

RALPH L. NORTON, doing
business as Floor Fashions,

Plaintiff,

VS.

HAROLD C. NOLTENSMEIER and
GLADYS P. NOLTENSMEIER,

Defendants.

Ø

Ø

Ø

Ø

Ø

Ø

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 7572

DEMURRER

Now come the defendants in the above styled cause and demur to the complaint heretofore filed in this cause, and as grounds for said demurrer assign the following:

1. It does not state a cause of action.

J. B. Blackburn
Attorney for Defendants

FILED
JUL 12 1967
ALB L. DICK
CLERK
BIRMINGHAM

RALPH L. NORTON, d/b/a
FLOOR FASHIONS,

Plaintiff,

vs.

HAROLD C. NOLTENSMEIER,
and GLADYS P. NOLTENSMEIER,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 7572

The Plaintiff claims of the Defendants NINE HUNDRED FIFTY-EIGHT and 60/100 (\$958.60) DOLLARS due by an account on to-wit the 25th day of February, 1967, together with the interest thereon, which is pastdue and unpaid. The Plaintiff avers that said account was for wall carpeting used in the furnishing and improvement of a house being constructed on certain real estate of the Defendants described as:

From the Northeast corner of Section 26, Township 8 South, Range 5 East, run West 2,664 feet, thence South 555 feet to a point, thence North 77° 47' East 465 feet to a point; thence South 59° 43' East 645.4 feet to a point, thence South 21° 47' East 300 feet to a point; thence South 14° 0' West 361.1 feet to a point; thence South 39° 05' East 591.5 feet to a point; thence South 19° 43' West 987.2 feet to a point of beginning; thence run South 19° 43' West 75 feet, thence run South 70° 17' East to the margin of Bay La Launch, thence run Northeasterly, following the meanderings of Bay La Launch a distance of 75 feet when measured at right angles, to the last course, thence run North 70° 17' West to the point of beginning, intending to described Lot No. 12 of Block "B" of an unrecorded plat of Pirates Cove Subdivision of part of Section Twenty Six (26) Township Eight (8) South, Range Five (5) East

and the Plaintiff claims a lien on said real estate as provided for mechanics and materialmen by law and the Plaintiff further avers that on the 29th day of May, 1967, the Plaintiff filed in the Probate Office of Baldwin County, Alabama, a claim of lien, a copy of which is attached hereto, and marked "Exhibit A" and made a part hereof and the Plaintiff prays that said lien may be established and that said real estate be condemned for the satisfaction of said indebtedness and the same be ordered sold for the satisfaction of said indebtedness.

FILED

JUN 14 1967

ALICE L. DICK, CLERK

WILTERS, BRANTLEY & NESBIT

BY:

FLOOR FASHIONS

584

BY:

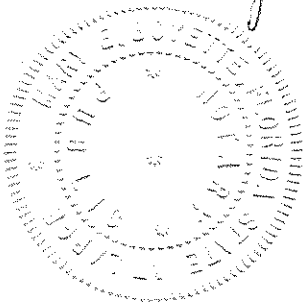
STATE OF FLORIDA

Escambia COUNTY

Before me Mary E. Bayette,
a Notary Public, in and for said State and County, personally
appeared Ralph L. Norton who being duly sworn says on oath
that he is Ralph L. Norton of Floor Fashions
and has knowledge of the matters set forth in the foregoing
statement of lien and that the matters set forth therein are true.

Ralph L. Norton
Floor Fashions

Sworn to and subscribed before me this the 8th
day of June, 1967.



Mary E. Bayette
Notary Public
my Commission Expires Dec. 15, 1968

STATE OF ALABAMA,
BALDWIN COUNTY

I certify that this instrument was filed on

STATE OF FLORIDA

MAY 29 1967 11:45 AM

ESCAMBIA COUNTY

and that no tax was collected. Recorded in Ep 451
Book 6
Page 453 Henry Deline
Judge of Probate
By [Signature]

FLOOR FASHIONS files this statement in writing, verified by the oath of RALPH L. NORTON, who has personal knowledge of the facts herein set forth.

That said Floor Fashions claims a lien upon the following property, situated in Baldwin County, Alabama, to-wit:

The property owned by Harold C. Noltensmeier at Pirate's Cove, Baldwin County, Alabama

This lien is claimed, separately and severally, as to both the buildings and improvements thereon, and the said land.

That said lien is claimed to secure an indebtedness of \$958.60 with interest from to-wit: February 25, 1967

for 104 yards of wall to wall carpeting manufactured by Evans & Black, in pattern Double Date; color, fawn beige; installed with waffle rubber pad,

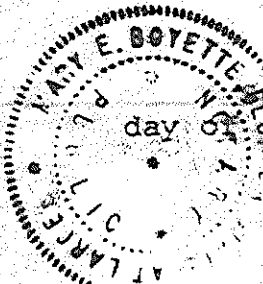
The name of the owner or proprietor of the said property is Harold C. Noltensmeier.

FLOOR FASHIONS

X Ralph L. Norton
Claimant

Before me, Mary E. Boyette, a Notary Public, for County of Escambia in State of Florida, personally appeared Ralph L. Norton, who being duly sworn, doth depose and say: That he has personal knowledge of the facts set forth in the foregoing statement of lien and that the same are true and correct to the best of his knowledge and belief.

X Ralph L. Norton
Ralph L. Norton



Subscribed and sworn to before me on this day the 23rd day of May, 1967, by said Claimant.

Mary E. Boyette
Notary Public
Commission Expires - Dec. 15, 1968

THIS LIEN MUST BE FILED IN THE PROBATE COURT OF BALDWIN COUNTY IN WHICH THE LAND IS SITUATED.

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No.

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Harold C. Noltensmeier and Gladys P. Noltensmeier

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

Harold C. Noltensmeier and Gladys P. Noltensmeier, Defendant.....

by Ralph L. Norton d/b/a Floor Fashions

....., Plaintiff.....

Witness my hand this..... 14 day of..... June 1967

.....
Alice J. Black Clerk

587

Ex. 6-26-67

No. 7572

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Ralph L. Norton, d/b/a

Floor Fashions

Plaintiffs

vs.

Harold C. Noltensmeier and Gladys
P. Noltensmeier

Defendants

SUMMONS AND COMPLAINT

Filed FILED 19.....

JUN 14 1967

Clerk

ALICE J. BUCK CLERK
REGISTER

Winters Brantley
Nesbit Plaintiff's Attorney

Defendant's Attorney

Defendant lives at
Pirates Cove, Ala

RECEIVED

Received In Office

JUN 14 1967

19.....

TAYLOR WILKINS

SHERIFF

Sheriff

I have executed this summons

this 26 June 1967

by leaving a copy with

Harold C. Noltensmeier
Gladys P. Noltensmeier

Sheriff claims 188 miles at

Ten Cents per mile Total \$ 18.80

TAYLOR WILKINS, Sheriff

BY [Signature]
DEPUTY SHERIFF

Taylor Wilkins Sheriff

J. M. Eastman Deputy Sheriff

Pirates Cove, Ala