAN 15 1951
ALICE J. DUCK, Register

JESSE A. MARTIN,

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6, BEING THE SOUTHEAST QUARTER, LYING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6, WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTH-EAST CORNER OF LOT 10 OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 60 FEET TO THE SOUTHWEST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERINGS THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA: AND CHICAGO GULF BEACH COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA: AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, CORPORATIONS OR ASSOCIATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PORTION THEREOF.

DEFENDANTS.

To the Chicago Gulf Beach Company, a corporation, its successors and assigns, and any and all persons, firms, associations and corporations claiming any title to, interest in, claim, lien or encumbrance on the following described land, to-wit: All that part of the West half of Lot 6, the said lot 6 being the Southeast quarter,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East described as follows: Commencing at the intersection of the West line of said lot 6 with the South Margin of Cotton Bayou, run thence South along the said West line 675 feet for a point of beginning, thence East 30 feet to the Southeast corner of Block 3, of the first sub-division of Chicago Golf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3 of said sub-division, thence North 125 feet to the Northeast corner of lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 4, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5 of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence Westerly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said lot 6, thence North along the West line of said lot 6 to the point of beginning, lying in Baldwin County, Alabama;

Notice is hereby given that the complainant in the above styled cause has this day made application for the oral examination of Amos Stuart, witness for the complainant in the above styled cause and has suggested Madeline C. Bryars as a suitable person to act as commissioner in the taking of the deposition of said witness.

Witness my hand this the 20 day of March, 1931.

W. O. Burke
Solicitor for complainant

Wesley W. Smith
Registrar

Jessie A. Martin
Complainant

vs

Chicago Gulf Beach
Company & Certain
lands
Respondent

Notice of
Application for
Oral Examination

Filed
March 20, 1951

Wich. Beach
Register

County, Alabama, do hereby certify, that the foregoing is a true and correct copy of the motion and application of the plaintiff for oral examination of the said Ammon Garrett, as witness for complainant and that notice of said motion was given to the defendants by entry on the order book of the Register, said entry having been made on the 20 day of March, 1931.

Register

Order Book

FILED

MAY 21 1951

ALICE J. DUCK, Register

JESSIE A. MARTIN

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6, BEING THE SOUTHEAST QUARTER, LYING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6, WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING, POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 60 FEET TO THE SOUTHWEST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERINGS THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA: AND CHICAGO GULF BEACH COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA: AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, CORPORATIONS OR ASSOCIATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, RIGHT OR EMBARRASSANCE ON SAID LAND OR ANY PORTION THEREOF.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

DEFENDANTS.

Comes the complainant in the above styled cause and requests the oral examination of Amos Havatt, who resides in Baldwin County, State of Alabama, and suggests Madeline S. Bryars of the Town of Bay Minette, Alabama, as a suitable person to act as commissioner to take the deposition, of the said witness.

Witness my hand this the 20 day of March, 1951.

W.C. Beebe
Solicitor for complainant

application
for oral examination

Filed March 20, 1935,

Amey. Lucke
Register

Jessie A. Martin

vs.

Chicago Gulf Beach Co., &
Certain lands

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, 2. Order
of service, service by publication and proof thereof, Lis Pendens,
motion for decree pro confesso, Decree proconfesso, Application for
oral examination of complainant's witness, Notice of application for
oral examination, Order granting application for oral examination,
Commission to take deposition, Notice of time and place of taking
deposition, Oral deposition of Amos Garrett, Motion for final decree.
and in behalf of Defendant upon _____

Amos Garrett

Register.

W. C. Beck

Director for Complainant

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Jessie A. Martin

vs.

Chicago Gulf Beach Co.,
& Certain lands.

NOTE OF TESTIMONY

Filed in Open Court this 26.....

day of March....., 194¹.....

Archie W. Hester
Register.

Printed By The Baldwin Times

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

JESSIE A MARTIN

Complainant

Vs.

CHICAGO GULF BEACH COMPANY AND CERTAIN LANDS

Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 18th day of January, 1951, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County ~~County~~, on the 18th day of January, 1951, and _____

And it now further appearing to the Register Alice J. Duck that the said Chicago Gulf Beach Company

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register Alice J. Duck _____ that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Chicago Gulf Beach Company

This 20th day of March, 1951

Alice J. Duck Register.

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Jessie A. Martin

Vs.

*Chicago Gulf Beach
Company & certain
Lands*

Decree Pro Confesso of Publication

Issued *March 20* 19*51*

Archie J. Leach
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

JESSIE A. MARTIN

COMPLAINANT

VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6 BEING THE SOUTHEAST QUARTER, LYING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6 WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 4, THENCE EAST 60 FEET TO THE SOUTHWEST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERINGS THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA; AND CHICAGO GULF BEACH COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA; AND ITS SUCCESSORS AND ASSIGNS; AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PORTION THEREOF.

