

D. E. HASTINGS	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA
VS.	Ø	IN EQUITY
FRANCIS WILLIAM PEARSON	Ø	NO. 2268
RESPONDENT	Ø	

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the satisfaction of the Court that the Complainant is the owner in fee simple of, and is now and was at the time of the filing of the bill of complaint in this cause, in the actual and peaceable possession of the said land, and each and every part and parcel thereof; that notice was given to the Respondents as required by law; that the title to said land stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of the Complainant; that no one has at any time within ten years next preceding the filing of the bill of complaint, in this cause, paid any taxes upon said land, other than the Complainant and those through whom he claims, by mesne conveyance and that the only person, known to claim said land, or any part thereof, or any interest therein, are the Complainant and the Respondent Francis William Pearson; and that the title of the Complainant has been fully, duly and justly proven by legal and competent evidence, the court is, of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, by the Court, that the Respondent Francis William Pearson, the unknown heirs, devisees, grantees, personal representatives and assigns of Francis William Pearson, and also any and all persons, firms or corporations, claiming any right, title to, interest in, lien or encumbrances upon the said land or any part or parcel thereof have no estate, right, claim, interest in, or encumbrances upon the following described lands, or any part or parcel thereof, in Baldwin County, Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court that  
the full fee simple title to the said land in Baldwin County,  
Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East,

is bested absolutely in the Complainant, D. E. Hastings.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court,  
that a certified copy of this decree be recorded in the office  
of the Probate Judge of Baldwin County, Alabama, in the direct  
index in the name of Francis William Pearson, and in the indirect  
index in the name of D. E. Hastings.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court,  
that the Register shall within thirty days from the rendition  
of this decree file a certified copy hereof in the office of the  
Judge of Probate of Baldwin County, Alabama, and that the cost  
thereof be taxed in the cost of this cause.

IT IS FURTHER ORDERED, that the Complainant pay the costs  
of this cause for which execution may issue.

Done this the 31<sup>st</sup> day of October, 1949.

Julius J. Marshall  
Judge.

D. E. Hastings

vs.

Francis W. Pearson, et al.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, \_\_\_\_\_

Testimony of D. E. Hastings and W. H. Hastings

and in behalf of Defendant upon Decree pro confesso on publication.

Dated October 27, 1949.

H. M. Hall

*Atty*  
*Archie Beach*  
Register.

RECORDED

No. \_\_\_\_\_

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

D. E. Hastings

vs.

Francis W Pearson, et al

NOTE OF TESTIMONY

Filed in Open Court this 27<sup>th</sup>  
day of Oct, 1949

Arice French  
Register.

Printed by the Baldwin Times

**THE STATE OF ALABAMA**  
Baldwin County.Circuit Court of Baldwin County, Alabama  
(In Equity)D. E. Hastings

Complainant

VS.

Francis W. Pearson, et al.

Respondent

I, Louise Morris

as Register and Commissioner

have called and caused to come before me D. E. Hastings and W. H. Hastings.witness es named in the Requirement for Oral Examination, on the 12 day of September  
1949, at the office of H. M. Hallin Baldwin County, Alabama, and having first sworn said Witness        to speak the  
truth, the whole truth, and nothing but the truth, the said D. E. Hastings and W. H.  
Hastings. doth depose and say as follows:

My name is D. E. Hastings. I am a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age. I am the owner in fee simple and in the actual possession of the lands described in this suit, and being the Southwest quarter of Southeast quarter of Section 12, Township 5 South, Range 4 East, Baldwin County, Alabama. There is no suit pending to test the title to interest in or rights of possession, that I have in and to the said land.

I obtained title to these lands by conveyance from W. V. Hastings and wife to George Korptia and me, dated May 3, 1947, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 133 NS pages 179-80, and by deed from George Korptia and wife to me, dated August 11, 1948, and of record in Deed Book 135 pages 447-8. I am attaching hereto the two original deeds and indentify with Complainant's exhibits 1 and 2.

The title to said land stands upon the records of Baldwin County, Alabama, in my name. I have regularly assessed and paid the taxes on the said lands, and have been in the actual possession thereof, ever claiming to own the same since I acquired an interest therein, as herein set out.

W. V. Hastings through whom I hold acquired title to the land on September 1, 1937, by deed of record in Deed Book 62 NS page 590, and which is hereto attached and marked Complainant's exhibit 3. W. V. Hastings immediately after acquiring title to the lands in 1937, went into possession thereof, and remained in the actual possession until he conveyed it to me and George Korptia. W. V. Hastings, George Korptia and I have been in the actual possession of the said land, ever claiming to own the same and paying the taxes thereon since September 1, 1937, during which time no person, firm or corporation has exercised or attempted to exercise any rights of possession thereto.

