3267

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants	(IN THE CIRCUIT COURT OF ((BALDWIN COUNTY, ALABAMA (
VS	(IN EQUITY (
THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5), TOWNSHIP EIGHT (8) SOUTH, RAGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY(50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY(150) FEET; RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET; RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN THENCE EAST ELEVEN HUNDRED TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGENNENG, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, AND EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWN AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES , IF DECEASED, AND ANY AND ALL PERSONS, FIRMS AND CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.	
	Respondents

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

Humbly complaining comes CRANSTON H. JORDAN and WILHELMINA S. JORDAN, and respectfully represents and shows unto your Honor and avers:

1. That the complainants are each over the age of twenty-one years and a resident of the County of Baldwin, State of Alabama.

2. That the respondents are each over the age of twenty-one years and that the complainant after diligent inquiry has been unable to determine the residence and addresses of the named respondents except for Pearla M. Bennett who is a resident of Alabama, and address is 7126 First Avenue South, Birmingham, Alabama.

Complainants aver that after excersing reasonable diligence to locate the wherebouts of the other named respondents, they have been unable to locate the wherebouts of said respondents or to ascertain with certainty whether such respondents were alive, at the time of filing this bill, and that if any of the named respondents are deceased, their heirs, devisees or next of kin are unknown. Complainants states that they do not know of anyone or persons who claim said land, any title to, or interest in, or any part thereof, except the above named respondents. Complainants have obtained an abstract which shows that the only possible claimants according to said abstract are the above named respondents.

Complainants avers that they have exercised diligence in trying to ascertain the names of any persons or corporations other than the named respondents who claim said land, or any interest therein, but has failed to obtain such information.

3. That the land in controversy is situated in Baldwin County, Alabama, and is more particularly described as follows:

Starting at the Southeast Corner of the North half (N½) of the South half (S½) of the Northeast Quarter of the Southeast quarter (NE¼ Of SE¼) of Section Five (5),

Township Eight (8) South, Range Four (4) East, run thence West Two Hundred (200) feet to the point of beginning; run thence North Fifty (50) feet; run thence East one hundred Fifty (150) feet; run thence North Three Hundred Fifteen and Two Tenths (315.2) feet; run thence West Twelve Hundred Seventy-seven (1277) feet; run thence South Three Hundred Sixty-five and Two Tenths, (365.2) feet; run thence East Eleven Hundred Twenty-seven (1127) feet to the point of beginning, and being in the Northeast Quarter of the Southeast Quarter of Section Five, Township Eight South, Range Four East.

and the complainants claim in their own right to own an undivided and entire fee simple in said land. Complainants aver that they are in actual, peaceful, quiet and adverse possession of said land and have been in such possession since to-wit: August 20th, 1954.

4. Complainants further allege that Nannie Ella Green was in actual quiet, peaceful and adverse possession of said land from April 18, 1944 until conveyed by warranty deed May 24, 1944 to J.L. Sumrall, having received title to said property by Warranty Deed dated April 18, 1944 from Claude Pebbet; by Warranty Deed dated February 23, 1942 from Lloyd A. Magney and Ethel Magney; and by Warranty deed dated July 2, 1942 from J. C. Thompson and Dorothy Thompson; and warranty deed dated January 3, 1938 from LLoyd A. Magney and Ethel Magney, allof which deeds was recorded in the Office of the Judge of Probate more than ten years next preceding the filing of this bill of complaint; that J. L. Sumrall had the actual, quiet, peaceful and adverse possession of said lands from May 24th, 1944 until January 15th, 1946 ~~xx~~ and record title to said property by virtue of Warranty Deed dated May 24th, 1944 from Nannie Ella Green and G. W. Green, recorded in Deed Book 85 NS page 130-132 in the office of the Judge of Probate, Baldwin County, Ala.; that O. R. Woodall and Rose Woodall had the actual, quiet, peaceful and adverse posseesion of said lands from January 15th, 1946 until April 11, 1946 and record title in the Probate Office of Baldwin County, Alabama, by virtue of a Warranty Deed dated January 15th, 1946 from J. L. Sumrall and Alberta Sumrall, recorded in Deed Book 102 NS page 400-401; that J. M. Johnson had actual, quiet, peaceful and adverse possesion of said lands from April 11, 1946 until August 27th, 1947 and held record title by virtue of a warranty deed dated April 11, 1946 ~~from J. M. Johnson and Carrie Mitchell Johnson~~ recorded in deed book 106 page 280, Records of the Probate Office, Baldwin County, Alabama ~~xxxxx~~ from O. R. Woodall and Rose Woodall, Grantors; That I. S. Bishop held actual, peaceful, quiet and advers possession of said lands from August 27th, 1947 until his death September 5,1951 and record title for the same period of time by virtue of a Warranty Deed dated August 27, 1947 and recorded in the officeof the Judge of Probate of Baldwin County, Alabama in Deed Book 123 pages 47-48; that Nannie Jo Bishop and Betty Barbara Bishop Caldwell held actual quiet, peaceful and adverse possesion of said property from September 5, 1951 until August 20, 1953 as Devisees of I. S. Bishop, deceased, whose will was duly probated in the Probate Court of Baldwin County, Alabama and recorded therein in Will Book E. pages 438-439, the said Nannie Jo Bishop and Betty Barbara Bishop Caldwell held record title to said lands for said period of time of possession.; that your complainants have been in actual, quiet, peaceful and adverse possession of said lands since August 20th, 1953 and have held record title since that time by virtue of a Warranty Deed dated August 20th, 1953 from Nannie Jo Bishop, Betty Barbara Bishop Caldwell and Edward G. Caldwell, Jr., and duly recorded in the Office of the Judge of Probate of Baldwin County, Alabama

5. The complainants allege that no person, firm or corporation has annually assessed or paid taxes on said lands for the past ten years next preceding the filing of this bill of complaint except for your complainants and those through whom they received title and record title was passed from Nannie Ella Green to your complainants; that the said property was annually assessed and taxes regularly paid by the record title holder to said property who also held

actual, quiet, peaceful and adverse possession of said lands during the time they had such title and possession, for the past ten years next preceding the filing of this bill of complaint.

6. The title to said lands stand upon the records of the Judge of Probate of Baldwin County, Alabama in the name of said complainants by virtue of the Warranty Deed heretofore referred to.

7. Your complainants further aver that there is no suit pending to test their interest in, title to, or possession of said lands.

The Premises considered, the complainants files this their verified bill of complaint against said lands and respondents Eva Moore, Elizabeth Moore, Pearla M. Bennett, George Keller, John Stelk and J. W. Joyner and their heirs, devisees and next of kin, if deceased, and any and all persons, firms or corporations, claiming any title to, interest in or any part thereof os said lands, and to establish the right or title to sai land and to clear up all doubts or disputes concerning the same, and that the the said parties hereinnamed be made respondents to this bill of complaint, and that process be served on them or publication be made requiring them to plead, answer, or demur within the time required by law, or a decree pro confesso may be entered against them.

Complainant prays that the Court will appoint a Guardian ad litem for any and all unknown parties, heirs and minors; that this Court will find that the rights and interests of all parties to this suit are before the court and will be finally adjudicated by this Courts decree.

Complainats further pray that this court will make and enter all orders, judgments and decrees that may be meet and proper in the premises, and that upon a final hearing of this cause will find and decide and decree that the complainants have an entire and undivided interest to said lands, and have a fee simple title thereto.

Complainants further pray that if they be mistaken in the relief asked form that this court grant such other, further, additional, or different relief as may appear to the court to be just and proper.

Arthur C. Epperson
Solicitor for Complainants

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, personally appeared Arthur C. Epperson, who being by me first duly sworn deposes and says on oath; that he is attorney for the complainants, that he is informed and believes, and upon such information and belief says that the foregoing allegations contained in the bill of complaint are true.

Arthur C. Epperson

Sworn to and subscribed before me this the third day of June, 1954/

Alice J. Duck, Register

M 3261

actual, quiet, peaceful and adverse possession of said lands during the time they had such title and possession, for the past ten years next preceding the filing of this bill of complaint.

6. The title to said lands stand upon the records of the Judge of Probate of Baldwin County, Alabama in the name of said complainants by virtue of the Warranty Deed hereinafore referred to.

7. Your complainants further aver that there is no suit pending to test their interest in, title to, or possession of said lands.

The Premises complained, the complainants files this their vertified bill of complaint against, Pearla M. Bennett, Moore, Hilsabeth Moore, Their heirs, devisees and next of kin, if deceased and all persons, firms or corporations, claiming any title or interest or said lands, and to establish and that the complaint, and that the bill of complaint be made requiting them to appear and answer within the time required by law, or a decree pro confesso be entered against them.

Complainant prays that the Court will make and enter this decree, judgments further pray that the court will make and proper in all orders, judgments and decrees and that upon a final hearing of this cause will find and premises, and that the complainants have an entire and undivided decide and decree that the complainants have a fee simple title thereto.

Complainants further pray that if they be mistaken in the relief asked form that the court to be just and proper. Court will find that the rights and interests of all parties, additional, this and such other, further, and grant to the court and which are hereby appeal to the interest as may be entitled to the relief or different.

Solicitor for Complainants

FILED
JUN 3 1954
ALICE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Alice J. Duck, Registrator of the Circuit Court of Baldwin County, Alabama personally appeared Arthur C. Epperson who being sworn on oath; that he is attorney for the complainants and believes, that the facts stated in the foregoing allegations are true.

Complaint are true.

Sworn to and subscribed before me this the third day of June, 1954.

Alice J. Duck, Registrator

W. R. STUART

PROBATE JUDGE

Nº 1611

Bay Minette, Ala., 4/25/55, 19

Received of Mrs Duck

No.		Deed Tax $	Deed Tax Cts.	Mortgage Tax $	Mortgage Tax Cts.	Recording Fees $	Recording Fees Cts.	Total $	Total Cts.
	Fred McKenzie -VS- Lot 7, etal					2	25	2	25

FOR RECORD

TOTAL $ 2

W. R. Stuart

Judge of Probate.

49363 ROBERTS & SON, BIRMINGHAM

GAL NOTICE

In the Circuit Court of Baldwin County, Alabama, In Equity.

Cranston H. Jordan and Wilhelmina S. Jordan, Complainants vs. The following described real property, situated in Baldwin County, to-wit: Starting at the southeast corner of the north half (N½) of the south half (S½) of the northeast quarter (NE¼) of the southeast quarter of section five (5), township eight (8) south, range four (4) east, run thence west two hundred (200) feet to the point of beginning; run thence north fifty (50) feet; run thence east one hundred fifty (150) feet; run thence north three hundred fifteen and two tenths (315.2) feet; run thence west twelve hundred seventy-seven (1277) feet; run thence three hundred sixty-five and two tenths (365.2) feet; run thence east eleven hundred twenty-seven (1127) feet to the point of beginning, and being in the northeast quarter (NE¼) of the southeast quarter of section five, township eight south, range four east, and Eva Moore, Elizabeth Moore, Pearla M. Bennett, George Keller, John Stelk, J. W. Joyner, and the unknown heirs at law, next of kin and devisees of the above named parties and any and all persons, firms or corporations claiming any interest in or title to the above described real property. Respondents

It having been made to appear from the affidavit of Arthur C. Epperson, Attorney of record for the complainants in the above styled cause that Eva Moore, Elizabeth Moore, George Keller, John Stelk and J. W. Joyner are non-residents of the state of Alabama or their residences are unknown and cannot be ascertained after reasonable efforts:

Notice is hereby given to Eva Moore, Elizabeth Moore, George Keller and J. W. Joyner and to their unknown heirs, devisees and grantees, if deceased, and to any and all persons, firms and corporations claiming any interest or title to the above described real property, that on this day Cranston H. Jordan and Wilhelmina S. Jordan filed a bill of complaint in the Circuit Court of Baldwin County, Alabama, In Equity, against all of the above named respondents and against the lands described above and you are hereby notified to appear and plead, answer or demur to said bill of complaint by the third day of August, 1954, or a decree pro confesso will be rendered against you.

The bill of complaint alleges that the complainants claim to own said lands in fee simple, title thereto having been acquired by conveyance by Warranty Deed from Nannie Jo Bishop and Betty Barbara Bishop Caldwell, Devisees of I. S. Bishop, Deceased, as shown by the records of the Office of the Judge of Probate of Baldwin County, Alabama; the bill of complaint also alleges that said lands stand in the names of the complainants on the records of the Probate Court of Baldwin County, Alabama by virtue of said warranty deed dated August 20, 1953; and also alleges that there is no suit pending in the Courts to test the complainants' title thereto, interest in or right to possession of said lands.

It is further alleged in said bill of complaint, that the complainants are in the quiet, peaceful, actual and adverse possession of all of the land therein described, claiming to own the same in their own right in fee simple and using the same in every way that the said lands are suscepitible of use; that the complainants or those through whom they claim title have had the actual, continuous, peaceable and adverse possession of said lands for more than ten years preceding the filing of said bill of complaint; that the complainants and those through whom they claim tiitle and had possession have annually assessed and paid the taxes on said property for more than ten years next preceding the filing of this bill of complaint, and that no other firm, person or corporation has had possession of said lands or any part thereof, or has assessed or paid taxes on said lands during that period of time.