DEFENDANTS.

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes your complainant, Jessie A. Martin, and presents this, her bill of complaint against the following described lands in Baldwin county, Alabama, to-wit:

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

All that part of the West half of Lot 6, the said lot 6 being the Southeast quarter lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou; Run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said block 4, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5, of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence westerly along the margin of the Gulf of Mexico, following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, lying in Baldwin County, Alabama;

and against the Chicago Gulf Beach Company, a corporation organized under the laws of the State of Arizona, its successors and assigns, and all persons, firms, associations and corporations claiming any title to, interest in, claim, lien or encumbrance on said land or any portion thereof and respectfully represents and shows unto your Honor:

FIRST:

That your complainant is over the age of twenty-one years and a resident of the County of Mobile, State of Alabama; that the Chicago Gulf Beach Company is a corporation organized under the laws of the State of Arizona, its principal place of business being unknown, and complainant has made diligent search and inquiry at the courthouse of Baldwin County, and at all other places where such corporation, or the incorporators, have been known to do business, or to reside, and upon such inquiry complainant has been unable to ascertain where the said corporation

maintains an office and who and where its officers are; and because of the fact that it does not maintain a place of business at any known place and its officers and stockholders are not known, personal service can not be had on said Chicago Gulf Beach Company.

SECOND:

That your complainant is the owner of in fee simple and in the actual possession of the said lands in Baldwin County, Alabama, described as follows, to-wit:

All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 4, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5, of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence westerly along the margin of the Gulf of Mexico, following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6, to the point of beginning, lying in Baldwin County, Alabama,

and that she and those through whom she claims have been in the continuous peaceable adverse possession of the said lands for more than ten years next preceding the filing of this complaint and that she and those through whom she claims title to the said lands have for more than ten years next preceding the filing of this bill of complaint annually assessed and paid the taxes on the said lands and that during such period of time no other person has assessed the said lands for taxes or paid taxes thereon, and that no other person for such period had had, or attempted to exercise any possession over the said land or claimed any right to possession thereof or any title to, or interest in, claim, or

lien or encumbrance thereof or to any portion thereof.

THIRD:

That no suit is pending to test complainant's title to, interest in, lien, claim or encumbrances on, or rights of possession of said land.

FOURTH:

That the title to the said lands stands on the records of Baldwin County, Alabama, in the name of your complainant; that she acquired the same by deed from Amos Garrett, dated the 14th day of February, 1945, recorded in the office of the Judge of Probate of Baldwin County in Deed Book 89 NS, page 35; who acquired the same by deed of A. B. McPhaul, as guardian for Thekla E. McPhaul, a non compos mentis, by deed the 29th day of September, 1944, recorded in the office of the Judge of Probate of Baldwin County in Deed Book 86 NS, pages 238-39; who acquired the same from Harry Benton Hamm under the will of the said Harry Benton Hamm, dated the 3rd day of July, 1907, duly admitted to Probate and record in Baldwin County on the 20th day of December, 1915, and recorded in Will Book "C", pages 8-10, the said Harry Benton Hamm acquired the same from the Chicago Gulf Beach Company by deed of conveyance, which said deed was not placed of record and has been lost and can not be found; that the said Chicago Gulf Beach Company acquired the same by mesne conveyances from the United States Government; that the said Harry Benton Hamm was in possession of the said lands under conveyance from the Chicago Gulf Beach Company at the time of his death; that immediately upon his death his widow, Thekla Elizabeth Hamm went into possession of the same and remained in continuous possession of the same until the same was sold to the said Amos Garrett as aforesaid; the said Thekla Elizabeth Hamm having intermarried with A. B. McPhaul and Thekla Elizabeth Hamm and Thekla Elizabeth McPhaul

were one and the same person; that on his purchase of the said lands Amos Garrett went into possession of the same and remained in continuous possession of the said lands until he sold the same to the complainant in this cause, who immediately went into possession of the same and has remained in possession of the said lands to the time of the filing of this complaint; that for more than ten years next preceding the filing of this bill of complaint no person other than those through whom she claims title to the said lands have been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same for more than ten years next preceding the filing of this bill of complaint; that the Chicago Gulf Beach Company, a corporation organized under the laws of the State of Arizona, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the land, or some portion thereof.