I have in an effort to ascertain the claimants to said property had records searched and the owners claimant is Francis William Pierson, who is a non resident of the State of Alabama, and whose address cannot be ascertained after a diligent search and inquiry.

I have lived near and known these lands all of my life over thirty years, and the Respondent Francis William Pierson, has never exercised any actual possession thereof. I have made and caused to be made a diligent search and inquiry to find out whether or not Francis William Pierson is living or dead, and if dead the names ages and residences of his heirs and from all information obtainable, if he is dead, then his heirs are all non residents of the State of Alabama, and have never been known here and from all information obtainable all are over twenty-one years of age.

D. E. Hastings

ORAL EXAMINATION.

I, Louise Morris, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself H. M. Hall

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

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

Given under my hand and seal, this 12 day of September, 194 9

Louise Morris (L. S.)

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed \_\_\_\_\_, 194

Register.

Recorded in

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

STATE OF ALABAMA  
BALDWIN COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared W. H. Hastings, who is known to me, and who having been by me first duly sworn, deposes and says: My name is W. H. Hastings. I am personally acquainted with the lands described in this suit and have known it since 1912. I remember when W. V. Hastings purchased the land involved in this suit on September 1, 1937. W. V. Hastings is my son. I have known the land continuously since 1912, and know that as a matter of fact my son W. V. Hastings went into possession of the land and began assessing and paying the taxes thereon in 1937, and that He, George Korptia and D. E. Hastings have been in the actual possession of the said land paying the taxes thereon continuously since 1937.

The Respondent Francis William Pierson has never lived on the land, and in fact has, so far as I know, never been in Baldwin County, Alabama.

I have no idea and am unable to learn his address, but know that he is a non resident of the State of Alabama.

W. H. Hastings

TESTIMONY

D. E. HASTINGS

COMPLAINANTS

VS.

FRANCIS W. PEARSON, ET AL.

RESPONDENTS

*Filed 9-12-49  
Airtel under  
Register*



# the BALDWIN TIMES

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER  
BAY MINETTE, ALABAMA

D. E. HASTINGS, COMPLAINANT  
VS.  
FRANCIS WILLIAM PEARSON, ET AL.  
RESPONDENTS

In The Circuit Court of Baldwin County,  
Alabama — In Equity

It having been made to appear in the above styled cause by proper affidavit that FRANCIS WILLIAM PEARSON, if living or if dead, his heirs devisees, grantees and personal representatives are non-residents of the State of Alabama; that their address cannot be ascertained after a diligent search and inquiry; that all are over twenty-one years of age; that D. E. HASTINGS is the owner in fee simple, and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

Southwest 1/4 of Southeast 1/4 of Section 12, Township 5 South, Range 4 East

That he acquired title by conveyance from W. V. HASTINGS and ELBERTA HASTINGS, his wife, dated May 3, 1947, and of record in Deed Book 133 NS pages 179-80, and by deed from George Kopita and wife, dated August 11, 1948, and of record in Deed Book 135 pages 447-8 in the office of the Probate Judge of Baldwin County, Alabama; that no person is known to have paid any taxes on said land, or to have been in possession thereof, within ten years next preceding the filing of this bill of complaint except D. E. HASTINGS and W. V. HASTINGS.

IT IS THEREFORE ORDERED and notice is hereby given that said FRANCIS WILLIAM PEARSON, the unknown heirs, devisees, grantees, personal representatives and assigns of FRANCIS WILLIAM PEARSON, and any other person, firm or corporation claiming any title to, right, interest in, lien or encumbrance upon said land, or any part thereof, are hereby notified to appear in the above styled cause and show cause why the same should not be decreed in favor of D. E. HASTINGS.

Phone 1002 Phone 4894

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

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

D. E. Hastings vs.  
Francis William Pearson,  
et al., Respondents

### COST STATEMENT

404 WORDS @ 4 1/2 cents — — — \$ 18.18

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

Jimmy Faulkner  
Publisher.