It is further alleged in said Bill of complaint that such suit is filed for the purpose of establishing the title of said complainants to said lands for the purpose of clearing up all doubts and disputes concerning the same.

It is, hereby ordered by the undersigned Register that publication of this notice be made in the Onlooker, a newspaper publ

AFFIDAVIT OF PUBLICATION

I, E. M. Howell

Publisher of The Onlooker, published at Foley, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once each week in the regular and entire edition of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated June 3, 1954, and ending with the issue dated June 24, 1954.

E. M. Howell

Subscribed and sworn to before me this 7th day of June, 1954.

Notary Public.

MY COMMISSION EXPIRES AUGUST 14, 1956

fifteen and two tenths (315.2) feet; run thence west twelve hundred seventy-seven (1277) feet; run thence three hundred sixty-five and two tenths (365.2) feet; run thence east eleven hundred twenty-seven (1127) feet to the point of beginning, and being in the northeast quarter (NE¼) of the southeast quarter of section five, township eight south, range four east, and Eva Moore, Elizabeth Moore, Pearla M. Bennett, George Keller, John Stelk, J. W. Joyner, and the unknown heirs at law, next of kin and devisees of the above named parties and any and all persons, firms or corporations claiming any interest in or title to the above described real property. Respondents

It having been made to appear from the affidavit of Arthur C. Epperson, Attorney of record for the complainants in the above styled cause that Eva Moore, Elizabeth Moore, George Keller, John Stelk and J. W. Joyner are non-residents of the state of Alabama or their residences are unknown and cannot be ascertained after reasonable efforts:

Notice is hereby given to Eva Moore, Elizabeth Moore, George Keller and J. W. Joyner and to their unknown heirs, devisees and grantees, if deceased, and to any and all persons, firms and corporations claiming any interest or title to the above described real property, that on this day Cranston H. Jordan and Wilhelmina S. Jordan filed a bill of complaint in the Circuit Court of Baldwin County, Alabama, In Equity, against all of the above named respondents and against the lands described above and you are hereby notified to appear and plead, answer or demur to said bill of complaint by the third day of August, 1954, or a decree pro confesso will be rendered against you.

The bill of complaint alleges that the complainants claim to own said lands in fee simple, title thereto having been acquired by conveyance by Warranty Deed from Nannie Jo Bishop and Betty Barbara Bishop Caldwell, Devisees of I. S. Bishop, Deceased, as shown by the records of the Office of the Judge of Probate of Baldwin County, Alabama; the bill of complaint also alleges that said lands stand in the names of the complainants on the records of the Probate Court of Baldwin County, Alabama by virtue of said warranty deed dated August 20, 1953; and also alleges that there is no suit pending in the Courts to test the complainants' title thereto, interest in or right to possession of said lands.

It is further alleged in said bill of complaint, that the complainants are in the quiet, peaceful, actual and adverse possession of all of the land therein described, claiming to own the same in their own right in fee simple and using the same in every way that the said lands are suscepitible of use; that the complainants or those through whom they claim title have had the actual, continuous, peaceable and adverse possession of said lands for more than ten years preceding the filing of said bill of complaint; that the complainants and those through whom they claim tiitle and had possession have annually assessed and paid the taxes on said property for more than ten years next preceding the filing of this bill of complaint, and that no other firm, person or corporation has had possession of said lands or any part thereof, or has assessed or paid taxes on said lands during that period of time.

It is further alleged in said Bill of complaint that such suit is filed for the purpose of establishing the title of said complainants to said lands for the purpose of clearing up all doubts and disputes concerning the same.

It is, hereby ordered by the undersigned Register that publication of this notice be made in the Onlooker, a newspaper published and having general circulation in Baldwin County, Alabama, once a week for four consecutive weeks.

It is further ordered that a copy of this notice certified by the undersigned Register, as being correct, shall also be recorded as a lis pendans in the Office of the Judge of Probate of Baldwin County, Alabama.

Done at office this the third day of June, 1954.

Alice J. Duck, Register.

Arthur C. Epperson, Foley, Ala., Attorney for Complainants.

(4t-6-3, 10, 17, 24)

ending with the issue dated June 24, 1954.

Emy Lowell

Subscribed and sworn to before me this 7th day of June, 1954.

Notary Public.

MY COMMISSION EXPIRES AUGUST 14, 1956

THE FOLEY ONLOOKER BALDWIN NEWS-HERALD

FOLEY, ALA., June 24 1954

HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

Alice J. Mucks
Register
Bay Minette Ala

		BROUGHT FORWARD				
June	3					
"	10	Jordan				
"	17					
"	24				$52	00

Cranston H. Jordan&Wilhelmina S. Jordan
Complainant

vs.

Eva Moore et al
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No.

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from Foley Alabama, in the County of Baldwin Alabama, the place of trial of said cause, to-wit:

Cranston H. Jordan, Betty Barbara Bishop Caldwell,
Candy Willis and Arthur C. Epperson

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

Arthur C. Epperson
Solicitor for Complainant

NOTE:

Complainant suggests the name of Willena Boyd as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Arthur C. Epperson
Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION

Cranston J. Jordan and
Wilhelmina S. Jordan Complainant

vs.

Certain Lands, Eve Moore, et al.
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this 6 day of June

1935

Alice Avenick Register

Moore Printing Co.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Willena Boyd

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 Cranston H. Jordan, Betty Barbara Bishop Caldwell, Candy Willis and Arthur C. Epperson

as witnesses in behalf of Cranston H. Jordan and Wilhelmina S. Jordan in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Cranston H. Jordan and Wilhelmina S. Jordan, Complainant

and Certain Lands, Eva Moore, Et Al Respondent

on oath, to be by you administered, upon them

to take and certify the deposition~~s~~ of the witness~~es~~ and return the same to our Court, with all convenient speed, under your hand.

Witness 6th day of January, 1955

Alice J. Wences
Register.

Commissioner's Fee, $

Witness' Fees, $

STATE OF ALABAMA

BALDWIN COUNTY

CRANSTON H. JORDAN
and
WILHELMINA S. JORDAN
Complainants

IN THE CIRCUIT COURT

IN EQUITY NO.

Vs.

Certain Lands, EVA MOORE,
Et Al.

ORAL DEPOSITIONS OF CRANSTON H. JORDAN, BETTY BARBARA BISHOP CALDWELL, CADY WILLIS and ARTHUR C. EPPERSON.

By virtue of the commission hereto annexed, issued by the Register for said Court o f said County, in the above stafed cuase pending in said Court of said County, I Willena Boyd, the Commissioner named on said commission, have called and caused to come before me Cranston H. Jordan, Betty Barbara Bishop Caldwell, Candy Willis, and Arthur C. Epperson, the witnessess named in said commission, and in the presence of the Honorable Forrest A. Christian Guardian ad litem and attorney ad litem, a practising Attorney of the Baldwin County, Alabama Bar, having first sworn the said witnesses to speak the truth, the whole truth, and nothing but the truth, the said witnesses deposes and says on oath as follows:

My name is Cranston H. JOrdan, I and my wife Wilhelmina S. Jordan are the complainants in this case. We are each over the age of twenty one years and reside in Baldwin County, Alabama.

The named respondents are each over the age of twenty-one years and after diligent inquiry I am unable to say what the resdence and addresses of the named respondents are except Pearla M. Bennett and Elizabeth Moore, both of whom reside in Birmingham, Alabama and have executed disclaimers in this suit. Eva Moore is deceased and Pearla M. Bennett and Elizabeth Moore are her only heirs, Miss Eva Moore having died intestate.

I and my wife claim ownership title to the property in this suit and the correct description is " Starting at the Southeast Corner of the North Half of the South Half of the Northeast Quarter of the Southeast Quarter of Section Five, Township Eight South, Range Four East, run thence West 200 feet to the point of beginning; run thence North Fifty feet: run thence East 150 feet; run thence North 315feet (315.2) ft.; run thence West 1277 feet; run thence South 365.2 feet; run thence East 1127 feet to the point of beginning, and being in the Northeast Quarter of the Southeast Quarter of Section Five, Township Eight South, Range Four East in Baldwin County, Alabama.

My wife and I own in our own right an undivided and entire fee simple to the lands I just described and we are now and have been since August 20th,1954 , in actual, peaceful, quiet and adverse possession of this land, living and operating a place of business thereon. This property was conveyed to us by warranty deed from Nannie Jo Bishop and Betty Barbara Bishop Caldwell August 20, 1954 which deed was duly recorded in the Office of the Judge of Proabte Baldwin County, Alabama and by virtue of which record title to this property stands on said records in my and my wifes name.

No person, firm or corporation has annually assessed or paid taxes on said land for the past ten years next preceding the filing of this bill to quiet title except those through whom we received title and record title passed. This property has been annually assessed and taxes regularly paid by the record title owners to said property since before the year 1942.

There is no suit pending in the Courts to test my and my wifes interest in, tilte to or possession of this property other than this one we filed to quiet title in rem.

Cranston H Jordan
Cranston H. Jordan

My name is Betty Barbara Bishop Caldwell. I am over the age of twenty-one years. I am a resident of Foley, Baldwin County, Alabama. I am familar with the land now owned by Mr and Mrs. Cranston Jordan in Baldwin County, Alabama and on which they have brought suit to quiet title. My father I. S. Bishop purchased the land from ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ Mr. J. M. Johnson August 27, 1947 who had possession of the land at that time and was operating a business there. Mr. J. M Johnson conveyed the property to my father by Warranty Deed and delivered possession of the land the same day, August 27, 1947. My father, I. S. Bishop then took and exercised possession of the land and operated a business thereon until his death September 5, 1951. He held record title to the property, annually assessed and regularly paid the taxes on the land during that time and held it and the possession of it peaceably and adversly to any claims.

My father willed the property to myself and Nannie Jo Bishop. HIs will was duly probated in the Probate Court of Baldwin County, Alabama, and I and Nannie Jo Bishop took and maintained an actual, peaceful, quiet and adverse possession of the land immediately upon my fathers death and until we sold and conveyed the lands to the present owners and complainants in this case on August 20th, 1953. During the time of our ownership and possession we annually assessed and regularly paid the taxes on the land in controversy.

Betty Barbara Bishop Caldwell
Betty Barbara Bishop Caldwell

My name is Candy Willis. I am over thirty-five years of age. I am a life time resident of Foley, Baldwin County, Alabama. I am familar with the land now owned by Mr. and Mrs. Cranston Jordan and the business they own and operate thereon known as Jordans Cabins and just described to me as being land in the suit they have brought in the Circuit Court of Baldwin County, Alabama to quiet title to said property.

I have owned an operated a Taxi Business since before the year 1942 and in my business have quite regularly visited said land and business operated thereon since the first business was established there by Mrs Nannie Ella Green, who built and established the business known as Greens Tourist Court on this land, in the summer of 1942. Mrs Green operated the business, had the possession of the landand claimed title to the land until she sold it to J. L. Sumrall in the spring of 1944. Mr. Sumrall owned and operated the place for about two years and sold it to O. R. Woodall and Rose Woodall around the first part of 1946. Mr. and Mrs. Woodall took possession and operated the business for a short while and then sold to J. M. Johnson in the spring of the same year. Mr Johnson lived on the land and operated the business until August of 1947, when he sold it to I. S. Bishop.

Each of the occupants of the land just named claimedd ownership of the land and held open, exclusive, peaceful, actual and adverse possession during the time they were on the land and operated the business there.

I never knew or heard of any other person, firm or corporation claiming any right, title or interest adverse to the ones I just named, or to I. S. Bishop or Mr. and Mrs. Cranston H. Jordan who is now in possession of the Land.

Candy Willis
Candy Willis

My name is Arthur C. Epperson. I am a licensed practicing Attorney in Foley, Baldwin County, Alabama. At the requestof Nannie Jo Bishop and Betty Barbara Bishop Caldwell, the then owners of the property described as "Starting at the Southeast Corner of the North Half of the South Half of the Northeast Quarter of the Southeast Quarter of Section Five, Township Eight South, Range Four East, run thence West 200 feet to the point of beginning; run thence North Fifty feet; run thence East 150 feet; run thence North 315.2 feet (315.2) ft.; run thence West 1277 feet; run thence South 365.2 feet; run thence East 1127 feet to the point of beginning, and being the Northeast Quarter of the Southeast Quarter of Section Five, Township Eight South, Range Fourt East in Baldwin County, Alabama," I prepared an abstract on the property I just described from the date of Patant through August 20, 1953. On August 20, 1953, Nannie Jo Bishop and Betty Barbar a Bishop Caldwell conveyed the property to Cranston H. Jordan and Wilhelmina S. Jordan who are the complainants in this suit to quiet title this property I just described in metes and bounds. I examined all the records in the offices of the Judge of Probate, Tax Collector and Tax Assessors in Baldwin County, Alabama to ascertain title who has annually assessed and who has regularly paid taxes on this property for the ten years immediately preceding the filing of the bill of complaint to quiet title by Mr. and Mrs. Cranston H. Jordan on this property. According to my search, I found that Nannie Ella Green held record title to the property from 1938 until May 24, 1944, when she conveyed it to J. L. Summerall; J. L. Summerall held record title from May 24, 1944 until January 14, 1946 when he conveyed it to O. R. Woodall and Rose Woodall; O. R. Woodall and Rose Woodall held record title from January 15, 1946 until April 11, 1946, when they conveyed it to J. M. Johnson; J. M. Johnson held record title from April 11, 1946 until August 27, 1947, when he conveyed it to I. S. Bishop; I. S. Bishop held record title from August 27, 1947 until his death September 5, 1951; title passed by Will duly probated from I. S. Bishop to Nannie Jo Bishop and Betty Barbara Bishop Caldwell who held record title until August 20, 1953; from August 20, 1953 record title has been held by Cranston H. Jordan and Wilhelmina S. Jordan.

