GERHARD CASSEBAUM AND MATH-BRINE CASSEBAUM

COMPLAINANTS

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IN THE CIRCUIT COURT OF

BALDVIN COUNTY, ALABARA,

IN BOULTY

THE SOUTHBAST JUARTER OF NORTHWEST JUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALDWIN COUNTY, ALABAMA, MAD THILE GUARAWITEE AND MORTGAGE COMPANY, A CORP-ORATION, AND ITS SUCCESSORS, AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORP-ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMERANCE ON SAID LAND OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

Notice is hereby given to Title Guarantee and Mortgage 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 part or percel thereof, viz: The Southeast quarter of Morthwest quarter of Section 29, Township 7 South, Range 6 East, in Baldwin County, Alabama.

That Gerhard Cassebaum and Katherine Cassebaum have filed their bill of complaint on the // 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:

> The Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 East;

Complainants allege in their bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in their name; that they acquired title to said lands from S. W. Porter and Lillian L. Porter, his wife, by deed dated April 8, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 82 at page 461; who acquired the same from J. C. Ford by deed dated February 11, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 82 at page 243; who acquired the same by tax deed of G. W. Humphries, Judge of Probate, dated June 27, 1927 and recorded in Deed Book 41 NS, page 13, under assessment of the property for taxes against Title Guarantee and Mortgage Company, a corporation, which corporation held title to the said land by mesne conveyances from the United States Government; that the Title Guarantee and Mortgage Company, a corporation, claims or is reputed to claim some title to, interest in, claim, lien or encumbrance upon the Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 East; in Baldwin County, Alabama, or some part or parcel thereof.

Complainants further allege that they and those through whom they claim 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 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 their 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, Title Guarantee and Mortgage 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 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 by 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 Title Guarantee and Mortgage Company, a corporation, and its successors and assigns, and all persons, firms, associations, or corporations claiming any title to, interest in, claim, bien or encumbrance on said land described as follows: the Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 Bast, in Baldwin County, Alabama, appear and plead, asnwer or demur to the said bill of complaint within sixty days after the first publication of this notice, namely, the 14th day of January, 1954, at which time the said cause shall stand at issue.

WITNESS MY HAND this the \coprod day of January, 1954.

st. rench

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 Gerhard Cassebaum and Katherine Cassebaum are complainants and Title Guarantee and Mortgage Company, a corporation, its successors and assigns and the following described land, to-wit: Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range Ó East, 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 <u>//</u> day of January, 1954.

Witness my hand this the 11 day of January, 1954.

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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 Gerhard Cassebaum and Katherine Cassebaum are complainants and the <u>Title Guarantee and Mortgage Company</u>, a corporation, its successors and assigns and the following described land, to-wit: the Southeast quarter of the Northwest quarter of Section 29, Township 7 South, Range 6 East, 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 11 day of January, 1954, and I do further certify that the same was published in the Baldwin Times, the newspaper designated therein in its issues of January 14, 1954, January 21, 1954; January 28, 1954 and February 4, 1954.

And I do further certify that the foregoing notice was filed by me for record in the office of the Judge of Probate of Baldwin County, Alabama, recorded by the said Judge of Probate in Lis Pendens <u>#</u>, page <u>37-9</u>, on the <u>//</u> day of <u>940</u>, 1959. Witness my hand this the <u>day of</u>, 1954

Register/

NO3176. ~ all a la chuir a' l FILED JAN 11 1954 ALIGE J. DUCK, REGISTOR ~

GERHARD CASSEBAUM AND KATHERINE CASSEBAUM

COMPLAINANTS

VS

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALDWIN COUNTY, ALABAMA; AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP-ORATION, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS, OR CORF-ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OR PARCEL THEREOF,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

DEFENDANTS

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 Title Guarantee and Mortgage 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, has been given in the manner required by law, and that the complainants are entitled to the relief as prayed for in their bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said complainants, Gerhard Cassebaum and Katherine Cassebaum, are each over the age of twenty one years and residents of Baldwin 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 complainants were and are 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: The Southeast quarter of the Northwest quarter of Section 29, Township 7 south, Range 6 East, in Baldwin County, Alabama;