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

Date of 1st publication Apr. 7, 1949 Vol. 60 No. 11

Date of 2nd publication Apr. 14, 1949 Vol. 60 No. 12

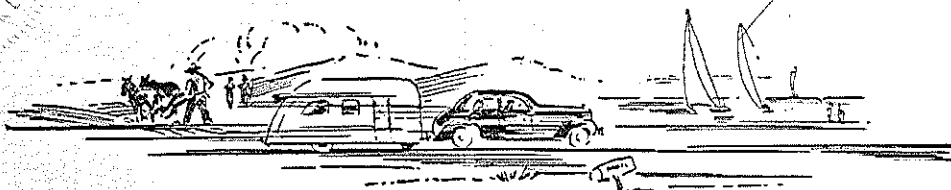
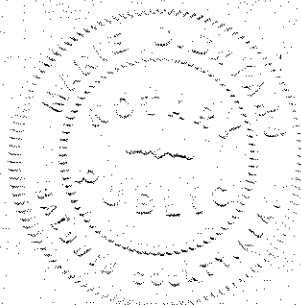
Date of 3rd publication Apr. 21, 1949 Vol. 60 No. 13

Date of 4th publication Apr. 28, 1949 Vol. 60 No. 14

Subscribed and sworn before the undersigned this 29 day of Apr., 1949

Marie B. Bryars  
Notary Public, Baldwin County.

Jimmy Faulkner  
Publisher.



STATE OF ALABAMA §  
BALDWIN COUNTY §

You are hereby commanded to summon FRANCIS WILLIAM PEARSON, to appear and plead, answer or demur within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity, by D. E. HASTINGS, AS Complainant, and against FRANCIS WILLIAM PEARSON, et al, as Respondents.

WITNESS my hand this the 7 day of April, 1949.

Oliver J. Murch  
Register

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D. <u>W</u> HASTINGS	§	IN THE CIRCUIT COURT OF
COMPLAINANT	§	BALDWIN COUNTY, ALABAMA
VS.	§	IN EQUITY
FRANCIS WILLIAM PEARSON,	§	
ET AL.	§	
RESPONDENTS	§	

---

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

Your Complainant, D. E. HASTINGS, presents this his bill of complaint against the following described land situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East;

and also against FRANCIS WILLIAM PEARSON, the unknown heirs, devisees, grantees, assigns and personal representatives of FRANCIS WILLIAM PEARSON, and any and all persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part thereof, and respectfully represents and shows unto your Honor and this Honorable Court as follows;

1.

That your Complainant is a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age.

2.

That FRANCIS WILLIAM PEARSON, if living or if dead, his heirs

and assigns are non residences of the State of Alabama, and their addresses cannot be ascertained after a diligent search and inquiry; that from all information obtainable they are all over twenty-one years of age;

3.

That your Complainant is the owner in fee simple and in the actual possession of the lands described herein in Baldwin County, Alabama, to-wit;

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East;

4.

That no suit is pending to test the Complainant's title to, interest in or rights of possession of said land; that the Complainant therefore calls upon the Respondents and each of them to set forth and specify what right, title, interest, lien or encumbrance they have in and to the said land, and by what instrument or instruments the same is derived and/or created.

5.

That your Complainant obtained title to said lands by conveyance from W. V. Hastings and Elberta Hastings, his wife, to D. E. Hastings and George Kopita, by Deed dated May 3rd, 1947, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 133 NS pages 179-80, and by deed from George Kopita and wife, dated August 11, 1948, and of record in the office of the Probate Judge of Baldwin County, Alabama in Deed Book 135, pages 447-8.

6.

That the title to said lands stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of your Complainant, D. E. Hastings.

7.

That no one has at any time within ten years next preceding the filing of this bill of complaint paid any taxes upon said land, other than the Complainant, D. E. Hastings and W. V. Hastings.

8.

That the only person known by your Complainant to claim said land, or any part thereof, or any interest therein are your Complainant D. E. Hasting, and Francis William Pearson, if he be living or if dead,

his heirs and assigns.

9.

That your Complainant in an effort to ascertain the names and addresses of any parties claiming any interest in said land has caused to be made an Abstract of Title of the records of Baldwin County, Alabama, and has also made inquiry of parties in the vicinity of the land, and also at Bay Minette, and in Robertsedale, in Baldwin County, Alabama.

WHEREFORE your Complainant prays that your Honor will by proper process make the said FRANCIS WILLIAM PEARSON, if living or if dead, the unknown heirs, devisees, grantees, and assigns of FRANCIS WILLIAM PEARSON, and any other person firm or corporation claiming any right, title to, interest in or encumbrance upon the said land, in Baldwin County, Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East;

or any part thereof, parties respondent to this bill of Complaint requiring them to appear, plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon a final hearing hereof, your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances to the land herein described, and to each and every part or parcel thereof, is vested in your Complainant, D. E. Hastings, and that neither FRANCIS WILLIAM PEARSON, the unknown heirs, devisees, grantees, and assigns of FRANCIS WILLIAM PEARSON, nor any other person, firm or corporation has any right, title to, interest or encumbrance upon the said land or any part or parcel thereof, and that any and all doubts and disputes concerning the said land be cleared up.