This property has been annually assessed since 1938 by one of the just named record title holders and the taxes has been regularly paid since that time by one of the named record title holders. Since the year 1938 there has been no other person, firm or corporation that has annually assessed this property for taxation or paid taxes on this property other than the named record title holders.

At the time that this suit was brought in the Circuit Court of Baldwin County, Alabama, there was no other suit pending in the Courts of Baldwin County to test title to or possession of this property.

Arthur C. Epperson

Arthur C. Epperson

I, Willena Boyd, the said Commissioner, hereby certify that the foregoing testimony was taken down in writing by me in the words of the witnesses and were read over to them, that they assented, swore to and subscribed the same in my presence, the sixth day of January, 1955, at Foley, Alabama; that I have personal knowledge of, or had proff made before me of the idenity of the witness, and that I am not of counsel or kin to any of the parties to said cause or in any manner interested in the result thereof.

And I enclose the said deposition, together with the commission and interrogatories, direct and cross, and documents which were deposed to, in an envelope properly indorsed and sealed and returned to the Register for said Court of said County.

Given under my hand and seal this the sixth day of January, 1955.

Willena Boyd, (L.S.)
Commissioner

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

****

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS.

CERTAIN LANDS, EVA MOORE,
ET AL,
Respondents.

****

COMPLAINANTS WITNESSES

ORAL DEPOSITIONS
****

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA
VS.	)	IN EQUITY
CERTAIN LANDS, EVA MOORE, ELIZABETH MOORE, PEARLA M.	)	CASE NO.

BENNETT, GEORGE KELLER, JOHN STELK and J.W. JOYNER, Respondents.

This cause coming on to be heard on this the ____ day of January, 1955, is submitted for final decree upon Complainant's verified bill of complaint, upon the decree pro confesso rendered herein, disclaimers filed by Elizabeth Moore and Pearla M. Bennett, answer by guardian ad litem for unknown respondents, oral depositions of complainants witnesses taken in presence of the guardian ad litem by order of the Court, and the certificate of the Register, all of which is as noted by the Register, and it appears to the satisfaction of the Court:

FIRST That the complainants, Cranston H. Jordan and Wilhelmina S. Jordan, at the time of the filing of their bill of complaint in this cause, claimed in their own right a fee simple title to and was in the actual peaceable possession of the following described lands, lying in the County of Baldwin, State of Alabama, and more particularly described as follows:

> STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5) TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY (50) FEET: RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET: RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET: RUN THENCE WEST TWELVE HUNDRED SEVENTY SEVEN (1277) FEET: RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET: RUN THENCE EAST ELEVEN HUNDRED AND TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST.

SECOND That at the time of the filing of said bill of complaint, no suit was pending to test their title to, interest in, or the right to the possession of said lands.

THIRD That their said bill of complaint was and is duly verified, and was filed against said lands and against any and all persons claiming any title to, interest in, on said land or any part thereof, and was to establish the right or title to such lands or interest, and to clear all doubts or disputes concerning the same, and that said bill of complaint did in all respects comply with the provisions of Code 1940, Title 7, Section 1117 as ammended by General Acts of 1951.

FOURTH That the complainants exercised diligence in ascertaining all of the names of the respondents and unknown parties respondent and to ascertain the facts in regards thereto.

FIFTH That notice of the pendency of said bill of complaint was drawn and signed by the Register of this Court, and said Register did have such notice published once a week for four consecutive weeks in the Onlooker, a newspaper having general circulation and published in Baldwin County, Alabama, as prescribed by rule of this Court, or by an order made in this cause.

SIXTH That a copy of said notice, certified by the Register as being correct, was recorded as a lis pendens in the office of the Probate Judge of said county, said notice being in strict accord and compliance with Code 1940, Title 7, Section 1121 as ammended by General Acts of 1951.

SEVENTH That it has been more than sixty days since the first publication of said notice and the filing of a certified copy of said notice in the office of the Probate Judge of said county.

EIGHTH That no person has intervened in this cause.

NINTH That all of the allegations of fact contained in complainant's bill of complaint are true. It is therefore,

Ordered, adjudged and decreed (1) that complainants are entitled to the relief prayed for in their bill of complaint, and that the fee simple title claimed by complainants in the above described lands has been duly proven.

(2) That the complainants are the owners of said lands, and has a fee simple title thereto, and that their said title thereto be and is hereby established, and that all doubts and disputes concerning the same be and are hereby cleared up.

(3) That a certified copy of this decree be recorded in the office of the Judge of Probate of Baldwin County, Alabama, and that it be indexed in the name of Cranston H. Jordan and Wilhelmina S. Jordan, on both the direct index and the indirect index of the record thereof.

(4) That complainants pay the costs of these proceedings, for which let execution issue.

Done this the 18 day of January, 1955.

Hubert M Hill,
Judge

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUTTY

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CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
COMPLAINANTS

VS.

CERTAIN LANDS, et al.
Respondents

****

FINAL DECREEE

****

FILED
JAN 24 1955
ALICE J. DUCK, Register

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS.

THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, to-wit: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF(N½) OF THE SOUTH HALF(S½) OF THE NORTHEAST QUARTER (NE¼) OFTHE SOUTHEAST QUARTER OF SECTION FIVE (5), TWONSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGGINNING; RUN THENCE NORTH FIFTY (50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET; RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS(315.2) FEET; RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN THENCE EAST ELEVEN HUNDRED TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, and EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWN HEIRS AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES AND ANY AND ALL PERSONS, FIRMS OR CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.

Respondents.

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

It having been made to appear from the affidavit of ARTHUR C. EPPERSON, ATTORNEY OF RECORD FOR THE COMPLAINANTS in the above styled cause that EVA MOORE, ELIZABETH MOORE, GEORGE KELLER, JOHN STELK and J.W. JOYNER are non-residents of the state of Alabama or their residences are unknown and cannot be ascertained after reasonable efforts:

NOTICE IS HEREBY GIVEN to EVA MOORE, ELIZABETH MOORE, GEORGE KELLER and J. W. JOYNER AND TO THEIR UNKNOWN HEIRS, DEVISEES and GRANTEES, if deceased, and to any and all persons, firms and corporations claiming any interest or title to the above described real property, that on this day CRANSTON H. JORDAN and WILHELMINA S. JORDAN filed a bill of complaint in the Circuit Court of Baldwin County, Alabama, In Equity, against all of the above named respondents and against the lands described above and you are hereby notified to appear and plead, answer or demur to said bill of complaint by the third day of August, 1954, or a decree pro confesso will be rendered against you.

The bill of complaint alleges that the complainants claim to own said lands in fee simple, title thereto having been acquired by conveyance by Warranty Deed from Nannie Jo Bishop and Betty Barbara Bishop Caldwell, Devisees of I. S. Bishop, Deceased, as shown by the records of the Office of the Judge of Probate of Baldwin County, Alabama; the bill of complaint also alleges that said lands stand in the names of the complainants on the records of the Probate Court of Baldwin County, Alabama by virtue of said warranty deed dated August 2o, 1953; and also alleges that there is no suit pending in the Courts to test the complainants' title thereto, interest in or right to possession of said lands.

It is further alleged in said bill of complaint, that the complainants are in the quiet, peaceable, actual and adverse possession of all of the land therein described, claiming to own the same in their own right in fee simple and using the same in every way that the said lands are susceptible of use; that the complainants or those through whom they claim title have had the actual, continous, peaceable and adverse possession of said lands for more than ten years preceding the filing of said bill of complaint; that the complainants and those through whom they claim title and had possession have annually assessed and paid the taxes on said property for more than ten years next preceding the filing of this bill of complaint, and that no other firm, person or corporation has had possession of said lands or any part thereof, or has assessed or paid taxes on said

lands during that period of time.

It is further alleged in said Bill of complaint that such suit is filed for the purpose of establishing the title of said complainants to said lands and for the purpose of clearing up all doubts and disputes concerning the same

It is , Hereby ordered by the undersigned Register that publication of this notice be made in the Onlooker, a newspaper published and having a general circulation in Baldwin County, Alabama, once a week for four consecutive weeks.

It is further ordered that a copy of this notice certified by the undersigned Register, as being correct, shall also be recorded as a lis pendens in the Office of the Judge of Probate of Baldwin County, Alabama.

Done at office this the Third day of June, 1954.

Alice J. Duck
ALICE J. DUCK,
Register

ARTHUR C. EPPERSON
FOLEY, ALABAMA.
ATTORNEY FOR COMPLAINANTS

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the above and foregoing is a true and correct copy of the notice to be published to the respondents in the above and foregoing Cause.

Witness my hand and seal of office this 3rd day of June, 1954.

Alice J. Duck
Register.

The undersigned as Register of the Circuit Court, Baldwin County, Alabama, hereby certifies that on the affidavit of Arthur C. Epperson, solicitor for complainants, on the third day of June 1954, and order of publication was made to Eva Moore, Elizabeth Moore, George Keller, John Stelk and J. W. Joyner whose residence and post office addresses are unknown and could not be obtained after reasonable effort, and published in the Onlooker, a newspaper published in Baldwin County, Alabama, once a week for four consecutive weeks, requiring the named respondents to demurto, plead to or answer the bill of complaint in this cause by the Third day of August, 1954, or thereafter a decree pro confesso might be taken against said respondents; and that one other copy of said order was posted at the Courthouse door of said County for four consecutive weeks; that th e order of publication as aforesaid was also addressed to the unknown heirs, devisees and next of kin of the named respondents if deceased, and to all persons, firms or corporations claiming an interest to or any title in the property at issue.

Alice J. Duck
Register.

FILED
6-3-54
ALICE J. DUCK, Register

STATE OF ALABAMA, BALDWIN COUNTY
Filed 6-3-54 3 P.M.
Recorded Lis Pendens book 4 page 62-8
Judge of Probate

Lis Pen 6-3-54

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

****

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS.

CERTAIN LANDS and EVA MOORE
ELIZABETH MOORE, et al.,
Pearla M. Bennett, Eli Joyner, Sr.
George Keller, John Stalk
****

NOTICE AND ORDER OF
PUBLICATION
****

CERTIFICATE OF PUBLICATION

****

4-67-8

FILED
JUN 3- 1954
ALICE J. DUCK, Register

ARTHUR C. FERGESON

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants	(IN THE CIRCUIT COURT OF ((BALDWIN COUNTY, ALABAMA (
VS	(IN EQUITY (

THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE(5), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY (50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET: RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET: RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN THENCE EAST ELEVEN HUNDRED TWENTY--SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, AND EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWN HEIRS AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES, IF DECEASED, AND ANY AND ALL PERSONS, FIRMS AND CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.

Comes the respondent, Elizabeth Moore, in the above-styled cause and accepts service of a bill of complaint heretofore filed in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree.

And for answer to the bill of complaint heretofore filed in this cause, respondent says:

She admitseach and every material allegation of the bill of Complaint, except that she does hereby deny that she claims or pretends to claim, any estate, interest, or encumbrances in or upon the real estate described in the bill of Complaint or any part of said real estate. This respondent expressly admits that she has no title, claim or interest in, or encumbrance upon the said real estate.

Elizabeth Moore
Respondent

Mrs William Boyd
Witness

Arthur L. Epperson
Witness

FILED
11-4-54
ALICE I. DUCK, Register

Disclaimer

CRANSTON H. JORDAN and)
WILHELMINA S. JORDAN) IN THE CIRCUIT COURT OF
Complainants)
) BALDWIN COUNTY, ALABAMA
VS.)
) IN EQUITY
THE FOLLOWING DESCRIBED REAL)
PROPERTY , SITUATED IN BALDWIN) NO.
COUNTY, ALABAM,TO-WIT: START-)
ING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF(S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5) TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY (50) FEET: RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET: RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2)FEET: RUN THENCE WEST TWELVE HUNDRED SEVENTY SEVEN (1277) FEET: RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET: RUN THENCE EAST ELEVEN HUNDRED AND TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TWONSHIP EIGHT SOUTH, RANGE FOUR EAST, AND EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J: W: JOYNER AND THE UNKNOWN HEIRS AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES, IF DECEASED, AND ANY AND ALL PERSONS, FIRMS AND CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.

RESPONDENTS.