That the complainant obtained title to the said land from S. W. Porter and Lillian L. Porter, his wife, by deed dated April 8, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 82 at page 461; who acquired the same from J. C. Ford by deed dated February 11, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 82 NS, page 243; who acquired the same by tax deed of G. W. Humphries, Judge of Probate dated June 27, 1927 and recorded in Deed Book 41 NS, page 13, under assessment of the property for taxes against Title Guarantee and Mortgage Company, a corporation, which corporation held title to the said land by mesne conveyances from the United States Government; that the title to the said lands and each parcel thereof stands in the mame of the complainants upon the records of Baldwin County, Alabama; that for more than ten years next preceding the filing of said bill of complaint no person other than those through whom they claim 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 Gerhard Cassebaum and Katherine Cassebaum at the time of the filing of the bill of complaint in this cause and at this time had and have 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 Title Guarantee and Mortgage company, a corporation, its successors and assigns, or any other persons, firms, associations or corporations have any right, title to, interest in, claim, or encumbrances 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 Gerhard Cassebaum and Aatherine Cassebaum, as against the defendants the Title Guarantee and Mortgage 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 Gerhard Cassebaum and Katherine Cassebaum, shall inure to the benefit of all persons deriving title to said lands or any part thereof, from or through the said Gerhard Cassebaum and Katherine Cassebaum, and the said title so quieted and established in them shall be treated and considered as established in fevor of the said Gerhard Cassebaum and Kathereine Cassebaum and all persons deriving title through them.

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 Gerhard Cassebaum and Katherine Cassebaum be and they are hereby taxed with the cost of this proceeding for which let execution issue.

Done at Bay Minette, Alabama, this the 13 day of April,

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Notice having been given to Title Guarantee and Mortgage 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, enswer or demur within the time required by law, application is made for decree pro confesso against the said Title Guarantee and Mortgage Company, a corporation, in the above styled cause.

for complain complainant itor



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THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT	COURT,	IN	EQUITY	
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No.____, Term, 19_____

Gerhard Cassebaum & Katherine Cassebaum Vs.	Complainant
Title Guarantee & Mortgage Co. & certain lands	Defendant
In this cause it appears to the Register <u>Alice J. Duck</u> that the	ne order of publication
heretofore made in this cause, was published for four consecutive weeks, commencir	ig on the <u> </u>
day of <u>January</u> , 19 <u>54</u> , in the <u>Baldwin Times</u>	a newspaper published
in <u>Bay Minette</u> , Alabama, that a copy of said order was posted at	the Court House door
in Baldwin County, on the 16 day of Janu	1934—
and a copy of said order was recorded in the office of	<u>)f the Judge of</u>
Probate in Lis Pendens Book / page 37-9.	
And it now further appearing to the Register <u>Alice J. Duck</u>	
<u>Title Guarantee & Mortgage Company, a corporation</u>	
and accigne.	
	, .
having, to the date hereof, failed to demur, plead to, or answer the Bill of Complain	
now, therefore, on motion of Complainant S, ordered and decreed by the Register	Alice J. Duck
that the Bill of Complaint in this cause be, and it hereby is it	n all things taken as
confessed against the said Title Guarantee & Mortgage Company	<u>, a corporati</u> on,
its successors and assigns,	
This st. day of april 1954	
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	Kegister.



GERHARD	GARSEBAUM	Katte-
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CONTLAIMANTS

VS

THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALDWIN COUNTY, ALABAMA, AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP-CHATION, AND ITS SUCCESSORS, AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORP-ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY FART OR PARCEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN COUTTY

Notice is hereby given to Title Guarantee and Mortgage 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 part or parcel thereof, viz: The Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 Bast, in Baldwin County, Alabama.

That Gerhard Cassebaum and Natherine Cassebaum have filed their bill of complaint on the $\angle \!\!\!/$ 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:

The Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 East;

Complainants allege in their bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in their name; that they acquired title to said lands from S. W. Porter and Lillian L. Porter, his wife, by deed dated April 8, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 82 at page 461; who acquired the same from J. C. Ford by deed dated February 11, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 82 at page 243; who acquired the same by tax deed of G. W. Humphries, Judge of Probate, dated June 27, 1927 and recorded in Deed Book 41 NS, page 13, under assessment of the property for taxes against Title Guarantee and Mortgage Company, a corporation, which corporation held title to the said land by means conveyances from the United States Government; that the Title Guarantee and Mortgage Company, a corporation, claims or is reputed to claim some title to, interest in, claim, lien or encumbrance upon the Southeast guarter of Morthwest guarter of Section 29, Township 7 South, Range 6 Hast; in Baldwin County, Alabama, or some part or parcel thereof.