Your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

D. E. Hastings  
Complainant

[Signature]  
Solicitor for Complainant

STATE OF ALABAMA §  
BALDWIN COUNTY §

Before me, the undersigned authority in and for said County,  
in said State, personally appeared D. E. HASTINGS, who is known to  
me, and who having been by me first duly sworn deposes and says,  
that the facts contained in the foregoing bill of complaint from  
all information obtainable are true.

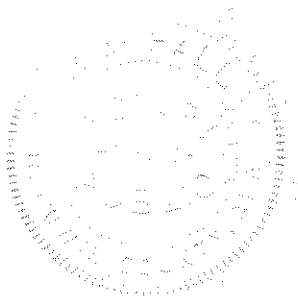
DE Hastings

1949.

Sworn to and subscribed before me on this the 7<sup>th</sup> day of April,

John Lee

Notary Public, Baldwin County, Alabama.



no 2268

Recorded

De Santiago

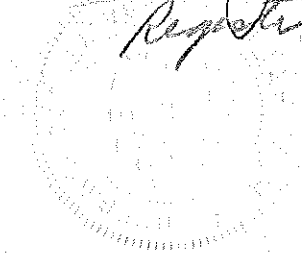
12

Francis William Pearce

CO  
80

Filed 4-7-49

Archie J. French  
Register



D. E. HASTINGS	§	IN THE CIRCUIT COURT OF
COMPLAINANT	§	BALDWIN COUNTY, ALABAMA
VS.	§	IN EQUITY
FRANCIS WILLIAM PEARSON	§	
ET AL	§	
RESPONDENTS	§	

It having been made to appear in the above styled cause by proper affidavit that FRANCIS WILLIAM PEARSON, if living or if dead, his heirs, devisees, grantees and personal representatives are non residents of the State of Alabama; that their addresses cannot be ascertained after a diligent search and inquiry; that all are over twenty-one years of age; that D. E. HASTINGS is the owner in fee simple, and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East;

That he acquired title by conveyance from W. V. HASTINGS and ELBERTA HASTINGS, his wife, dated May 3, 1947, and of record in Deed Book 133 NS pages 179-80, and by deed from George Kopita and wife, dated August 11, 1948, and of record in Deed Book 135 pages 447-8 in the office of the Probate Judge of Baldwin County, Alabama; that no person is known to have paid any taxes on said land, or to have been in possession thereof, within ten years next preceding the filing of this bill of complaint except D. E. HASTINGS and W. V. HASTINGS.

IT IS THEREFORE ORDERED and notice is hereby given that said FRANCIS WILLIAM PEARSON, the unknown heirs, devisees, grantees, personal representatives and assigns of FRANCIS WILLIAM PEARSON, and any other person, firm or corporation claiming any title to, right, interest in, lien or encumbrance upon said land, or any part thereof, to appear in the Circuit Court of Baldwin County, Alabama, in equity and plead, answer or demur to the bill of complaint on or before the 9th day of May, 1949, or upon their having failed to do so upon the expiration of thirty days from said date, a decree pro confesso will be taken against them and this cause

shall be at issue.

IT IS FURTHER ORDERED that this order and notice be published in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 7th day of April, 1949.

BOOK 200 PAGE 223

Alice J. Duck  
Register

H. M. Hall  
Solicitor for the Complainant.

STATE OF ALABAMA §  
BALDWIN COUNTY §

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing is a full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama, in the cause of D. E. Hastings Complainant vs. Francie William Pearson et al, Respondents, and filed for record in the office of the Judge of Probate of Baldwin County, Alabama, the county in which said land lies in accordance with the provision of the laws of the State of Alabama.

IN WITNESS WHEREOF I have hereunto set my hand and seal of office on this the 7th day of April, 1949.

Alice J. Duck  
Register

STATE OF ALABAMA, BALDWIN COUNTY  
Filed 4-11-49.....2 P.M

Recorded Li. Pend....book...2...page...222-223

J. R. Stewart  
Judge of Probate



11  
NO 2268 Recorded

4-7-49

D. E. HASTINGS 57

COMPLAINANT

VS.