~~WHEREFORE~~, your complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint and by appropriate process cause the said Chicago Gulf Beach Company, a corporation, its successors and assigns, and all persons, firms, associations, or corporations claiming any title to, interest in, claim, lien or encumbrance on said land or any portion thereof, to-wit: All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12

feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said block 4, of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 4, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5, of said sub-division thence East 60 feet, thence South to the Gulf of Mexico, thence westerly along the margin of the Gulf of Mexico, following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6, to the point of beginning, lying in Baldwin County, Alabama, or any portion thereof, parties defendant to this bill of complaint and by appropriate process require them and each of them separately and severally to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your complainant further prays that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of liens, claims and encumbrances, to the said land and any portion thereof, is vested in your complainant, Jessie A. Martin, as against the Chicago Gulf Beach Company, a corporation, its successors and assigns, and all persons, firms, associations or corporations claiming any title, to, interest in, claim, lien or encumbrance on said land or any portion thereof, and that any and all doubts and disputes concerning the same be cleared up and established in your complainant, and your complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive in the premises.


Solicitor for complainant.

STATE OF ALABAMA

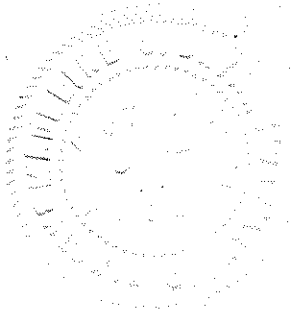
BALDWIN COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared W. C. Beebe, who is known to me, and who, having been by me first duly sworn, deposes and says that he is Solicitor for the complainant in the above styled cause, and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true, and from such information obtained he verily believes, and so states, the same to be true; affiant further says that defendant, Chicago Gulf Beach Company, a corporation, is a foreign corporation, organized under the laws of the State of Arizona; that its present officers and its present place of business are not known and can not be ascertained upon diligent search, and inquiry.

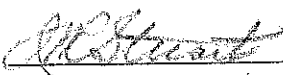
W. C. Beebe

January Sworn to and subscribed before me this the 15 day of
~~November~~, 1930.

Madeline S. Rogers
Notary Public, Baldwin Co., Ala.



N. C. Williams
 258 State St-
 Apt- 5-
 Mobile Ala.

W. R. STUART PROBATE JUDGE									
2240		Bay Minette, Ala., <u>1-17</u> , 19 <u>57</u>							
No. _____		Received of <u>Mrs. Duck</u>							
No.		Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
	<u>Jessie A. Martin's 75 -</u>					<u>300</u>		<u>3</u>	<u>00</u>
	<u>Certain Lands</u>								
								TOTAL \$ <u>303 00</u>	
FOR RECORD						Judge of Probate.			

Mr Beal
Call operator //
11/11/67
Dollars
\$

of Baldwin Bank

No. 195

W. R. STUART

PROBATE JUDGE

No. 3227

Received of.

Bay Minette, Ala.,

19.

[illegible]

FOR RECORD

TOTAL \$

35782 MARSHALL & BRUCE-NASHVILLE

Judge of Probate.

ALABAMA'S BEST COUNTY'S-

The **BALDWIN**

BEST NEWSPAPER

BAY MINETTE, ALABAMA

LEGAL NOTICE

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.
IN EQUITY.

JESSIE A. MARTIN, Complainant
VS

ALL THAT PART OF THE WEST HALF OF LOT 6, THE SAID LOT 6, BEING THE SOUTHEAST QUARTER, LYING SOUTH OF COTTON BAYOU IN SECTION 9, TOWNSHIP 9 SOUTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 6, WITH THE SOUTH MARGIN OF COTTON BAYOU, RUN THENCE SOUTH ALONG THE SAID WEST LINE 675 FEET FOR A BEGINNING POINT, THENCE EAST 30 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 OF THE FIRST SUB-DIVISION OF CHICAGO GULF BEACH, THENCE CONTINUING EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3, OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 3, THENCE EAST 60 FEET, THENCE NORTH 12 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4 OF SAID SUB-DIVISION, THENCE NORTH 125 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID SUB-DIVISION, THENCE EAST 250 FEET TO THE SOUTHEAST CORNER OF BLOCK 5 OF SAID SUB-DIVISION, THENCE EAST 60 FEET, THENCE SOUTH TO THE GULF OF MEXICO, THENCE WESTERLY ALONG THE MARGIN OF THE GULF OF MEXICO, FOLLOWING THE MEANDERINGS THEREOF, TO THE WEST LINE OF SAID LOT 6, THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6, TO THE POINT OF BEGINNING, LYING IN BALDWIN COUNTY, ALABAMA; AND CHICAGO GULF BEACH COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ARIZONA, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PORTION THEREOF.

DEFENDANTS

Notice is hereby given to the Chicago Gulf Beach Company, a corporation, its successors and assigns, and all persons, firms, associations, or corporations claiming any title to, interest in, claim, lien or encumbrance on said land or any portion thereof, viz: All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 4, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5 of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence westerly along the margin of the Gulf of Mexico, following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, lying in Baldwin County, Alabama.

County, Alabama.