In this cause it being made to appear to the Court by the allegations of the sworn bill of complaint that this is a proceeding in rem against and to establish title to the lands described in the bill of complaint and against any and all persons claiming any title to, interest in said described lands or any part thereof, and that on June 3, 1954, a decree was duly made and entered in this cause directing that the notice provided by law for in Code 1940, Title 7, Section 1119, be published as required by law in the Onlooker, a newspaper pub;ished in athe Town of Foley, Baldwin County, Alabama, and it appearing by the certificate of the Register filed herein that said notice was so published in said newspaper on June 3, 1954, June 10, 1954 and June 17, 1954 and that a copy of said notice, certified by the register as being correct has been duly recorded as a lis pendens in the office of the Judge of Probate of Bladwin County, Alabama, the County where such lands lie; and that no person, firm or corpoaration claiming any title to or interest in the said lands or any part thereof having appeared to plead answer or demur to the said bill of complaint to the date hereof which is more than thirty days from the perfection of publication in this cause; it is now therefore, on motion of the complainants' solicitor, ordered and decreed by the Court that the said Bill of Complaint in this cause be, and hereby is in all things taken as confessed against the lands described as follows:

> Starting at the Southeast Corner of the North Half (N½) of the South Half (S½) of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Five (5) Township Eight (8) South, Range Four (4) East, Run thence West Two Hundred Feet (200) to the point of beginning; run thence North Fifty (50) feet; Run thence East One Hundred and Fifty feet (150 ft.); run thence North Three Hundred fifteen and two tenths (315.2) feet; run thence West Twelve Hundred and Seventy-seven (1277) feet: run thence South three Hundred Sixty-five and two-tenths (365.2) feet; run thence East Eleven Hundred and twenty-seven (1127) feet to the point of beginning.

and against any and all persons claiming or who may hereafter claim any title to or interest in said described lands or any part thereof.

FILED

Done this the Fourth day of November, 1954.

11-4-54

ALICE J. DUCK, Register

Alice J. Duck
Clerk CIRCUIT JUDGE

Decree Pro Confesso

FILED
NOV 4 1954
ALBERT J. BUCK, Register

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS

THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5) TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY (50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET; RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET; RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN EAST ELEVEN HUNDRED TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN A THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, AND EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWNHEIRS AT LAW, NEXT OF KIN AND DEVISEES OF THE AOBVE NAMED PARTIES, IF DECEASED AND ANY AND ALL PERSONS, FIRMS AND CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.

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

Comes the respondent, Pearla M. Bennett, in the above-styled cause and accepts service of a bill of complaint heretofore filed in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree.

And for answer to the bill of complaint heretofore filed in this cause, respondent says:

She admits each andevery material allegation of the bill of Complainant, except that she does hereby deny that she claims or pretends to claim, any estate, interest, or encumbrances in or upon the real estate described in the bill of Complaint or any part of said real estate. This respondent expressly admits that she has no title, claim of interest in, or encumbrance upon the said real estate.

Pearla M. Bennett
Respondent

Mrs Willena Boyd
Witness

Arthur C. Emerson
Witness

FILED
11-4-54
ALICE J. BUCK, Register

Disclaimer

CRANSTON H. JORDAN and WILHELMINA S. JORDAN, Complainants	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
VS.	)	IN EQUITY
CERTAIN LANDS Respondent	)	

This cause being submitted for final decree, complainant, being called, offers the following testimony, to-wit:

1st Original bill of complaint.

2nd Order prescribing notice to defendants.

3rd Recording of notice of pendency of bill of complaint in lis pendens record in the office of Judge of Probate of Baldwin County, Alabama.

4th Certificate by publication.

5th Decrees pro confesso against all defendants except Pearla M. Bennett, and Elizabeth Moore.

6th Answer and disclaimer by Pearla M. Bennett and Elizabeth Moore.

7th Appointment of commissioner to take oral depositions.

8th Oral depositions of Cranston Jordan, Betty Barbara Bishop Caldwell, Candy Willis and Arthur C. Epperson.

The Respondent being called, offers the following testimony to-wit:

1st Appointment of Guardian ad litem.

2nd Acceptance of appointment as Guardian ad litem.

3rd Answer of Guardian ad litem.

I hereby certify that the above note of submission is correct this the 13 day of January, 1955.

Register

Arthur C. Epperson
Solicitor for the Complainants

Solicitor for the Respondent

STATE OF ALABAMA, BALDWIN
COUNTY, CIRCUIT COURT
IN EQUITY

****

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Comp.

VS

CERTAIN LANDS, ET AL,

Resp.

****

NOTE OF SUBMISSION

****

FILED
JAN 13 1955
ALICE J. DUCK, Register

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS

THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5), TOWNSHIP EIGHT (8) SOUTH, RAGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY(50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY(150) FEET; RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET; RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN THENCE EAST ELEVEN HUNDRED TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, AND EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWN AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES , IF DECEASED, AND ANY AND ALL PERSONS, FIRMS AND CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.

Respondents

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

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

Humbly complaining comes CRANSTON H. JORDAN and WILHELMINA S. JORDAN, and respectfully represents and shows unto your Honor and avers:

1. That the complainants are each over the age of twenty-one years and a resident of the County of Baldwin, State of Alabama.

2. That the respondents are each over the age of twenty-one years and that the complainant after diligent inquiry has been unable to determine the residence and addresses of the named respondents except for Pearla M. Bennett who is a resident of Alabama, and address is 7126 First Avenue South, Birmingham, Alabama.

Complainants aver that after excersing reasonable diligence to locate the wherebouts of the other named respondents, they have been unable to locate the wherebouts of said respondents or to ascertain with certainty whether such respondents were alive, at the time of filing this bill, and that if any of the named respondents are deceased, their heirs, devisees or next of kin are unknown. Complainants states that they do not know of anyone or persons who claim said land, any title to, or interest in, or any part thereof, except the above named respondents. Complainants have obtained an abstract which shows that the only possible claimants according to said abstract are the above named respondents.

Complainants avers that they have exercised diligence in trying to ascertain the names of any persons or corporations other than the named respondents who claim said land, or any interest therein, but has failed to obtain such information.

3. That the land in controversy is situated in Baldwin County, Alabama, and is more particularly described as follows:

Starting at the Southeast Corner of the North half (N½) of the South half (S½) of the Northeast Quarter of the Southeast quarter (NE¼ Of SE¼) of Section Five (5),

> Township Eight (8) South, Range Four (4) East, run thence West Two Hundred (200) feet to the point of beginning; run thence North Fifty (50) feet; run thence East one hundred Fifty (150) feet; run thence North Three Hundred Fifteen and Two Tenths (315.2) feet; run thence West Twelve Hundred Seventy-seven (1277) feet; run thence South Three Hundred Sixty-five and Two Tenths, (365.2) feet; run thence East Eleven Hundred Twenty-seven (1127) feet to the point of beginning, and being in the Northeast Quarter of the Southeast Quarter of Section Five, Township Eight South, Range Four East.

and the complainants claim in their own right to own an undivided and entire fee simple in said land. Complainants aver that they are in actual, peaceful, quiet and adverse possession of said land and have been in such possession since to-wit: August 20th, 1954.

4. Complainants further allege that Nannie Ella Green was in actual quiet, peaceful and adverse possession of said land from April 18, 1944 until conveyed by warranty deed May 24, 1944 to J.L. Sumrall, having received title to said property by Warranty Deed dated April 18, 1944 from Claude Peeeet; by Warranty Deed dated February 23, 1942 from Lloyd A. Magney and Ethel Magney; and by Warranty deed dated July 2, 1942 from J. C. Thompson and Dorothy Thompson; and warranty deed dated January 3, 1938 from LLoyd A. Magney and Ethel Magney, allof which deeds was recorded in the Offic e of the Judge of Probate more than ten years next preceding the filing of this bill of complaint; that J. L. Sumrall had the actual, quiet, peaceful and adverse possession of said lands from May 24th, 1944 until January 15th, 1946 ~~by~~ and record title to said property by virtue of Warranty Deed dated May 24th, 1944 from Nannie Ella Green and G. W. Green, recorded in Deed Book 85 NS page 130-132 in the office of the Judge of Probate, Baldwin County, Ala.; that O. R. Woodall and Rose Woodall had the actual, quiet, peaceful and adverse posseesion of said lands from January 15th, 1946 until April 11, 1946 and record title in the Probate Office of Baldwin County, Alabama, by virtue of a Warranty Deed dated January 15th, 1946 from J. L. Sumrall and Alberta Sumrall, recorded in Deed Book 102 NS page 400-401; that J. M. Johnson had actual, quiet, peaceful and adverse possesion of said lands from April 11, 1946 until August 27th, 1947 and held record title by virtue of a warranty deed dated April 11, 1946 ~~from J. M. Johnson and Cora Michel Johnson, recorded~~re in deed book 106 page 280, Records of the Probate Office, Baldwin County, Alabama~~xxxxx~~ from O. R. Woodall and Rose Woodall, Grantors; That I. S. Bishop held actual, peaceful, quiet and advers possession of said lands from August 27th, 1947 until his death September 5,1951 and record title for the same period of time by virtue of a Warranty Deed dated August 27, 1947 and recorded in the officeof the Judge of Probate of Baldwin County, Alabama in Deed Book 123 pages 47-48; that Nannie Jo Bishop and Betty Barbara Bishop Caldwell held actual quiet, peaceful and adverse possesion of said property from September 5, 1951 until August 20, 1953; as Devisees of I. S. Bishop, deceased, whose will was duly probated in the Probate Court of Baldwin County, Alabama and recorded therein in Will Book E. pages 438-439, the said Nannie Jo Bishop and Betty Barbara Bishop Caldwell held record title to said lands for said period of time of possession.; that your complainants have been in actual, quiet, peaceful and adverse possession of said lands since August 20th, 1953 and have held record title since that time by virtue of a Warranty Deed dated August 20th, 1953 from Nannie Jo Bishop, Betty Barbara Bishop Caldwell and Edward G. Caldwell, Jr., and duly recorded in the Office of the Judge of Probate of Baldwin County, Alabama

5. The complainants allege that no person, firm or corporation has annually assessed or paid taxes on said lands for the past ten years next preceding the filing of this bill of complaint except for your complainants and those through whom they received title and record title was passed from Nannie Ella Green to your complainants; that the said property was annually assessed and taxes regularly paid by the record title holder to said property who also held

actual, quiet, peaceful and adverse possession of said lands during the time they had such title and possession, for the past ten years next preceding the filing of this bill of complaint.

6. The title to said lands stand upon the records of the Judge of Probate of Baldwin County, Alabama in the name of said complainants by virtue of the Warranty Deed heretofore referred to.

7. Your complainants further aver that there is no suit pending to test their interest in, title to, or possession of said lands.

The Premises considered, the complainants files this their verified bill of complaint against said lands and respondents Eva Moore, Elizabeth Moore, Pearla M. Bennett, George Keller, John Stelk and J. W. Joyner and their heirs, devisees and next of kin, if deceased, and any and all persons, firms or corporations, claiming any title to, interest in or any part thereof os said lands, and to establish the right or title to sai land and to clear up all doubts or disputes concerning the same, and that the the said parties herein named be made respondents to this bill of complaint, and that process be served on them or publication be made requiring them to plead, answer, or demur within the time required by law, or a decree pro confesso may be entered against them.

Complainant prays that the Court will appoint a Guardian ad litem for any and all unknown parties, heirs and minors; that this Court will find that the rights and interests of all parties to this suit are before the court and will be finally adjudicated by this Courts decree.

Complainants further pray that this court will make and enter all orders, judgments and decrees that may be meet and proper in the premises, and that upon a final hearing of this cause will find and decide and decree that the complainants have an entire and undivided interest to said lands, and have a fee simple title thereto.

Complainants further pray that if they be mistaken in the relief asked form that this court grant such other, further, additional, or different relief as may appear to the court to be just and proper.

Arthur C. Epperson
Solicitor for Complainants

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, personally appeared Arthur C. Epperson, who being by me first duly sworn deposes and says on oath; that he is attorney for the complainants, that he is informed and believes, and upon such information and belief says that the foregoing allegations contained in the bill of complaint are true.

Arthur C. Epperson

Sworn to and subscribed before me this the third day of June, 1954/

Alice J. Duck, Register

FILED
6-3-54
ALICE J. DUCK, Register

3267

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

****

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS.

CERTAIN LANDS and EVA MOORE,
ELIZABETH MOORE, et al.,

****

BILL OF COMPLAINT

****

FILED
JUN 3 1954
ALICE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants VS. CERTAIN LANDS Respondent	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

ORDER APPOINTING GUARDIAN AD LITEM AND ATTORNEY AT LITEM

This cause is submitted on the Complainant's motion for the appointment of a Guardian Ad Litem and an Attorney Ad Litem, upon consideration, it isordered, adjudged and decreed by the Register in Chancery of said Court that FOREST A. CHRISTIAN who is a practicing attorney of the Baldwin Bar, be and hereby is appointed Guardian Ad Litem for the unknown Defendants to represent them throughout this proceeding, and also Attorney Ad Litem for any of the Defendants who may be in the Armed Forces of the United States of America.

Dated Nov 4, 1954

Alice J. Vesuch
Register in Chancery

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants VS. CERTAIN LANDS Respondents	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

ACCEPTANCE

Comes FOREST A. CHRISTIAN, attorney, and accepts the appointment by this Court of him as guardian ad litem for all unknown defendants in this proceeding and also as attorney ad litem for any defendants in this proceeding who may be in the Armed Forces of the United States of America.