71  
FRANCIS WILLIAM PEARSON  
ET AL

RESPONDENTS

2-222-23

R-90

Filed 4-7-49  
Alice J. Much  
Register

D. E. HASTINGS	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA
VS.	Ø	IN EQUITY
FRANCIS W. PEARSON ET AL.	Ø	NO. 2268
RESPONDENTS	Ø	

MOTION FOR DECREE PRO CONFESSO ON PUBLICATION

Comes the Complainant in the above styled cause and shows unto the Court that an order of publication was made on the 7th day of April, 1949, which was duly published in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, and was directed to Francis William Pearson, the unknown heirs, devisees, grantees, personal representatives and assigns of him and each of them and any other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrance upon the following described land situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East.

As Respondents, which required the said Respondents, and each of them to answer or demur to the bill of complaint on or before May 9, 1949, or upon their having failed to do so upon the expiration of thirty days from said date, a decree pro confesso would be taken against them, and which said Respondents have to this day failed to do.

WHEREFORE the Complainant moves the court to grant a decree pro confesso against the said Respondents, and each of them.

Dated this the 31st day of August, 1949.

  
Solicitor for Complainant.

D. E. HASTINGS	(	IN THE CIRCUIT COURT OF
COMPLAINANT	(	BALDWIN COUNTY, ALABAMA
VS.	(	IN EQUITY
FRANCIS W. PEARSON ET AL.	(	NO. 2268
RESPONDENTS	(	

DECREE PRO CONFESSO ON PUBLICATION

In this cause it appearing to the court that the order of publication heretofore made in this cause was published for four consecutive weeks commencing on the 7th day of April, 1949, in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama; that a copy of said order was posted at the Court House door in Baldwin County, Alabama, on the 7th day of April, 1949; and it now further appearing to the court that the said Francis William Pearson, Respondent has to this day failed to plead, answer or demur to this bill of complaint in this cause.

IT IS THEREFORE, On motion of the Complainant, ordered and decreed by the Court, that the said bill of complaint, be and it hereby is, in all things, taken as confessed against the Respondents named in the bill of complaint.

WITNESS my hand and seal of office this the 5th day of September, 1949.

A. J. W. W. W.  
Register

D. E. HASTINGS

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IN THE CIRCUIT COURT OF

COMPLAINANT

()

BALDWIN COUNTY, ALABAMA

VS.

()

IN EQUITY

FRANCIS W. PEARSON, ET AL.

()

NO. 2268

RESPONDENTS

()

REQUEST FOR APPOINTMENT OF COMMISSIONER

TO: Mrs. Alice J. Duck, register of the Circuit Court of  
Baldwin County, Alabama:

The Complainant wishes to take orally, on behalf of the  
Complainant the testimony of the following witnesses;

It is hereby requested that they be given proper and legal  
notice and that Louise Morris be appointed as special Commissioner,  
to take testimony of said witnesses, and that due and legal notice  
be given as required by law.

Dated this the 6th day of September, 1949.

  
Solicitor for Complainant.

## Quit-Claim Deed

Moore Printing Co.

The State of Alabama,

Baldwin

County

BOOK 133 PAGE 179

THIS DEED made this 31st day of May 1947

between W. V. Hastings and Elberta Hastings, his wife

of the first part, and

D. E. Hastings and George Korcika

of the second part

WITNESSETH, that the part 1st of the first part, in consideration of

One dollar and other good and valuable considerations DOLLARS

to them in hand paid by the parties of the second part, the receipt of which is hereby

acknowledged, have remised, released and quit-claimed and by these presents do remise, release

and forever quit-claim unto the said part 1st of the second part and to their

heirs and assigns forever, all the real property in Baldwin County, Alabama,

described as follows, to-wit:

The Southwest quarter (SW $\frac{1}{4}$ ) of Southeast quarter (SE $\frac{1}{4}$ )

of Section Twelve (12) in Township five (5) south, Range four (4)

East. - - - - -

STATE OF ALABAMA, BALDWIN COUNTY

dated Aug. 5, 1947 1P. M.

Recorded Book 133 page 179-80

and in full of the following Privilege Tax  
has been paid.

Deed Tax 100

Mortgage Tax

Judge of Probate

By

TO HAVE AND TO HOLD the said released premises unto the said D. E. Hastings and

George Korcika, their heirs and assigns forever: So that neither the party of

the first part's heirs or assigns nor any other person in trust for them

or in their name shall or will, can or may, by any ways or

means whatsoever, hereafter, have or claim any right or title thereto; BUT THAT the said part 1st of

the first part's heirs and assigns, each and every one of them from all estate, right, title, interest or

claim, and demand whatsoever, in or to the said premises, or any part thereof, are, is, and shall be, by

these presents, FOREVER EXCLUDED AND DEBARRED.