That Jessie A. Martin has filed her bill of complaint on the 15 day of January, 1950, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own those parcels or lots of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South Margin of Cotton Bayou, run thence South along the said West line 675 feet for a point of beginning, thence East 30 feet to the Southeast corner of Block 3 of the first sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 4, thence East 60 feet to the Southwest corner of Block 5 of said sub-division, thence East 250 feet to the Southeast corner of Block 5 of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence westerly along the margin of the Gulf of Mexico, following the meanderings thereof, to the west line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, lying in Baldwin County, Alabama.

Complainant alleges in her bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in her name, that she acquired the same by deed from Amos Garrett, dated the 14th day of February, 1945, recorded in the office of the Judge of Probate of Baldwin County in Deed Book 89 NS, page 35; who acquired the same by deed of A. B. McPhaul, as guardian for Thekla E. McPhaul, a non compos mentis, by deed the 29th day of September, 1944, recorded in the office of the Judge of Probate of Baldwin County in Deed Book 86 NS, pages 238-239; who acquired the same from Harry Benton Hamm under the will of the said Harry Benton Hamm, dated the 3rd day of July, 1907; duly admitted to Probate and record in Baldwin County on the 20th day of December, 1915, and recorded in Will Book "C", pages 8-10, the said Harry Benton Hamm acquired the same from the Chicago Gulf Beach Company by deed of conveyance, which said deed was not placed of record and has been lost and cannot be found; that the said Chicago Gulf Beach Company acquired the same by mesne conveyances from the United States Government; that the Chicago Gulf Beach Company, a corporation, claims or is reputed to claim some title to, interest in, claim, lien or encumbrance upon the following described lands; All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East described as follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the First sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division thence North 125 feet to the Northeast corner of Lot 10 of said block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence westerly along the margin of the Gulf of Mexico, following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, lying in Baldwin County, Alabama, or some portion thereof, appear and plead, answer or demur to the said bill of complaint within

thence East 250 feet to the Southeast corner of Block 5, of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence Westerly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, in Baldwin County, Alabama, or some portion thereof.

Complainant further alleges that she and those through whom she claims have, for more than ten years next preceding the filing of said bill of complaint, been in the actual peaceable adverse possession of the said lands and have annually assessed and paid the taxes thereon and that during such period no other person has been in possession of said lands or any portion thereof and that the bill of complaint is filed for the purpose of establishing her title to and interest in said lands and clearing up doubts and disputes concerning the same.

And it appearing from said bill of complaint, that the defendant, Chicago Gulf Beach Company is a corporation and its place of business and its officers and their names are unknown to complainant and can not be ascertained upon diligent search and inquiry and personal service on said corporation, because of such fact, can not be had.

And an order having been made and entered that notice of the pendency of said suit be given publication once a week for four consecutive weeks, in a newspaper published in Bay Minette, in Baldwin County, Alabama.

It is therefore ordered that the said Chicago Gulf Beach Company, a corporation, and its successors and assigns, and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance on said land described as follows: All that part of the West half of Lot 6, the said Lot 6 being the Southeast quarter, lying South of Cotton Bayou in Section 9, Township 9 South, Range 5 East, described as follows: Commencing at the intersection of the West line of said Lot 6 with the South margin of Cotton Bayou, run thence South along the said West line 675 feet for a beginning point, thence East 30 feet to the Southeast corner of Block 3 of the First sub-division of Chicago Gulf Beach, thence continuing East 250 feet to the Southeast corner of said Block 3, of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said Block 3, thence East 60 feet, thence North 12 feet to the Southwest corner of Block 4 of said sub-division, thence East 250 feet to the Southeast corner of said Block 4 of said sub-division, thence North 125 feet to the Northeast corner of Lot 10 of said sub-division, thence East 60 feet, thence South to the Gulf of Mexico, thence Westerly along the margin of the Gulf of Mexico following the meanderings thereof, to the West line of said Lot 6, thence North along the West line of said Lot 6 to the point of beginning, in Baldwin County, Alabama, or some portion thereof, appear and plead, answer or demur to the said bill of complaint within

sixty days after the first publication of this notice, namely the 19th day of March, 1951, at which time the said cause shall stand at issue.
WITNESS my hand this the 15th day of January, 1951.

ALICE J. DUCK,
Register, Circuit Court,
Baldwin County, Alabama.
52-41c.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA.
BALDWIN COUNTY.

Jimmy Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Jessie A. Martin vs.
Chas. Lander

COST STATEMENT

1975- WORDS @ $4\frac{1}{2}$ cents — — — \$ 58 ⁸⁸

I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner
Publisher.

Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Jan. 18, 1951 Vol. 61 No. 52

Date of 2nd publication Jan. 25, 1951 Vol. 62 No. 1

Date of 3rd publication Feb. 1, 1951 Vol. 62 No. 2

Date of 4th publication Feb. 8, 1951 Vol. 62 No. 3

Subscribed and sworn before the undersigned this 8 day of Feb., 1951

Saratay Martin

Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.