FILED
1-13-55
ALICE I. GOGGA, Register

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
CERTAIN LANDS Respondent	)	IN EQUITY

Comes FOREST A. CHRISTIAN, attorney, heretofore appointed by the court as Guardian Ad Litem for the unknown defendents and accepts service of a copy of said Bill of Complaint.

For answer to said Bill of Complaint he denies each and every material allegation and demands strict proof thereof.

FILED
1-13-55
ALICE J. DUCK, Register

Solicitor for unknown parties AND
guardian ad litem

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS.

CERTAIN LANDS and

ANSWER BY GUARDIAN AD LITEM

FOREST A. CHRISTIAN
ATTORNEY AT LAW
FOLEY, ALABAMA

FILED
JAN 13 1955
JAMES J. DUCK, Register

3260

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS

THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5), TOWNSHIP EIGHT (8) SOUTH, RAGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY(50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY(150) FEET; RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET; RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN THENCE EAST ELEVEN HUNDRED TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGENNENG, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, AND EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWN AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES , IF DECEASED, AND ANY AND ALL PERSONS, FIRMS AND CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.
Respondents

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

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

Humbly complaining comes CRANSTON H. JORDAN and WILHELMINA S. JORDAN, and respectfully represents and shows unto your Honor and avers:

1. That the complainants are each over the age of twenty-one years and a resident of the County of Baldwin, State of Alabama.

2. That the respondents are each over the age of twenty-one years and that the complainant after diligent inquiry has been unable to determine the residence and addresses of the named respondents except for Pearla M. Bennett who is a resident of Alabama, and address is 7126 First Avenue South, Birmingham, Alabama.

Complainants aver that after excersing reasonable diligence to locate the wherebouts of the other named respondents, they have been unable to locate the wherebouts of said respondents or to ascertain with certainty whether such respondents were alive, at the time of filing this bill, and that if any of the named respondents are deceased, their heirs, devisees or next of kin are unknown. Complainants states that they do not know of anyone or persons who claim said land, any title to, or interest in, or any part thereof, except the above named respondents. Complainants have obtained an abstract which shows that the only possible claimants according to said abstract are the above named respondents.

Complainants avers that they have exercised diligence in trying to ascertain the names of any persons or corporations other than the named respondents who claim said land, or any interest therein, but has failed to obtain such information.

3. That the land in comtroversy is situated in Baldwin County, Alabama, and is more particularly described as follows:

Starting at the Southeast Corner of the North half (N½) of the South half (S½) of the Northeast Quarter of the Southeast quarter (NE¼ Of SE¼) of Section Five (5),

Township Eight (8) South, Range Four (4) East, run thence West Two Hundred (200) feet to the point of beginning; run thence North Fifty (50) feet; run thence East one hundred Fifty (150) feet; run thence North Three Hundred Fifteen and Two Tenths (315.2) feet; run thence West Twelve Hundred Seventy-seven (1277) feet; run thence South Three Hundred Sixty-five and Two Tenths, (365.2) feet; run thence East Eleven Hundred Twenty-seven (1127) feet to the point of beginning, and being in the Northeast Quarter of the Southeast Quarter of Section Five, Township Eight South, Range Four East.

and the complainants claim in their own right to own an undivided and entire fee simple in said land. Complainants aver that they are in actual, peaceful, quiet and adverse possession of said land and have been in such possession since to-wit: August 20th, 1954.

4. Complainants further allege that Nannie Ella Green was in actual quiet, peaceful and adverse possession of said land from April 18, 1944 until conveyed by warranty deed May 24, 1944 to J.L. Sumrall, having received title to said property by Warranty Deed dated April 18, 1944 from Claude Peebet; by Warranty Deed dated February 23, 1942 from Lloyd A. Magney and Ethel Magney; and by Warranty deed dated July 2, 1942 from J. C. Thompson and Dorothy Thompson; and warranty deed dated January 3, 1938 from LLoyd A. Magney and Ethel Magney, allof which deeds was recorded in the Office of the Judge of Probate more than ten years next preceding the filing of this bill of complaint; that J. L. Sumrall had the actual, quiet, peaceful and adverse possession of said lands from May 24th, 1944 until January 15th, 1946 ~~by~~ and record title to said property by virtue of Warranty Deed dated May 24th, 1944 from Nannie Ella Green and G. W. Green, recorded in Deed Book 85 NS page 130-132 in the office of the Judge of Probate, Baldwin County, Ala.; that O. R. Woodall and Rose Woodall had the actual, quiet, peaceful and adverse possesion of said lands from January 15th, 1946 until April 11, 1946 and record title in the Probate Office of Baldwin County, Alabama, by virtue of a Warranty Deed dated January 15th, 1946 from J. L. Sumrall and Alberta Sumrall, recorded in Deed Book 102 NS page 400-401; that J. M. Johnson had actual, quiet, peaceful and adverse possesion of said lands from April 11, 1946 until August 27th, 1947 and held record title by virtue of a warranty deed dated April 11, 1946 ~~from J. M. Johnson and Ethel Johnson, recorded~~ recorded in deed book 106 page 280, Records of the Probate Office, Baldwin County, Alabama ~~xxxxx~~ from O. R. Woodall and Rose Woodall, Grantors; That I. S. Bishop held actual, peaceful, quiet and advers possession of said lands from August 27th, 1947 until his death September 5,1951 and record title for the same period of time by virtue of a Warranty Deed dated August 27, 1947 and recorded in the officeof the Judge of Probate of Baldwin County, Alabama in Deed Book 123 pages 47-48; that Nannie Jo Bishop and Betty Barbara Bishop Caldwell held actual quiet, peaceful and adverse possesion of said property from September 5, 1951 until August 20, 1953 as Devisees of I. S. Bishop, deceased, whose will was duly probated in the Probate Court of Baldwin County, Alabama and recorded therein in Will Book E. pages 438-439, the said Nannie Jo Bishop and Betty Barbara Bishop Caldwell held record title to said lands for said period of time of possession.; that your complainants have been in actual, quiet, peaceful and adverse possession of said lands since August 20th, 1953 and have held record title since that time by virtue of a Warranty Deed dated August 20th, 1953 from Nannie Jo Bishop, Betty Barbara Bishop Caldwell and Edward G. Caldwell, Jr., and duly recorded in the Office of the Judge of Probate of Baldwin County, Alabama

5. The complainants allege that no person, firm or corporation has annually assessed or paid taxes on said lands for the past ten years next preceding the filing of this bill of complaint except for your complainants and those through whom they received title and record title was passed from Nannie Ella Green to your complainants; that the said property was annually assessed and taxes regularly paid by the record title holder to said property who also held

actual, quiet, peaceful and adverse possession of said lands during the time they had such title and possession, for the past ten years next preceding the filing of this bill of complaint.

6. The title to said lands stand upon the records of the Judge of Probate of Baldwin County, Alabama in the name of said complainants by virtue of the Warranty Deed heretofore referred to.

7. Your complainants further aver that there is no suit pending to test their interest in, title to, or possession of said lands.

The Premises considered, the complainants files this their verified bill of complaint against said lands and respondents Eva Moore, Elizabeth Moore, Pearla M. Bennett, George Keller, John Stelk and J. W. Joyner and their heirs, devisees and next of kin, if deceased, and any and all persons, firms or corporations, claiming any title to, interest in or any part thereof os said lands, and to establish the right or title to sai land and to clear up all doubts or disputes concerning the same, and that the the said parties herein named be made respondents to this bill of complaint, and that process be served on them or publication be made requiring them to plead, answer, or demur within the time required by law, or a decree pro confesso may be entered against them.

Complainant prays that the Court will appoint a Guardian ad litem for any and all unknown parties, heirs and minors; that this Court will find that the rights and interests of all parties to this suit are before the court and will be finally adjudicated by this Courts decree.

Complainats further pray that this court will make and enter all orders, judgments and decrees that may be meet and proper in the premises, and that upon a final hearing of this cause will find and decide and decree that the complainants have an entire and undivided interest to said lands, and have a fee simple title thereto.

Complainants further pray that if they be mistaken in the relief asked form that this court grant such other, further, additional, or differtnt relief as may appear to the court to be just and proper.

Arthur C. Epperson
Solicitor for Complainants

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, personally appeared Arthur C. Epperson, who being by me first duly sworn deposes and says on oath; that he is attorney for the complainants, that he is informed and believes, and upon such information and belief says that the foregoing allegations contained in the bill of complaint are true.

Arthur C. Epperson

Sworn to and subscribed before me this the third day of June, 1954/

Alice J. Duck, Register

actual, quiet, peaceful and adverse possession of said lands during the time they had such title and possession, for the past ten years next preceding the filing of this bill of complaint.

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Solicitor for Complainants

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, personally appeared Arthur C. Epperson, who being by me first duly sworn deposes and says on oath; that he is attorney for the complainants, that he is informed and believes, and upon such information and belief says that the foregoing allegations contained in the bill of complaint are true.

Sworn to and subscribed before me this the third day of June, 1954.

Alice J. Duck, Register

FILED
JUN 3 1954
ALICE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

703267

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants	(IN THE CIRCUIT COURT OF ((BALDWIN COUNTY, ALABAMA (
VS	(IN EQUITY ((
THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY(50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY(150) FEET; RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET; RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN THENCE EAST ELEVEN HUNDRED TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGENNENG, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, AND EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWN AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES , IF DECEASED, AND ANY AND ALL PERSONS, FIRMS AND CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.	
	Respondents

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

Humbly complainang comes CRANSTON H. JORDAN and WILHELMINA S. JORDAN, and respectfully represents and swows unto your Honor and avers:

1. That the complainants are each over the age of twenty-one years and a resident of the County of Baldwin, State of Alabama.

2. That the respondents are each over the age of twenty-one years and that the complainant after diligent inquiry has been unable to determine the residence and addresses of the named respondents except for Pearla M. Bennett who is a resident of Alabama, and address is 7126 First Avenue South, Birmingham, Alabama.

Complainants aver that after excersing reasonable diligence to locate the wherebouts of the other named respondents, they have been unable to locate the wherebouts of said respondents or to ascertain with certainty whether such respondents were alive, at the time of filing this bill, and that if any of the named respondents are deceased, their heirs, devisees or next of kin are unknown. Complainants states that they do not know of anyone or persons who claim said land, any title to, or interest in, or any part thereof, except the above named respondents. Complainants have obtained an abstract which shows that the only possible claimants according to said abstract are the above named respondents.

Complainants avers that they have exercised diligence in trying to ascertain the names of any persons or corporations other than the named respondents who claim said land, or any interest therein, but has failed to obtain such information.

3. That the land in controversy is situated in Baldwin County, Alabama, and is more particularly described as follows:

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and the complainants claim in their own right to own an undivided and entire fee simple in said land. Complainants aver that they are in actual, peaceful, quiet and adverse possession of said land and have been in such possession since to-wit: August 20th, 1954.

4. Complainants further allege that Nannie Ella Green was in actual quiet, peaceful and adverse possession of said land from April 18, 1944 until conveyed by warranty deed May 24, 1944 to J.L. Sumrall, having received title to said property by Warranty Deed dated April 18, 1944 from Claude Peebet; by Warranty Deed dated February 23, 1942 from Lloyd A. Magney and Ethel Magney; and by Warranty deed dated July 2, 1942 from J. C. Thompson and Dorothy Thompson; and warranty deed dated January 3, 1938 from LLoyd A. Magney and Ethel Magney, allof which deeds was recorded in the Office of the Judge of Probate more than ten years next preceding the filing of this bill of complaint; that J. L. Sumrall had the actual, quiet, peaceful and adverse possession of said lands from May 24th, 1944 until January 15th, 1946 ~~by~~ and record title to said property by virtue of Warranty Deed dated May 24th, 1944 from Nannie Ella Green and G. W. Green, recorded in Deed Book 85 NS page 130-132 in the office of the Judge of Probate, Baldwin County, Ala.; that O. R. Woodall and Rose Woodall had the actual, quiet, peaceful and adverse posseesion of said lands from January 15th, 1946 until April 11, 1946 and record title in the Probate Office of Baldwin County, Alabama, by virtue of a Warranty Deed dated January 15th, 1946 from J. L. Sumrall and Alberta Sumrall, recorded in Deed Book 102 NS page 400-401; that J. M. Johnson had actual, quiet, peaceful and adverse possesion of said lands from April 11, 1946 until August 27th, 1947 and held record title by virtue of a warranty deed dated April 11, 1946 ~~from J.M. Johnson and Sara Mitchell Johnson, recorded~~ recorded in deed book 106 page 280, Records of the Probate Office, Baldwin County, Alabama ~~xxxx~~ from O. R. Woodall and Rose Woodall, Grantors; That I. S. Bishop held actual, peaceful, quiet and advers possession of said lands from August 27th, 1947 until his death September 5,1951 and record title for the same period of time by virtue of a Warranty Deed dated August 27, 1947 and recorded in the officeof the Judge of Probate of Baldwin County, Alabama in Deed Book 123 pages 47-48; that Nannie Jo Bishop and Betty Barbara Bishop Caldwell held actual quiet, peaceful and adverse possesion of said property from September 5, 1951 until August 20, 1953 as Devisees of I. S. Bishop, deceased, whose willwas duly probated in the Probate Court of Baldwin County, Alabama and recorded therein in Will Book E. pages 438-439, the said Nannie Jo Bishop and Betty Barbara Bishop Caldwell held record title to said lands for said period of time of possession.; that your complainants have been in actual, quiet, peaceful and adverse possession of said lands since August 20th, 1953 and have held record title since that time by virtue of a Warranty Deed dated August 20th, 1953 from Nannie Jo Bishop, Betty Barbara Bishop Caldwell and Edward G. Caldwell, Jr., and duly recorded in the Office of the Judge of Probate of Baldwin County, Alabama

5. The complainants allege that no person, firm or corporation has annually assessed or paid taxes on said lands for the past ten years next preceding the filing of this bill of complaint except for your complainants and those through whom they received title and record title was passed from Nannie Ella Green to your complainants; that the said property was annually assessed and taxes regularly paid by the record title holder to said property who also held

actual, quiet, peaceful and adverse possession of said lands during the time they had such title and possession, for the past ten years next preceding the filing of this bill of complaint.