IN WITNESS WHEREOF, the part of the first part have hereunto set their hands

and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

W. V. Hastings (SEAL)

Elberta Hastings (SEAL)

133-180  
State of Alabama, Baldwin County.

I, Walter M. Lindsey, a Notary Public

in and for said County and State, hereby certify that W. V. Hastings and Elberta Hastings, whose name are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 31st day of May A. D. 19 47

Walter M. Lindsey

State of Alabama, Baldwin County.

I, Walter M. Lindsey, a Notary Public

in and for said County and State, do hereby certify that on the 31st day of May 19 47 came before me the within named Elberta Hastings

known to me to be the wife of the within named W. V. Hastings

who, being examined separate and apart from her husband touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord and, without fear, constraint or threats on the part of the husband.

IN WITNESS WHEREOF I hereunto set my hand and official seal this 31st day of May, 19 47.

Walter M. Lindsey

State of Alabama, \_\_\_\_\_ County.

I, \_\_\_\_\_

in and for said County and State, hereby certify that \_\_\_\_\_ subscribing witness to the foregoing conveyance, known to me, appeared before me this day and, being sworn, stated that \_\_\_\_\_, the grantor \_\_\_\_\_ voluntarily executed the same in his presence, and in the presence of other subscribing witness on the day the same bears date; that he attested the same in the presence of the grantor \_\_\_\_\_ and of the other witness, and that such other witness subscribed his name as witness in his presence.

Given under my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

# QUIT-CLAIM DEED

FROM

5-31-47

W. V. Hastings

Elberta Hastings

TO

W. E. Hastings

George Karpita

THE STATE OF ALABAMA

133-179-80

COUNTY

OFFICE OF JUDGE OF PROBATE

I hereby certify that the within Deed was

filed in this office for record on the \_\_\_\_\_ day

of \_\_\_\_\_ A. D. 19 \_\_\_\_\_

at \_\_\_\_\_ o'clock, \_\_\_\_\_ M., and duly re-

corded in Book \_\_\_\_\_ of Mortgages, page

\_\_\_\_\_ and examined.

Judge of Probate.

D. E. Hastings

R. Dale

2.00

The State of Alabama,  
BALDWIN COUNTY.

Know All Men by These Presents, That

WHEREAS, on the 2nd day of July, A.D., 1934, a decree was rendered by the Probate Court of said County for the sale of the lands hereinafter described and conveyed for the State and County taxes then due from OWNER UNKNOWN #15

-----the owner of said land for the costs and expenses thereof and thereunder.

AND WHEREAS, thereafter, to-wit, on the 1st day of Sept., A.D., 1934, said lands were duly and regularly sold by the Tax Collector of said county for said taxes, costs and expenses, and at said sale W.V. HASTINGS became the purchaser of said lands at and for the sum of said taxes, costs and expenses, and forthwith paid said sum to said Tax Collector, and received from said collector a certificate of said purchase.

AND WHEREAS, the time for the redemption of said lands by said owner or other person having an interest therein has elapsed and said certificate of purchase has been returned to the Probate Judge of said County.

NOW, THEREFORE, I G.W. ROBERTSON, as Probate

Judge of said County of BALDWIN, under and by virtue of the provisions of Section 241, of an Act of the Legislature of 1935, to provide for the general revenue of the State of Alabama, approved July 10, 1935, and in consideration of the premises above set out, and in further consideration of the sum of one dollar to me in hand paid, have this day granted, bargained and sold,

and by these presents do grant, bargain, sell and convey unto W.V. HASTINGS-----

-----who is the present owner and holder of said certificate of purchase all the right, title and interest of the said OWNER UNKNOWN #15

-----owner as aforesaid of said land, and all the right, title, interest and claim of the State and County on account of said taxes, or under said decree in and to the following described lands hereinafter referred to, to-wit: SW 1/4 of SE 1/4

of Section 12, T 5 S, R 4 E,

-----lying and being situate in said County and State, to have and to hold the same, the said rights, titles and interests unto himself the said W.V. HASTINGS and his heirs and assigns forever, but no right, title or interest of any reversioner or remainderman in said land is conveyed hereby.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal, this the 1st day of September, A.D., 1937.