Complainants further allege that they and those through whom they claim 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 or assessed or paid taxes on 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 their 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, Title Guarantee and Mortgage Company, a corporation, place of business end its officers and their names and place of business is 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 by publication once a week for four

consecutive weeks, in a newspaper published in Eay Finette, in Baldwin

County, Alabama.

It is therefore ordered that the said Title Guarantee and Mortgage Company, a corporation, and its successors and assigns, and

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WITNESS MT HAND this the // day of January, 1954.

Register

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Baldwin County, Alabama, and Title Guarantee and Mortgage 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 or any part or parcel thereof, Defendants.

Notice is hereby given to Title Guarantee and Mortgage Company, a coporation, 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 part or parcel thereof, viz: The Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 East, in Baldwin County, Alabama.

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THE BALDWIN TIMES

BALDWIN COUNTY labama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

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STATE OF ALABAMA, BALDWIN COUNTY.

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that he is the **BUBLISHE**R of THE BALDWIN TIMES, a Weekly lished at Bay Minette, Baldwin County, Alabama; that the notice

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	COST STATEMENT	
	@ <u>62 cents</u>	<u>\$5</u> 3
I hereby certify this it	correct, due and unpaid	d (paid).
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was published in said newspaper for 4 consecutive weeks in the an. 14 195<u>4</u> V Date of 1st publication 195 4 Date of 2nd publication 2 8 195 Date of 3rd publication_ 195 4 V til Date of 4th publication_ Subscribed and sworn before the undersigned this 16 day of Danatery Merry Notary Public, Baldwin County. marti

E.R. Edul

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:

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OF PUBLICATION HEB 17 1954.

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I certfy that the within is a true and correct Bill of Costs in the within styled cause.

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1-10 Inc ATTEST Register Circuit Court, Baldwin County, Ala.

ATTEST:

Register Circuit Court, Baldwin County, Ala.



GERHARD CASSEBAUM AND KATHERINE CASSEBAUM

COMPLAINANTS

VS

THE SOUTHEAST CUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALDWEN-COUNTY, ALABAMA; AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP-ORATION, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS, OR CORP-ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OR PARCEL THERE-OF, IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

DEFENDANTS

Come the complainants in the above styled cause and request the oral examination of <u>Authors Contactors</u> as witness for the complainants, who resides in Baldwin County, State of Alabama, and suggests Madeline S. Bryars of the Town of Bay Minette, as a suitable person to act as Commissioner to take the deposition of the said witness.

This the stday of Guil 1954. 92citors for complainants



IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN SOUTHY

203176

GERHARD CASSEBAUM AND KATH-ERINE CASSEBAUM

COMPLAINANTS

VS

THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALDWIN COUNTY, ALABAMA, AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP-ORATION, AND ITS SUCCESSORS, AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS OR CORP-ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

Notice is hereby given to Title Guarantee and Mortgage 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 part or parcel thereof, viz: The Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 East, in Baldwin County, Alabama.

That Gerhard Cassebaum and Katherine Cassebaum have filed their bill of complaint on the // 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 Balawin, State of Alabama, described as follows:

The Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 East;

Complainants allege in their bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in their name; that they acquired title to said lands from S. W. Porter and Lillian L. Porter, his wife, by deed dated April 8, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 82 at page 461; who acquired the same from J. C. Ford by deed dated February 11, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 82 at page 243; who acquired the same by tax deed of G. W. Humphries, Judge of Probate, dated June 27, 1927 and recorded in Deed Book 41 NS, page 13, under assessment of the property for taxes against Title Guarantee and Mortgage Company, a corporation, which corporation held title to the said land by mesne conveyances from the United States Government; that the Title Guarantee and Mortgage Company, a corporation, claims or is reputed to claim some title to, interest in, claim, lien or encumbrance upon the Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 East; in Baldwin County, Alabama, or some part or parcel thereof.