6. The title to said lands stand upon the records of the Judge of Probate of Baldwin County, Alabama in the name of said complainants by virtue of the Warranty Deed heretofore referred to.

7. Your complainants further aver that there is no suit pending to test their interest in, title to, or possession of said lands.

The Premises considered, the complainants files this their verified bill of complaint against said lands and respondents Eva Moore, Elizabeth Moore, Pearla M. Bennett, George Keller, John Stelk and J. W. Joyner and their heirs, devisees and next of kin, if deceased, and any and all persons, firms or corporations, claiming any title to, interest in or any part thereof os said lands, and to establish the right or title to sai land and to clear up all doubts or disputes concerning the same, and that the the said parties herein named be made respondents to this bill of complaint, and that process be served on them or publication be made requiring them to plead, answer, or demur within the time required by law, or a decree pro confesso may be entered against them.

Complainant prays that the Court will appoint a Guardian ad litem for any and all unknown parties, heirs and minors; that this Court will find that the rights and interests of all parties to this suit are before the court and will be finally adjudicated by this Courts decree.

Complainats further pray that this court will make and enter all orders, judgments and decrees that may be meet and proper in the premises, and that upon a final hearing of this cause will find and decide and decree that the complainants have an entire and undivided interest to said lands, and have a fee simple title thereto.

Complainants further pray that if they be mistaken in the relief asked form that this court grant such other, further, additional, or different relief as may appear to the court to be just and proper.

Arthur C Epperson
Solicitor for Complainants

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, personally appeared Arthur C. Epperson, who being by me first duly sworn deposes and says on oath; that he is attorney for the complainants, that he is informed and believes, and upon such information and belief says that the foregoing allegations contained in the bill of complaint are true.

Arthur C Epperson

Sworn to and subscribed before me this the third day of June, 1954/

Alice J. Duck, Register

M3267

actual, quiet, peaceful and adverse possession of said lands for the time they had such title and the next preceding the filing of the complaint.

Q6. The title to said lands stand upon the records of the Probate of Baldwin County, Alabama in the name of said to.

7. Your complainants further aver that there is no suit pending to test their interest in the title to, or possession of said lands.

The Premises constituted the complainants files this bill of complaint for quieting and confirming title or title against the world, the Court will apoint a Guardian ad litem for the Court will find and all unknown parties and interests and interests of all minors, and all persons and parties and will be fully advised and will be fully advised and the said Court as to the said land and to clear up all doubts and to establish title or clear or corporations, claimants, and to establish title for interest or title or any person or persons claiming or claiming any interest in the said land, and that the said complaint, and that the said parties hereto may be made respondents to this bill of complaint, and that process be served on them or within the time to be made requisite by law, and be served, or answer, or demur within the time to be made requisite by law, and be served upon them or within the said time, or answer, or demur, or plead, answer, or demur, or plead, or be entered against them.

FILED
JUN 3 1954
ALICE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

Complainants further pray that the court will make and enter all orders and judgments and decrees that may be necessary and proper in the premises, and that upon a final hearing the court grant such other, further, additional decree and decree that upon the completion of the proceeding to be just and proper.

Complainants further pray that the court will find that the matter in the relief asked form that this court is a fit and proper to be the court to be entitled to the relief and have an entire and complete adjudication of the entire controversy and or different relief as may appear.

Solicitor for Complainants

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, personally appeared Arthur C. Epperson, who being duly sworn on oath, says that he is the attorney for the complainants, and that the facts and allegations contained in the bill of complaint are true and correct.

Sworn to and subscribed before me this the 3rd day of June, 1954.

Alice J. Duck, Register

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS.

THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, to-wit: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF(N½) OF THE SOUTH HALF(S½) OF THE NORTHEAST QUARTER (NE¼) OFTHE SOUTHEAST QUARTER OF SECTION FIVE (5), TWONSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGGINNING; RUN THENCE NORTH FIFTY (50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET; RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS(315.2) FEET; RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN THENCE EAST ELEVEN HUNDRED TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, and EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWN HEIRS AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES AND ANY AND ALL PERSONS, FIRMS OR CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

It having been made to appear from the affidavit of ARTHUR C. EPPERSON, ATTORNEY OF RECORD FOR THE COMPLAINANTS in the above styled cause that EVA MOORE, ELIZABETH MOORE, GEORGE KELLER, JOHN STELK and J.W. JOYNER are non-residents of the state of Alabama or their residences are unknown and cannot be ascertained after reasonable efforts:

NOTICE IS HEREBY GIVEN to EVA MOORE, ELIZABETH MOORE, GEORGE KELLER and J. W. JOYNER AND TO THEIR UNKNOWN HEIRS, DEVISEES and GRANTEES, if deceased, and to any and all persons, firms and corporations claiming any interest or title to the above described real property, that on this day CRANSTON H. JORDAN and WILHELMINA S. JORDAN filed a bill of complaint in the Circuit Court of Baldwin County, Alabama, In Equity, against all of the above named respondents and against the lands described above and you are hereby notified to appear and plead, answer or demur to said bill of complaint by the third day of August, 1954, or a decree pro confesso will be rendered against you.

The bill of complaint alleges that the complainants claim to own said lands in fee simple, title thereto having been acquired by conveyance by Warranty Deed from Nannie Jo Bishop and Betty Barbara Bishop Caldwell, Devisees of I. S. Bishop, Deceased, as shown by the records of the Office of the Judge of Probate of Baldwin County, Alabama; the bill of complaint also alleges that said lands stand in the names of the complainants on the records of the Probate Court of Baldwin County, Alabama by virtue of said warranty deed dated August 20, 1953; and also alleges that there is no suit pending in the Courts to test the complainants' title thereto, interest in or right to possession of said lands.

It is further alleged in said bill of complaint, that the complainants are in the quiet, peaceable, actual and adverse possession of all of the land therein described, claiming to own the same in their own right in fee simple and using the same in every way that the said lands are susceptible of use; that the complainants or those through whom they claim title have had the actual, continous, peaceable and adverse possession of said lands for more than ten years preceding the filing of said bill of complaint; that the complainants and those through whom they claim title and had possession have annually assessed and paid the taxes on said property for more than ten years next preceding the filing of this bill of complaint; and that no other firm, person or corporation has had possession of said lands or any part thereof, or has assessed or paid taxes on said

lands during that period of time.

It is further alleged in said Bill of complaint that such suit is filed for the purpose of establishing the title of said complainants to said lands and for the purpose of clearing up all doubts and disputes concerning the same

It is , Hereby ordered by the undersigned Register that publication of this notice be made in the Onlooker, a newspaper published and having a general circulation in Baldwin County, Alabama, once a week for four consecutive weeks.

It is further ordered that a copy of this notice certified by the undersigned Register, as being correct, shall also be recorded as a lis pendens in the Office of the Judge of Probate of Baldwin County, Alabama.

Done at office this the Third day of June, 1954.

ALICE J. DUCK,
Register

ARTHUR C. EPPERSON
FOLEY, ALABAMA.
ATTORNEY FOR COMPLAINANTS

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the above and foregoing is a true and coreect copy of the notice to be published to the respondents in the above and foregoing Cause.

Witness my hand and seal of office this 3rd day of June, 1954.

Register.

The undersigned as Register of the Circuit Court, Baldwin County, Alabama, hereby certifies that on the affidavit of Arthur C. Epperson, solicitor for complainants, on the third day of June 1954, and order of publication was made to Eva Moore, Elizabeth Moore, George Keller, John Stelk and J. W. Joyner whose residence and post office addresses are unknown and could not be obtained after reasonable effort, and published in the Onlooker, a newspaper published in Baldwin County, Alabama, once a week for four consecutive weeks, requiring the named respondents to demurto, plead to or answer the bill of complaint in this cause by the Third day of August, 1954, or thereafter a decree pro confesso might be taken against said respondents; and that one other copy of said order was posted at the Courthouse door of said County for four consecutive weeks; that th e order of publication as aforesaid was also addressed to the unknown heirs, devisees and next of kin of the named respondents if deceased, and to all persons, firms or corporations claiming an interest to or any title in the property at issue.

Register.

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FILED
JUN 3 - 1954
ALICE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
VS.	)	IN EQUITY
CERTAIN LANDS, EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK and J.W. JOYNER, Respondents.	)	CASE NO. 3267

This cause coming on to be heard on this the ____ day of January, 1955, is submitted for final decree upon Complainant's verified bill of complaint, upon the decree pro confesso rendered herein, disclaimers filed by Elizabeth Moore and Pearla M. Bennett, answer by guardian ad litem for unknown respondents, oral depositions of complainants witnesses taken in presence of the guardian ad litem by order of the Court, and the certificate of the Register, all of which is as noted by the Register, and it appears to the satisfaction of the Court:

FIRST That the complainants, Cranston H. Jordan and Wilhelmina S. Jordan, at the time of the filing of their bill of complaint in this cause, claimed in their own right a fee simple title to and was in the actual peaceable possession of the following described lands, lying in the County of Baldwin, State of Alabama, and more particularly described as follows:

> STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5) TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY (50) FEET: RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET: RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET: RUN THENCE WEST TWELVE HUNDRED SEVENTY SEVEN (1277) FEET: RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET: RUN THENCE EAST ELEVEN HUNDRED AND TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST.

SECOND That at the time of the filing of said bill of complaint, no suit was pending to test their title to, interest in, or the right to the possession of said lands.

THIRD That their said bill of complaint was and is duly verified, and was filed against said lands and against any and all persons claiming any title to, interest in, on said land or any part thereof, and was to establish the right or title to such lands or interest, and to clear all doubts or disputes concerning the same, and that said bill of complaint did in all respects comply with the provisions of Code 1940, Title 7, Section 1117 as ammended by General Acts of 1951.

FOURTH That the complainants exercised diligence in ascertaining all of the names of the respondents and unknown parties respondent and to ascertain the facts in regards thereto.

FIFTH That notice of the pendency of said bill of complaint was drawn and signed by the Register of this Court, and said Register did have such notice published once a week for four consecutive weeks in the Onlooker, a newspaper having general circulation and published in Baldwin County, Alabama, as prescribed by rule of this Court, or by an order made in this cause.

BOOK 220 PAGE 513

SIXTH That a copy of said notice, certified by the Register as being correct, was recorded as a lis pendens in the office of the Probate Judge of said county, said notice being in strict accord and compliance with Code 1940, Title 7, Section 1121 as ammended by General Acts of 1951.

SEVENTH That it has been more than sixty days since the first publication of said notice and the filing of a certified copy of said notice in the office of the Probate Judge of said county.

EIGHTH That no person has intervened in this cause.

NINTH That all of the allegations of fact contained in complainant's bill of complaint are true. It is therefore,

Ordered, adjudged and decreed (1) that complainants are entitled to the relief prayed for in their bill of complaint, and that the fee simple title claimed by complainants in the above described lands has been duly proven.

(2) That the complainants are the owners of said lands, and has a fee simple title thereto, and that their said title thereto be and is hereby established, and that all doubts and disputes concerning the same be and are hereby cleared up.

(3) That a certified copy of this decree be recorded in the office of the Judge of Probate of Baldwin County, Alabama, and that it be indexed in the name of Cranston H. Jordan and Wilhelmina S. Jordan, on both the direct index and the indirect index of the record thereof.

(4) That complainants pay the costs of these proceedings, for which let execution issue.

Done this the 18th day of January, 1955.

Hubert M. Hall
Judge

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 above stated cause, which said decree is now on file in my office.
WITNESS MY HAND AND SEAL this the 24 day of Jan 1955

Alice J. Duck
Register of Circuit Court, in Equity

STATE OF ALABAMA, BALDWIN COUNTY
Filed 4/25/55 4:P M
Recorded Dub book 220 page 512-13
W. R. Stuart
Judge of Probate

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA
VS.	)	IN EQUITY
CERTAIN LANDS, EVA MOORE, ELIZABETH MOORE, PEARLA M.	)	CASE NO.

BENNETT, GEORGE KELLER, JOHN STELK and J.W. JOYNER, Respondents.