*G.W. Robertson*  
Judge of Probate.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

I, HERBERT R. WESTON, a NOTARY PUBLIC

in and for said County, in said State, hereby certify that G.W. ROBERTSON, whose name as Judge of Probate is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that, being informed of the contents of this conveyance he, in his capacity as such Judge of Probate, executed the same voluntarily, on the day the same bears date.

Given under my hand, this the 1st day of September, A.D., 1937.

*Herbert R. Weston*  
NOTARY PUBLIC, BALDWIN COUNTY, ALA.

## Quit-Claim Deed

Moore Printing Co.

The State of Alabama,

Baldwin County

BOOK 135 PAGE 447

THIS DEED made this 11th day of August 19 48between George Kopita and Vondelene Kopita, husband and wife  
parties of the \_\_\_\_\_ of the first part, andD. E. Hastings of the second partWITNESSETH, that the part ies of the first part, in consideration ofOne Dollar and other good and valuable considerations DOLLARSto them in hand paid by the part V of the second part, the receipt of which is hereby  
acknowledged, have remised, released and quit-claimed and by these presents do remise, release  
and forever quit-claim unto the said part V of the second part and to his  
heirs and assigns forever, all the real property in Baldwin County, Alabama,described as follows, to-wit: The undivided one-half interest of ~~MAX~~ George  
Kopita and Vondelene Kopita  
~~Maxine~~ in the following described real property, To Wit:The Southwest quarter (SW1) of the Southeast quarter (SE1)  
of Section twelve (12) in Township five (5) south, Range four (4)  
East, -----

STATE OF ALABAMA, BALDWIN COUNTY

Recd. Oct. 21, 1948 112111  
Recorded Deed 135-447-8  
and I certify that the State Tax  
has been paid.State Tax 50  
Municipal Tax \_\_\_\_\_M. B. Stuart  
Judge of Probate  
By GTO HAVE AND TO HOLD the said released premises unto the said D. E. Hastings  
his heirs and assigns forever: So that neither the party ofthe first part's heirs or assigns nor any other person in trust for them  
or in their name name shall or will, can or may, by any ways or  
means whatsoever, hereafter, have or claim any right or title thereto; BUT THAT the said part ies of  
the first part's heirs and assigns, each and every one of them from all estate, right, title, interest or  
claim, and demand whatsoever, in or to the said premises, or any part thereof, are, is, and shall be, by  
these presents, FOREVER EXCLUDED AND DEBARRED.IN WITNESS WHEREOF, the parties of the first part have hereunto set their hand s  
and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

George Kopita (SEAL)  
Vondelene Kopita (SEAL)



State of Alabama, \_\_\_\_\_ County.

I, Grady P. Gilbert, a Notary Public

in and for said County and State, hereby certify that George Kopita and Vondelene Kopita  
\_\_\_\_\_, whose name s are signed to the foregoing conveyance, and who  
are known to me, acknowledged before me on this day that, being informed of the contents  
of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11th day of August A. D. 1948

Grady P. Gilbert

My commission expires April 9th, 1952

State of Alabama, Baldwin County.

I, Grady P. Gilbert, a Notary Public

in and for said County and State, do hereby certify that on the 11th day of August 1948  
came before me the within named Vondelene Kopita

known to me to be the wife of the within named George Kopita

who, being examined separate and apart from her husband touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord and, without fear, constraint or threats on the part of the husband.

IN WITNESS WHEREOF I hereunto set my hand and official seal this 11th day of  
August, 1948

Grady P. Gilbert

My commission expires April 9th, 1952

State of Alabama, \_\_\_\_\_ County.

I, \_\_\_\_\_

in and for said County and State, hereby certify that \_\_\_\_\_ subscribing  
witness to the foregoing conveyance, known to me, appeared before me this day and, being sworn, stated  
that \_\_\_\_\_, the grantor \_\_\_\_\_ voluntarily  
executed the same in his presence, and in the presence of other subscribing witness on the day the same  
bears date; that he attested the same in the presence of the grantor \_\_\_\_\_ and of the other  
witness, and that such other witness subscribed his name as witness in his presence.

Given under my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

QUIT-CLAIM DEED

FROM

TO

THE STATE OF ALABAMA

COUNTY

OFFICE OF JUDGE OF PROBATE

I hereby certify that the within Deed was

filed in this office for record on the \_\_\_\_\_ day

of \_\_\_\_\_ A. D. 19 \_\_\_\_\_

at \_\_\_\_\_ o'clock, \_\_\_\_\_ M., and duly re-

corded in Book \_\_\_\_\_ of Mortgages, page

\_\_\_\_\_ and examined.