Complainants further allege that they and those through whom they claim 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 or assessed or paid taxes on said lands or any portion thereon and that the bill of complaint is filed for the purpose of establishing their 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, Title Guarantee and Mortgage 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 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 by 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 Title Guarantee and Mortgage Company, a corporation, and its successors and assigns, and all persons, firms, associations, or corporations claiming any title to, interest in, claim, bien or encumbrance on said land described as follows: the Southeast quarter of Northwest quarter of Section 29.

Township 7 South, Range 6 Bast, in Baldwin County, Alabama, appear and plead, asnuer or desur to the said bill of complaint within sixty days after the first publication of this notice, namely, the 14th day of January, 1954, at which time the said cause shall staad at issue.

WITNESS MY HAND this the // day of January, 1954.

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STATE OF ALABAMA, BALDWIN COUNTY Filed 1-11-57 A. J. . pago 37-9 Recorded King Gent book-Judge of Probate

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GERHARD CASSEBAUM AND KATHERINE CASSEBAUM

COMPLAINANTS

VS

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALDWIN COUNTY, ALABAMA; AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP-ORATION, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS, OR CORP-ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OR PARCEL THERE-OF,

DEFENDANTS

To the Title Guarantee and Mortrage 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 the following described land, to-wit: The Southeast quarter of the Northwest quarter of Section 29, Township 7 South, Range 6 East, in Baldwin County, Alabama;

Notice is hereby given that the complainants in the above styled cause have this day made application for the oral examination of <u>Subary analysis</u>, witness for the complainants in the above styled cause and has suggested Madeline S. Bryars as a suitable person to act as commissioner in the taking of the deposition of said witness.

Witness this the stday of April

complainants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Aucefrench Register.

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1954.

GERHARD CASSEBAUM AND KATHERINE CASSEBAUM,

COMPLAINANTS

VS

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALDWIN COUNTY, ALABAMA; AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP-ORATION, AND ITS SUCCESSORS, AND ASSIGNS, AND ALL FERSONS, FIRMS, ASSOCIATIONS, OR CORP-ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OR PARCEL THERE-OF,

DEFENDANTS

The attorney for the complainants in the above styled cause hereby gives notice to the above named persions, firms, associations, or corporations that the deposition of Gerhard Cassebaum, witness for the complainants, will be taken before Madeline S. Bryars, commissioner, heretofore named by this Honorable Court, on the day of <u>Abuil</u>, 1954, at the office of Beebe & Swearingen in the Town of Bay Minette, Alabama, at 10:00 o'clock A.M. Witness this the <u>f</u> day of <u>Apuil</u>, 1954.

Tor complainant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.



COMMISSION TO TAKE DEPOSITIONS

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GERHARD CASSEBAUM AND KATHERINE CASSEBAUM

COMPLAINANTS

VS

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALDWIN COUNTY, ALABAMA; AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP-ORATION, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS, OR CORF-ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OR PARCEL THERE-CF, IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALASAMA,

IN EQUIDY,

DEFENDANTS

Complainants having on the May of April, 1954, filed their motion and request for oral examination of Gerhard Cassebaum, witness for complainants, 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;

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It is therefore ordered, adjudged and decreed that the said motion for the oral examination of Gerhard Cassebaum, witness for complainants, be and is hereby granted;

And that Madeline S. Bryars be and she is hereby appointed as commissioner to take the deposition of said witness.

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Gerhand Cassebarnt Kälkiene Cassebarn Complainants -VS Sille Guarantee & martgage Co. and Curtain lands læder -
	Circuit Court of Baldwin County, Alabama
The State of Alabama, {	(In Equity)
Poldwin County.	(III III and and)

Baldwin County. Gerhard Caseebaum & Katherine Casse Complainant vs. & Mortgage Co. _ Respondent Guarantee Title_ certain Lands. Brvars Madeline S. as Register and Commissioner -

have called and caused to come before me <u>Gerhard Cassebaum</u>

witness____named in the Requirement for Oral Examination, on the_____day of____ 19____, at the office of ______ Beebe & Swearingen

....., Alabama, and having first sworn said Witness____ to speak the in ____ Rav Minette

truth, the whole truth, and nothing but the truth, the said <u>Gerhard Cassebaum</u>