This cause coming on to be heard on this the ____ day of January, 1955, is submitted for final decree upon Complainant's verified bill of complaint, upon the decree pro confesso rendered herein, disclaimers filed by Elizabeth Moore and Pearla M. Bennett, answer by guardian ad litem for unknown respondents, oral depositions of complainants witnesses taken in presence of the guardian ad litem by order of the Court, and the certificate of the Register, all of which is as noted by the Register, and it appears to the satisfaction of the Court:

FIRST That the complainants, Cranston H. Jordan and Wilhelmina S. Jordan, at the time of the filing of their bill of complaint in this cause, claimed in their own right a fee simple title to and was in the actual peaceable possession of the following described lands, lying in the County of Baldwin, State of Alabama, and more particularly described as follows:

> STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5) TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY (50) FEET: RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET: RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET: RUN THENCE WEST TWELVE HUNDRED SEVENTY SEVEN (1277) FEET: RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET: RUN THENCE EAST ELEVEN HUNDRED AND TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST.

SECOND That at the time of the filing of said bill of complaint, no suit was pending to test their title to, interest in, or the right to the possession of said lands.

THIRD That their said bill of complaint was and is duly verified, and was filed against said lands and against any and all persons claiming any title to, interest in, on said land or any part thereof, and was to establish the right or title to such lands or interest, and to clear all doubts or disputes concerning the same, and that said bill of complaint did in all respects comply with the provisions of Code 1940, Title 7, Section 1117 as ammended by General Acts of 1951.

FOURTH That the complainants exercised diligence in ascertaining all of the names of the respondents and unknown parties respondent and to ascertain the facts in regards thereto.

FIFTH That notice of the pendency of said bill of complaint was drawn and signed by the Register of this Court, and said Register did have such notice published once a week for four consecutive weeks in the Onlooker, a newspaper having general circulation and published in Baldwin County, Alabama, as prescribed by rule of this Court, or by an order made in this cause.

SIXTH That a copy of said notice, certified by the Register as being correct, was recorded as a lis pendens in the office of the Probate Judge of said county, said notice being in strict accord and compliance with Code 1940, Title 7, Section 1121 as ammended by General Acts of 1951.

SEVENTH That it has been more than sixty days since the first publication of said notice and the filing of a certified copy of said notice in the office of the Probate Judge of said county.

EIGHTH That no person has intervened in this cause.

NINTH That all of the allegations of fact contained in complainant's bill of complaint are true. It is therefore,

Ordered, adjudged and decreed (1) that complainants are entitled to the relief prayed for in their bill of complaint, and that the fee simple title claimed by complainants in the above described lands has been duly proven.

(2) That the complainants are the owners of said lands, and has a fee simple title thereto, and that their said title thereto be and is hereby established, and that all doubts and disputes concerning the same be and are hereby cleared up.

(3) That a certified copy of this decree be recorded in the office of the Judge of Probate of Baldwin County, Alabama, and that it be indexed in the name of Cranston H. Jordan and Wilhelmina S. Jordan, on both the direct index and the indirect index of the record thereof.

(4) That complainants pay the costs of these proceedings, for which let execution issue.

Done this the 18 day of January, 1955.

Hubert M Hill,
Judge

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUTTY

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CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
COMPLAINANTS

VS.

CERTAIN LANDS, et al.
Respondents

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FINAL DECREEE

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FILED
JAN 24 1955
ALICE J. DUCK, Register

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS.

THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, to-wit: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF(N½) OF THE SOUTH HALF(S½) OF THE NORTHEAST QUARTER (NE¼) OFTHE SOUTHEAST QUARTER OF SECTION FIVE (5), TWONSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGGINNING; RUN THENCE NORTH FIFTY (50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET; RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS(315.2) FEET; RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN THENCE EAST ELEVEN HUNDRED TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, and EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWN HEIRS AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES AND ANY AND ALL PERSONS, FIRMS OR CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.

Respondents.

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

It having been made to appear from the affidavit of ARTHUR C. EPPERSON, ATTORNEY OF RECORD FOR THE COMPLAINANTS in the above styled cause that EVA MOORE, ELIZABETH MOORE, GEORGE KELLER, JOHN STELK and J.W. JOYNER are non-residents of the state of Alabama or their residences are unknown and cannot be ascertained after reasonable efforts:

NOTICE IS HEREBY GIVEN to EVA MOORE, ELIZABETH MOORE, GEORGE KELLER and J. W. JOYNER AND TO THEIR UNKNOWN HEIRS, DEVISEES and GRANTEES, if deceased, and to any and all persons, firms and corporations claiming any interest or title to the above described real property, that on this day CRANSTON H. JORDAN and WILHELMINA S. JORDAN filed a bill of complaint in the Circuit Court of Baldwin County, Alabama, In Equity, against all of the above named respondents and against the lands described above and you are hereby notified to appear and plead, answer or demur to said bill of complaint by the third day of August, 1954, or a decree pro confesso will be rendered against you.

The bill of complaint alleges that the complainants claim to own said lands in fee simple, title thereto having been acquired by conveyance by Warranty Deed from Nannie Jo Bishop and Betty Barbara Bishop Caldwell, Devisees of I. S. Bishop, Deceased, as shown by the records of the Office of the Judge of Probate of Baldwin County, Alabama; the bill of complaint also alleges that said lands stand in the names of the complainants on the records of the Probate Court of Baldwin County, Alabama by virtue of said warranty deed dated August 2o, 1953; and also alleges that there is no suit pending in the Courts to test the complainants' title thereto, interest in or right to possession of said lands.

It is further alleged in said bill of complaint, that the complainants are in the quiet, peaceable, actual and adverse possession of all of the land therein described, claiming to own the same in their own right in fee simple and using the same in every way that the said lands are susceptible of use; that the complainants or those through whom they claim title have had the actual, continous, peaceable and adverse possession of said lands for more than ten years preceding the filing of said bill of complaint; that the complainants and those through whom they claim title and had possession have annually assessed and paid the taxes on said property for more than ten years next preceding the filing of this bill of complaint, and that no other firm, person or corporation has had possession of said lands or any part thereof, or has assessed or paid taxes on said

lands during that period of time.

It is further alleged in said Bill of complaint that such suit is filed for the purpose of establishing the title of said complainants to said lands and for the purpose of clearing up all doubts and disputes concerning the same

It is , Hereby ordered by the undersigned Register that publication of this notice be made in the Onlooker, a newspaper published and having a general circulation in Baldwin County, Alabama, once a week for four consecutive weeks.

It is further ordered that a copy of this notice certified by the undersigned Register, as being correct, shall also be recorded as a lis pendens in the Office of the Judge of Probate of Baldwin County, Alabama.

Done at office this the Third day of June, 1954.

Alice J. Duck
ALICE J. DUCK,
Register

ARTHUR C. EPPERSON
FOLEY, ALABAMA.
ATTORNEY FOR COMPLAINANTS

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the above and foregoing is a true and correct copy of the notice to be published to the respondents in the above and foregoing Cause.

Witness my hand and seal of office this 3rd day of June, 1954.

Alice J. Duck
Register.

The undersigned as Register of the Circuit Court, Baldwin County, Alabama, hereby certifies that on the affidavit of Arthur C. Epperson, solicitor for complainants, on the third day of June 1954, and order of publication was made to Eva Moore, Elizabeth Moore, George Keller, John Stelk and J. W. Joyner whose residence and post office addresses are unknown and could not be obtained after reasonable effort, and published in the Onlooker, a newspaper published in Baldwin County, Alabama, once a week for four consecutive weeks, requiring the named respondents to demurto, plead to or answer the bill of complaint in this cause by the Third day of August, 1954, or thereafter a decree pro confesso might be taken against said respondents; and that one other copy of said order was posted at the Courthouse door of said County for four consecutive weeks; that th e order of publication as aforesaid was also addressed to the unknown heirs, devisees and next of kin of the named respondents if deceased, and to all persons, firms or corporations claiming an interest to or any title in the property at issue.

Alice J. Duck
Register.

FILED
6-3-54
ALICE J. DUCK, Register

STATE OF ALABAMA, BALDWIN COUNTY
Filed 6-3-54 3 P.M.
Recorded Lis Pendens book 4 page 62-8
Judge of Probate

Lis Pen 6-3-54

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

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CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS.

CERTAIN LANDS and EVA MOORE
ELIZABETH MOORE, et al.,
Pearla M. Bennett, Eli Joyner, Sr.
George Keller, Jr., John Stelk
****

NOTICE AND ORDER OF
PUBLICATION
****

CERTIFICATE OF PUBLICATION

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4-6 7-8

FILED
JUN 3 1954
ALICE J. DUCK, Register

ARTHUR C. FERGERSON

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants	(IN THE CIRCUIT COURT OF ((BALDWIN COUNTY, ALABAMA (
VS	(IN EQUITY (

THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE(5), TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY (50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET: RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET: RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN THENCE EAST ELEVEN HUNDRED TWENTY--SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, AND EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWN HEIRS AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES, IF DECEASED, AND ANY AND ALL PERSONS, FIRMS AND CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.

Comes the respondent, Elizabeth Moore, in the above-styled cause and accepts service of a bill of complaint heretofore filed in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree.

And for answer to the bill of complaint heretofore filed in this cause, respondent says:

She admitseach and every material allegation of the bill of Complaint, except that she does hereby deny that she claims or pretends to claim, any estate, interest, or encumbrances in or upon the real estate described in the bill of Complaint or any part of said real estate. This respondent expressly admits that she has no title, claim or interest in, or encumbrance upon the said real estate.

Elizabeth Moore
Respondent

Mrs William Boyd
Witness

Arthur L. Epperson
Witness

FILED
11-4-54
ALICE I. DUCK, Register

Disclaimer

CRANSTON H. JORDAN and)
WILHELMINA S. JORDAN) IN THE CIRCUIT COURT OF
Complainants)
) BALDWIN COUNTY, ALABAMA
VS.)
) IN EQUITY
THE FOLLOWING DESCRIBED REAL)
PROPERTY , SITUATED IN BALDWIN) NO.
COUNTY, ALABAM,TO-WIT: START-)
ING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF(S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5) TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY (50) FEET: RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET: RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2)FEET: RUN THENCE WEST TWELVE HUNDRED SEVENTY SEVEN (1277) FEET: RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET: RUN THENCE EAST ELEVEN HUNDRED AND TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TWONSHIP EIGHT SOUTH, RANGE FOUR EAST, AND EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J: W: JOYNER AND THE UNKNOWN HEIRS AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES, IF DECEASED, AND ANY AND ALL PERSONS, FIRMS AND CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.

RESPONDENTS.

In this cause it being made to appear to the Court by the allegations of the sworn bill of complaint that this is a proceeding in rem against and to establish title to the lands described in the bill of complaint and against any and all persons claiming any title to, interest in said described lands or any part thereof, and that on June 3, 1954, a decree was duly made and entered in this cause directing that the notice provided by law for in Code 1940, Title 7, Section 1119, be published as required by law in the Onlooker, a newspaper pub;ished in athe Town of Foley, Baldwin County, Alabama, and it appearing by the certificate of the Register filed herein that said notice was so published in said newspaper on June 3, 1954, June 10, 1954 and June 17, 1954 and that a copy of said notice, certified by the register as being correct has been duly recorded as a lis pendens in the office of the Judge of Probate of Bladwin County, Alabama, the County where such lands lie; and that no person, firm or corpoaration claiming any title to or interest in the said lands or any part thereof having appeared to plead answer or demur to the said bill of complaint to the date hereof which is more than thirty days from the perfection of publication in this cause; it is now therefore, on motion of the complainants' solicitor, ordered and decreed by the Court that the said Bill of Complaint in this cause be, and hereby is in all things taken as confessed against the lands described as follows:

> Starting at the Southeast Corner of the North Half (N½) of the South Half (S½) of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Five (5) Township Eight (8) South, Range Four (4) East, Run thence West Two Hundred Feet (200) to the point of beginning; run thence North Fifty (50) feet; Run thence East One Hundred and Fifty feet (150 ft.); run thence North Three Hundred fifteen and two tenths (315.2) feet; run thence West Twelve Hundred and Seventy-seven (1277) feet: run thence South three Hundred Sixty-five and two-tenths (365.2) feet; run thence East Eleven Hundred and twenty-seven (1127) feet to the point of beginning.

and against any and all persons claiming or who may hereafter claim any title to or interest in said described lands or any part thereof.

FILED

Done this the Fourth day of November, 1954.

11-4-54

ALICE J. DUCK, Register

Alice J. Duck
Clerk CIRCUIT JUDGE

FILED
NOV 4 1954
ALBERT J. DIRK, Recorder

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS

THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5) TOWNSHIP EIGHT (8) SOUTH, RANGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY (50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY (150) FEET; RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET; RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN EAST ELEVEN HUNDRED TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN A THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, AND EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWNHEIRS AT LAW, NEXT OF KIN AND DEVISEES OF THE AOBVE NAMED PARTIES, IF DECEASED AND ANY AND ALL PERSONS, FIRMS AND CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.