____doth depose and say as follows:

My name is Gerhard Cassebaum. I am one of the complainants in Ny name is Germard Cassecaum. I am one of one comptainants in suit of Gerhard Cassebaum and Katherine Cassebaum to quit title to the Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 East, in Baldwin County, Alabama, against the "itle Guarantee and Mortgage Company and others pending in the Circuit Court of Baldwin County, Mortgage Company and others pending in the Circuit Court of Baldwin County, Alabama in Equity. I am over the age of 21 years and a resident of Baldwin County. The Title Guarantee and Mortgage Company is a corporation organized under the laws of the State of Alabama, with its principal place of business under the laws of the State of Alabama, with its principal place or any other place known to this complainant for more than 15 years. That your complainants do not know who its officers are, or who are the owners of its capital stock, or where their residence is. I have made diligent inquiry to ascertain the same, both at Oak and at Bay Minatte and other places and wherever I have been able to learn that the corporation has done business. I have been unable to accertain its present place of business and post office address, or the names, ages, or addresses of its officers and incorporators. I have been continuously for more than ten years next preceding the filing and have been continuously for more than ten years next preceding the filing of this bill of complaint and we have each year assessed and paid taxes on the said lands. During the whole of the said period we have claimed to own the said lands. Buring the world on the said period we have claimed to own the said lands. We have actually coultivated and formed the same year suit of Gerhard Cassebaum and Katherine Cassebaum to quit title to the on the said lands. During the whole of the said period we have claimed to own the said lands we have actually cultivated and farmed the same xxx those through whom they claim, has had possession of the said lands or claimed those through whom they claim, has had possession of the salu lands of claim any right to possession of the said land, and no other person has assessed and paid taxes on the said lands except us and those through whom we claim title. Title to the said lands stands on the records of Baldwin County in our name. There is no other suit pending to try or test the validity of our name. There is no other suit pending to try or test the validity of the complainants title or defendants title to the said lands. Katherine Cassebaum and I acquired the property April 8, 1944 from S. W. Forter by deed recorded in the office of the Judge of 'robate in Deed Book 82 at page 461. S. W. Forter acquired the land from J. C. Ford by deed dated Feb. 11, 1944 and mecorded in the office of the Judge of Probate in Deed Book 82, at page 243. Ford acquired the said property by tax deed June 27, 1927, by deed recorded in the office of the Judge of Probate of Baldwin County in Deed Book 41 NS, page 13. Upon Mr. Ford's purchase of the lands he went into possession of them, claiming to own the same and continued in possession of the same until he sold the same to S. W. Porter, who immediately upon his purchase of the said property went into possession of the same and remained in continuous possession of the same until he sold the same to us. We ion of the said persons named above have been in the continuous adverse possession during the whole of the said time no other person has claimed any right to possession of the said lands.

(continued on back)

ORAL EXAMINATION Modeline \mathcal{C} -, as Register and Commissioner hereby certify I.-that the foregoing deposition____on Oral Examination was taken down by me in writing in the words of the witness and read over to <u>him and be</u> signed the same in the presence of myself and F. G. Swaanin 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. 19-54 Given under my hand and seal, this_____day of_____ <u>V</u>0] In Circuit Court, In Equity The State of Alabama ALL'SE LERECORDEd INVISION Baldwin County. 20 Updanla vs. hggh Page OSITIO Page Complainant Respondent AL CON Register Register Record 19____

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I, Alice J. Duck, register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of the motion and application of the complainants for oral examination of the said <u>Manufacture</u> 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 <u>Manufacture</u>, 1954.

Derich wench

GERHARD CASSEBAUM AND KATHERINE CASSEBAUM

COMPLAINANTS

VS

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALDWIN COUNTY, ALABAMA; AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP-ORATION, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS, OR CORP-ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OR PARCEL THEREOF.

DEFENDANTS

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 Title Guarantee and Mortgage 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, has been given in the manner required by law, and that the complainants are entitled to the relief as prayed for in their bill of complaint.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

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IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said complainants, Gerhard Cassebaum and Katherine Cassebaum, are each over the age of twenty one years and residents of Baldwin 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 complainants were and are 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: The Southeast quarter of the Northwest quarter of Section 29, Township 7 south, Range 6 East, in Baldwin County, Alabama;

That the complainant obtained title to the said land from S. W. Porter and Lillian L. Porter, his wife, by deed dated April 8, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 82 at page 461; who acquired the same from J. C. Ford by deed dated February 11, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 82 NS, page 243; who acquired the same by tax deed of G. W. Humphries, Judge of Probate dated June 27, 1927 and recorded in Deed Book 41 NS, page 13, under assessment of the property for taxes against Title Guarantee and Mortgage Company, a corporation, which corporation held title to the said land by mesne conveyances from the United States Government; that the title to the said lands and each parcel thereof stands in the mame of the complainants upon the records of Baldwin County, Alabama; that for more than ten years next preceding the filing of said bill of complaint no person other than those through whom they claim title to the said lands or any part thereof have assessed or paid taxes thereon.

BOOK 208 PAGE 222

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Gerhard Cassebaum and Katherine Cassebaum at the time of the filing of the bill of complaint in this cause and at this time had and have 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 Title Guarantee and Mortgage company, a corporation, its successors and assigns, or any other persons, firms, associations or corporations have any right, title to, interest in, claim, or encumbrances 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 Gerhard Cassebaum and Katherine Cassebaum, as against the defendants the **Title** Guarantee and Mortgage 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.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title hereby quieted and established in and declared to be in the said Gerhard Cassebaum and Katherine Cassebaum, shall inure to the benefit of all persons deriving title to said lands or any part thereof, from or through the said Gerhard Cassebaum and Katherine Cassebaum, and the said title so quieted and established in them shall be treated and considered as established in favor of the said Gerhard Cassebaum and Kathereine Cassebaum and all persons deriving title through them.

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 Gerhard Cassebaum and Katherine Cassebaum be and they are hereby taxed with the cost of this proceeding for which let execution issue.

Done at Bay Minette, Alabama, this the staday of 1954.

Judge

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STATE OF ALABAMA, BALDWIN COUNTY Filed 4-30-54 11:45AM Recorded Auch book 208 page 221-3 Judge of Probated I, Alice J. Duck. Register of the Circuit Court of Baldwin County, Alabama, to hereby carter classific interegation in a named apprentities original demas rondered by the Defee of the Chamber Shares in the rosting ed cause, which said decree is an fi a dat a and a finning uffice. WITNESS MY HAND AND SEAL THIS THE CONSIGNOR Caurt. M

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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 complainants witness was filed and entered on the order book of the Register on the 2 day of ______, 1954.

Register functe

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GERHARD CASSEBAUM AND KATHERINE CASSEBAUM	IN THE CIRCUIT COURT OF
COMPLAINANTS	· · · · · · · · · · · · · · · · · · ·
VS THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALDWIN COUNTY, ALABAMA; AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP- ORATION, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS, OR CORP- ORATIONS CLAINING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OF PARCEL THERE- OF,	BALDWIN COUNTY, ALABAMA IN EQUITY
DEFENDANTS	$\langle \rangle$

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.

april , 1954. This the 12 day of _

Complainant or

Gerhard Cassebaum and Katherine Cassebaum, C_{omplainants} vs Motion for final decree ·- 1 NPR 12 1954 ALIGE J. WYCK, Rogiston

Title ^Guarantee & Mortgage Co., & certain lands

GERHARD CASSEBAUM AND KATHERINE CASSEBAUM

COMPLAINANTS

VS

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALBWIN-COUNTY, ALABAMA; AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP-ORATION, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS, OR CORP-ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OR PARCEL THERE-OF,

DEFENDANTS

To the Title Guarantee and Mortgage 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 the following described land, to-wit: The Southeast quarter of the Northwest quarter of Section 29, Township 7 South, Range 6 Bast, in Baldwin County, Alabama;

Notice is hereby given that the complainants in the above styled cause have this day made application for the oral examination of <u>Subau</u>, witness for the complainants in the above styled cause and has suggested Madeline S. Bryars as a suitable person to act as commissioner in the taking of the deposition of said witness.

Witness this the day of 1954.

for citor comp lainants

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY



Gerhard Cassebaum & Katherine

Title Guarantee & Mortgage Co., a corporation,

Defendants

Notice of motion for oral examination.

1954

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Complainants

GERHARD CASSEBAUM AND KATHERINE CASSEBAUM	IN THE CIRCUIT COURT OF	
COMPLAINANTS		
VS	BALDWIN COUNTY, ALABAKA,	
THE SOUTHEAST QUARTER OF THE- NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, IN BALDWIN COUNTY, ALABAMA; AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP- ORATION, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS, OR CORP- ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OR PARCEL THEREOF,	IN BQUITY	, , , , , , , , , , , , , , , , , , ,
DEFENDANTS	See . V	

This cause is submitted for final decree upon the bill of complaint, service by publication, decree pro confesso and deposition of Gerhard Cassebaum, witness for complainants.