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

Comes the respondent, Pearla M. Bennett, in the above-styled cause and accepts service of a bill of complaint heretofore filed in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree.

And for answer to the bill of complaint heretofore filed in this cause, respondent says:

She admits each andevery material allegation of the bill of Complainant, except that she does hereby deny that she claims or pretends to claim, any estate, interest, or encumbrances in or upon the real estate described in the bill of Complaint or any part of said real estate. This respondent expressly admits that she has no title, claim of interest in, or encumbrance upon the said real estate.

Pearla M. Bennett
Respondent

Mrs Willena Boyd
Witness

Arthur C. Emerson
Witness

FILED
11-4-54
ALICE J. BUCK, Register

Disclaimer

CRANSTON H. JORDAN and WILHELMINA S. JORDAN, Complainants	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
VS.	)	IN EQUITY
CERTAIN LANDS Respondent	)	

This cause being submitted for final decree, complainant, being called, offers the following testimony, to-wit:

1st Original bill of complaint.

2nd Order prescribing notice to defendants.

3rd Recording of notice of pendency of bill of complaint in lis pendens record in the office of Judge of Probate of Baldwin County, Alabama.

4th Certificate by publication.

5th Decrees pro confesso against all defendants except Pearla M. Bennett, and Elizabeth Moore.

6th Answer and disclaimer by Pearla M. Bennett and Elizabeth Moore.

7th Appointment of commissioner to take oral depositions.

8th Oral depositions of Cranston Jordan, Betty Barbara Bishop Caldwell, Candy Willis and Arthur C. Epperson.

The Respondent being called, offers the following testimony to-wit:

1st Appointment of Guardian ad litem.

2nd Acceptance of appointment as Guardian ad litem.

3rd Answer of Guardian ad litem.

I hereby certify that the above note of submission is correct this the 13 day of January, 1955.

Register

Arthur C. Epperson
Solicitor for the Complainants

Solicitor for the Respondent

STATE OF ALABAMA, BALDWIN
COUNTY, CIRCUIT COURT
IN EQUITY

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CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Comp.

VS

CERTAIN LANDS, ET AL,

Resp.

****

NOTE OF SUBMISSION

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FILED
JAN 13 1955
ALICE J. DUCK, Register

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS

THE FOLLOWING DESCRIBED REAL PROPERTY, SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT: STARTING AT THE SOUTHEAST CORNER OF THE NORTH HALF (N½) OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION FIVE (5), TOWNSHIP EIGHT (8) SOUTH, RAGE FOUR (4) EAST, RUN THENCE WEST TWO HUNDRED (200) FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH FIFTY(50) FEET; RUN THENCE EAST ONE HUNDRED FIFTY(150) FEET; RUN THENCE NORTH THREE HUNDRED FIFTEEN AND TWO TENTHS (315.2) FEET; RUN THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; RUN THENCE SOUTH THREE HUNDRED SIXTY-FIVE AND TWO TENTHS (365.2) FEET; RUN THENCE EAST ELEVEN HUNDRED TWENTY-SEVEN (1127) FEET TO THE POINT OF BEGINNING, AND BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE, TOWNSHIP EIGHT SOUTH, RANGE FOUR EAST, AND EVA MOORE, ELIZABETH MOORE, PEARLA M. BENNETT, GEORGE KELLER, JOHN STELK, J. W. JOYNER, AND THE UNKNOWN AT LAW, NEXT OF KIN AND DEVISEES OF THE ABOVE NAMED PARTIES , IF DECEASED, AND ANY AND ALL PERSONS, FIRMS AND CORPORATIONS CLAIMING ANY INTEREST IN OR TITLE TO THE ABOVE DESCRIBED REAL PROPERTY.

Respondents

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

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

Humbly complaining comes CRANSTON H. JORDAN and WILHELMINA S. JORDAN, and respectfully represents and shows unto your Honor and avers:

1. That the complainants are each over the age of twenty-one years and a resident of the County of Baldwin, State of Alabama.

2. That the respondents are each over the age of twenty-one years and that the complainant after diligent inquiry has been unable to determine the residence and addresses of the named respondents except for Pearla M. Bennett who is a resident of Alabama, and address is 7126 First Avenue South, Birmingham, Alabama.

Complainants aver that after excersing reasonable diligence to locate the wherebouts of the other named respondents, they have been unable to locate the wherebouts of said respondents or to ascertain with certainty whether such respondents were alive, at the time of filing this bill, and that if any of the named respondents are deceased, their heirs, devisees or next of kin are unknown. Complainants states that they do not know of anyone or persons who claim said land, any title to, or interest in, or any part thereof, except the above named respondents. Complainants have obtained an abstract which shows that the only possible claimants according to said abstract are the above named respondents.

Complainants avers that they have exercised diligence in trying to ascertain the names of any persons or corporations other than the named respondents who claim said land, or any interest therein, but has failed to obtain such information.

3. That the land in controversy is situated in Baldwin County, Alabama, and is more particularly described as follows:

Starting at the Southeast Corner of the North half (N½) of the South half (S½) of the Northeast Quarter of the Southeast quarter (NE¼ Of SE¼) of Section Five (5),

Township Eight (8) South, Range Four (4) East, run thence West Two Hundred (200) feet to the point of beginning; run thence North Fifty (50) feet; run thence East one hundred Fifty (150) feet; run thence North Three Hundred Fifteen and Two Tenths (315.2) feet; run thence West Twelve Hundred Seventy-seven (1277) feet; run thence South Three Hundred Sixty-five and Two Tenths, (365.2) feet; run thence East Eleven Hundred Twenty-seven (1127) feet to the point of beginning, and being in the Northeast Quarter of the Southeast Quarter of Section Five, Township Eight South, Range Four East.

and the complainants claim in their own right to own an undivided and entire fee simple in said land. Complainants aver that they are in actual, peaceful, quiet and adverse possession of said land and have been in such possession since to-wit: August 20th, 1954.

4. Complainants further allege that Nannie Ella Green was in actual quiet, peaceful and adverse possession of said land from April 18, 1944 until conveyed by warranty deed May 24, 1944 to J.L. Sumrall, having received title to said property by Warranty Deed dated April 18, 1944 from Claude Peeet; by Warranty Deed dated February 23, 1942 from Lloyd A. Magney and Ethel Magney; and by Warranty deed dated July 2, 1942 from J. C. Thompson and Dorothy Thompson; and warranty deed dated January 3, 1938 from LLoyd A. Magney and Ethel Magney, allof which deeds was recorded in the Offic e of the Judge of Probate more than ten years next preceding the filing of this bill of complaint; that J. L. Sumrall had the actual, quiet, peaceful and adverse possession of said lands from May 24th, 1944 until January 15th, 1946 ~~xx~~ and record title to said property by virtue of Warranty Deed dated May 24th, 1944 from Nannie Ella Green and G. W. Green, recorded in Deed Book 85 NS page 130-132 in the office of the Judge of Probate, Baldwin County, Ala.; that O. R. Woodall and Rose Woodall had the actual, quiet, peaceful and adverse posseesion of said lands from January 15th, 1946 until April 11, 1946 and record title in the Probate Office of Baldwin County, Alabama, by virtue of a Warranty Deed dated January 15th, 1946 from J. L. Sumrall and Alberta Sumrall, recorded in Deed Book 102 NS page 400-401; that J. M. Johnson had actual, quiet, peaceful and adverse possesion of said lands from April 11, 1946 until August 27th, 1947 and held record title by virtue of a warranty deed dated April 11, 1946 ~~from J. M. Johnson and Cora Mitchell Johnson, recorded~~re in deed book 106 page 280, Records of the Probate Office, Baldwin County, Alabama,~~xxxxx~~ from O. R. Woodall and Rose Woodall, Grantors; That I. S. Bishop held actual, peaceful, quiet and advers possession of said lands from August 27th, 1947 until his death September 5,1951 and record title for the same period of time by virtue of a Warranty Deed dated August 27, 1947 and recorded in the officeof the Judge of Probate of Baldwin County, Alabama in Deed Book 123 pages 47-48; that Nannie Jo Bishop and Betty Barbara Bishop Caldwell held actual quiet, peaceful and adverse possesion of said property from September 5, 1951 until August 20, 1953; as Devisees of I. S. Bishop, deceased, whose willwas duly probated in the Probate Court of Baldwin County, Alabama and recorded therein in Will Book E. pages 438-439, the said Nannie Jo Bishop and Betty Barbara Bishop Caldwell held record title to said lands for said period of time of possession.; that your complainants have been in actual, quiet, peaceful and adverse possession of said lands since August 20th, 1953 and have held record title since that time by virtue of a Warranty Deed dated August 20th, 1953 from Nannie Jo Bishop, Betty Barbara Bishop Caldwell and Edward G. Caldwell, Jr., and duly recorded in the Office of the Judge of Probate of Baldwin County, Alabama

5. The complainants allege that no person, firm or corporation has annually assessed or paid taxes on said lands for the past ten years next preceding the filing of this bill of complaint except for your complainants and those through whom they received title and record title was passed from Nannie Ella Green to your complainants; that the said property was annually assessed and taxes regularly paid by the record title holder to said property who also held

actual, quiet, peaceful and adverse possession of said lands during the time they had such title and possession, for the past ten years next preceding the filing of this bill of complaint.

6. The title to said lands stand upon the records of the Judge of Probate of Baldwin County, Alabama in the name of said complainants by virtue of the Warranty Deed heretofore referred to.

7. Your complainants further aver that there is no suit pending to test their interest in, title to, or possession of said lands.

The Premises considered, the complainants files this their verified bill of complaint against said lands and respondents Eva Moore, Elizabeth Moore, Pearla M. Bennett, George Keller, John Stelk and J. W. Joyner and their heirs, devisees and next of kin, if deceased, and any and all persons, firms or corporations, claiming any title to, interest in or any part thereof os said lands, and to establish the right or title to sai land and to clear up all doubts or disputes concerning the same, and that the the said parties herein named be made respondents to this bill of complaint, and that process be served on them or publication be made requiring them to plead, answer, or demur within the time required by law, or a decree pro confesso may be entered against them.

Complainant prays that the Court will appoint a Guardian ad litem for any and all unknown parties, heirs and minors; that this Court will find that the rights and interests of all parties to this suit are before the court and will be finally adjudicated by this Courts decree.

Complainants further pray that this court will make and enter all orders, judgments and decrees that may be meet and proper in the premises, and that upon a final hearing of this cause will find and decide and decree that the complainants have an entire and undivided interest to said lands, and have a fee simple title thereto.

Complainants further pray that if they be mistaken in the relief asked form that this court grant such other, further, additional, or different relief as may appear to the court to be just and proper.

Arthur C. Epperson
Solicitor for Complainants

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, personally appeared Arthur C. Epperson, who being by me first duly sworn deposes and says on oath; that he is attorney for the complainants, that he is informed and believes, and upon such information and belief says that the foregoing allegations contained in the bill of complaint are true.

Arthur C. Epperson

Sworn to and subscribed before me this the third day of June, 1954/

Alice J. Duck, Register

FILED
6-3-54
ALICE J. DUCK, Register

3267

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

****

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS.

CERTAIN LANDS and EVA MOORE,
ELIZABETH MOORE, et al.,

****

BILL OF COMPLAINT

****

FILED
JUN 3 1954
ALICE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants VS. CERTAIN LANDS Respondent	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

ORDER APPOINTING GUARDIAN AD LITEM AND ATTORNEY AT LITEM

This cause is submitted on the Complainant's motion for the appointment of a Guardian Ad Litem and an Attorney Ad Litem, upon consideration, it isordered, adjudged and decreed by the Register in Chancery of said Court that FOREST A. CHRISTIAN who is a practicing attorney of the Baldwin Bar, be and hereby is appointed Guardian Ad Litem for the unknown Defendants to represent them throughout this proceeding, and also Attorney Ad Litem for any of the Defendants who may be in the Armed Forces of the United States of America.

Dated Nov 4, 1954

Alice J. Vesuch
Register in Chancery

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants VS. CERTAIN LANDS Respondents	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

ACCEPTANCE

Comes FOREST A. CHRISTIAN, attorney, and accepts the appointment by this Court of him as guardian ad litem for all unknown defendants in this proceeding and also as attorney ad litem for any defendants in this proceeding who may be in the Armed Forces of the United States of America.

FILED
1-13-55
ALICE I. GOGGA, Register

CRANSTON H. JORDAN and WILHELMINA S. JORDAN Complainants	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
CERTAIN LANDS Respondent	)	IN EQUITY

Comes FOREST A. CHRISTIAN, attorney, heretofore appointed by the court as Guardian Ad Litem for the unknown defendents and accepts service of a copy of said Bill of Complaint.

For answer to said Bill of Complaint he denies each and every material allegation and demands strict proof thereof.

FILED
1-13-55
ALICE J. DUCK, Register

Solicitor for unknown parties AND
guardian ad litem

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

CRANSTON H. JORDAN and
WILHELMINA S. JORDAN
Complainants

VS.

CERTAIN LANDS and

ANSWER BY GUARDIAN AD LITEM

FOREST A. CHRISTIAN
ATTORNEY AT LAW
FOLEY, ALABAMA

FILED
JAN 13 1955
JAMES J. DUCK, Register

3260