This the 2 day of *April*, 1954.

Solicitors for complainent

Res

Gerhard Cassebaum and Katherine Cassebaum,

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ALUE 1. DUCK, REGISTER

Complainants vs

N

Title Guarantee & Mortgage Co. & certain lands. Defendants

Note of Testimony

ERINE CASSEBAUM	
COMPLAINANTS	IN THE CIRCUIT COURT OF
VS	
THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST, in BALDWIN-COUNTY, ALABAMA; AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP- GRATION, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS, OR CORP- ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OF ANY PART OR PARCEL THEREOP,	BALDWIN COUNTY, ALABAMA, IN EQUITY
DEFENDANTS	

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GERHARD CASSEBAUM AND KATH-

Whereas Gerhard Cassebaum and Katherine Cassebaum have filed their bill of complaint on the // day of January, 1954, in this Court on the Equity side, claiming to be in actual peaceable possession, owning and claiming to own those certain lands lying and being situated in the Countgof Baldwin, State of Alabama, described as follows:

The Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 East;

Complainants allege in their bill of complaint that the title to the said lands stands on the records of the Frobate Court of Baldwin County, in their, Gerhard Cassebaum and Katherine Cassebaum, name; that they acquired title to said lands from S. W. Forter and Lillian L. Porter, his wife, by deed dated April 8, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 82 at page 461; who acquired the same from J. C. Ford by deed dated February 11, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 82 NS, at page 243; who acquired the same by tax deed of G. N. Humphries, Judge of Probate dated June 27, 1927 and recorded in Deed Book 41 NS, page 13, under assessment of the property for taxes against Title Guarantee and Mortgage Company, a corporation, which corporation held title to the said land by mesne conveyances from the United States Government; that the Title Guarantee and Mortgage Company, a corporation, claims or is reputed to claim some title to, interest in, claim, lien or encumbrance upon aforesaid lands, or some part or parcel thereof.

Complainants further allege that they and those through whom they claim 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 part or parcel 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 their 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, Title Guarantee and Mortgage Company, a corporation, place of business and its officers and their names and place of business is unknown to complainants 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 11 day of Viluna

	Gerhard Cassebaum and Katherine Cassebaum,
	Complainants
	™ VS

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GERHARD CASSEBAUM AND Katherine cassebaum, Complainants	IN THE CIRCUIT COURT OF
CORTAGE IN AN 15	
VS THE SCUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION	BALDWIN COUNTY, ALABAMA,
29, TOWNSHIF 7 SOUTH, HANGE 6 EAST, IN BALDAIN COUNTY, ALABAMA; AND TITLE GUARANTEE AND MORTGAGE COMPANY, A CORP- ORATION, AND ITS SUCCESSORS, AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS, OR CORP- ORATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OR PARCEL THERE-	IN EQUITY.
OF, DEFENDANTS	

The attorney for the complainants in the above styled cause hereby gives notice to the above named persions, firms; associations, or corporations that the deposition of Gerhard Cassebaum, witness for the complainants, will be taken before Madeline S. Bryars, commissioner, heretofore named by this Honorable Court, on the 12 day of April, 1954, at the office of Beebe & Swearingen in the Town of Bay Minette, Alabama, at 10:00 o'clock A.M. Mitness this the X day of April, 1954.

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Serhand Casebaum & 1Tatherine Casebaum Complicinants Sille Guorantes & martgage los Certain Londo Natice of Sines place of Adding Lestimond MIGE 1. DUCK, Register

GERHARD CASSEBAUM AND KATHERINE CASSEBAUM	
COMPLAINANTS	IN THE CIRCUIT COURT OF
VS	
THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 6 EAST; IN BALDWIN COUNTY, ALABAMA; AND TITLE GUARANTEE	BALDWIN COUNTY, ALABAMA,
AND MORTGAGE COMPANY, A COR- PORATION, AND ITS SUCCESSORS AND ASSIGNS, AND ALL PERSONS, FIRMS, ASSOCIATIONS, CORPOR- ATIONS CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LAND OR ANY PART OR PARCEL THEREOF:	IN EQUITY

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

DEFENDANTS,

Come your complainants, Gerhard Cassebaum and Katherine Cassebaum, and present this, their bill of complaint against the following described lands in Baldwin County, Alabama, to-wit:

The Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 East; and against Title Guarantee and Mortgage Company, a corporation, and its successors and assigns, and all persons, firms, associations and corporations claiming any interest in, claim, lien or encumbrance on said land or any portion thereof and respectfully represent and show unto your Honor as follows:

1.

That your complainants are each over the age of twenty-one years and residents of the County of Baldwin, State of Alabama; that the Title Guarantee & Mortgage Company is a corporation organized under the laws of the State of Alabama, with its principal place of business at Oak, itEincorporation being as shown by the corporation records of Baldwin County, Alabama, Alabama; that the said Title Guarantee and Mortgage Company does not now maintain an office at Oak, and complainant has made diligent search and inquiry at Oak and at the Court house of Baldwin County, and at all other known places where such corporation, or the incorporators, have been known to do business, or to reside, and upon such inquiry complainants have been unable to ascertain where the said corporation maintains an office and

and who and where its officers are; but its last known place of business was Oak, Alabama; and because of the fact that it does not maintain a place of business at this time at such, or any known, place and its officers and stockholders are not known, personal service cannot be had on said Title Guarantee and hortgage Company;

2.

That your complainants are the owners of in fee simple and in the actual possession of the said lands in Baldwin County, Alabama, described as follows, to-wit:

> Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range & East;

and that they and those through whom they claim 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 they and those through whom they claim 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 has 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, lien or encumbrance thereon, or to any portion thereof;

3.

That no suit is pending to test complainants title to, interest in, lien, claim or encumbrance on, or right of possession of said land; 4.

That the title to the said lands stands on the records of Baldwin County, Alabama, in the name of your complainants; that they obtained title from S. W. Porter and Lillian L. Porter, his wife, by deed dated April 8, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 82 at page 461; who acquired the same from J. C. Ford by deed dated February 11, 1944 and recorded in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 82 NS, at page 243; who acquired the same by taxdeed of G. W. Humphries, Judge of Probate dated June 27, 1927 and

recorded in Deed Book 41 NS, page 13, under assessment of the property for taxes against Title Guarantee and Mortgage Company, a corporation, which corporation held title to the said land by mesne conveyances from the United States Government; that for more than ten years next preceding the filing of this bill of complaint no person other than they and those through whom they claim title to the said lands or any part or parcel thereof have assessed or paid taxes thereon and that they and those through whom they claim title as aforesaid have been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same under color of title claiming to own the same for more than ten years next preceding the filing of this bill of complaint and that they and those through whom they claim have actually cultivated and occupied and used the said land in person or by tenant; that the Title Guarantee and Mortgage Company, a corporation, claims or iss reputed to claim some title to, interest in, lien or encumbrance upon the land, or some part or parcel thereof.

WHEREFORE, your complainants pray that this Honorable Court will take jurisdiction of the cause made by this bill of complaint and by appropriate process cause the said Title Guarantee and Mortgage 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 or any part or parcel thereof, to-wit: the Southeast quarter of Northwest quarter of Section 29, Township 7 South, Range 6 East, in Baldwin County, Alabama, 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 complainants further pray 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 part or parcel thereof, is vested in your complainants, Gerhard Cassebaum and Katherine Cassebaum, as against the Title Guarantee and Mortgage 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 part or parcel thereof, and that any and all doubts and disputes concerning the same be cleared up and established in your complainants, and your complainants pray for such other, further or different relief as in equity and good conscience they shall be entitled to receive in the premises.

Ø A.S. Citorsfor complainants

STATE OF ALABAMA BALDWIN COUNTY

Before me, the undersigned authority in and for said County and State, 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 compleinants in the above styled cause, and that the facts stated in the foregoing bill of compleint, 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, Title Guarantee and Mortgage Company, a corporation, is a domestic corporation, organized under the laws of the State of Alabama; that for more than six months next preceding this date has of said-corporation, or at any other place in the State of Alabama; that its present officers and its present place of business is not known and can not be ascertained upon diligent search, and the same has not been known for more than six months next preceding this date.

Sworn to and subscribed before me this the // day of

Notary rublic, State of Alabama at large.