Judge of Probate.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County }

Circuit Court

TO:

*Louise Morris*

KNOW YE: that we, having full faith in your prudence and competency, have appointed you

*Special* Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine \_\_\_\_\_

as witnesses in behalf of *Complainants* in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein \_\_\_\_\_

*D. E. Hastings*

\_\_\_\_\_, Complainant  
and *Francis W. Pearson et al*

\_\_\_\_\_, Respondent

on oath, to be by you administered, upon *Oath*  
to take and certify the deposition of the witness and return the same to our Court, with all  
convenient speed, under your hand.

Witness *8th* day of *Oct*, 194*9*

*Archie J. Duck*  
Register.

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

No. 2268

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

D. E. Hastings  
vs.

Francis W. Pearson  
et al

Complainant

vs.

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

STATE OF ALABAMA §  
BALDWIN COUNTY §

You are hereby commanded to summon FRANCIS WILLIAM PEARSON, to appear and plead, answer or demur within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity, by D. E. HASTINGS, as Complainant, and against FRANCIS WILLIAM PEARSON, et al, as Respondents.

WITNESS my hand this the 7 day of April, 1949.

Alice L. Leach  
Register

D. E. HASTINGS  
COMPLAINANT

VS.

FRANCIS WILLIAM PEARSON,  
ET AL.  
RESPONDENTS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

TO HONORABLE TELFAIR J. MASBURN JR., JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant, D. E. HASTINGS, presents this his bill of complaint against the following described land situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East;

and also against FRANCIS WILLIAM PEARSON, the unknown heirs, devisees, grantees, assigns and personal representatives of FRANCIS WILLIAM PEARSON, and all and all persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part thereof, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age.

2.

That FRANCIS WILLIAM PEARSON, if living or if dead, his heirs

and assigns are non residences of the State of Alabama, and their addresses cannot be ascertained after a diligent search and inquiry; that from all information obtainable they are all over twenty-one years of age;

3.

That your Complainant is the owner in fee simple and in the actual possession of the lands described herein in Baldwin County, Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East;

4.

That no suit is pending to test the Complainant's title to, interest in or rights of possession of said land; that the Complainant therefore calls upon the Respondents and each of them to set forth and specify what right, title, interest, lien or encumbrance they have in and to the said land, and by what instrument or instruments the same is derived and/or created.

5.

That your Complainant obtained title to said lands by conveyance from W. V. Hastings and Elberta Hastings, his wife, to D. E. Hastings and George Kopita, by Deed dated May 3rd, 1947, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 133 WS pages 179-80, and by deed from George Kopita and wife, dated August 11, 1948, and of record in the office of the Probate Judge of Baldwin County, Alabama in Deed Book 135, pages 447-8.

6.

That the title to said lands stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of your Complainant, D. E. Hastings.

7.

That no one has at any time within ten years next preceding the filing of this bill of complaint paid any taxes upon said land, other than the Complainant, D. E. Hastings and W. V. Hastings.

8.

That the only person known by your Complainant to claim said land, or any part thereof, or any interest therein are your Complainant D. E. Hasting, and Francis William Pearson, if he be living or if dead,

his heirs and assigns.

9.

That your Complainant in an effort to ascertain the names and addresses of any parties claiming any interest in said land has caused to be made an Abstract of Title of the records of Baldwin County, Alabama, and has also made inquiry of parties in the vicinity of the land, and also at Bay Minette, and in Robertsdale, in Baldwin County, Alabama.

WHEREFORE your Complainant prays that your Honor will by proper process make the said FRANCIS WILLIAM PEARSON, if living or if dead, the unknown heirs, devisees, grantees, and assigns of FRANCIS WILLIAM PEARSON, and any other person firm or corporation claiming any right, title to, interest in or encumbrance upon the said land, in Baldwin County, Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East;

or any part thereof, parties respondent to this bill of Complaint requiring them to appear, plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon a final hearing hereof, your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances to the land herein described, and to each and every part or parcel thereof, is vested in your Complainant, D. E. Hastings, and that neither FRANCIS WILLIAM PEARSON, the unknown heirs, devisees, grantees, and assigns of FRANCIS WILLIAM PEARSON, nor any other person, firm or corporation has any right, title to, interest or encumbrance upon the said land or any part or parcel thereof, and that any and all doubts and disputes concerning the said land be cleared up.

Your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

(Jd) D. E. Hastings  
Complainant

S. M. Taylor  
Solicitor for Complainant

STATE OF ALABAMA  
BALDWIN COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared D. E. HASTINGS, who is known to me, and who having been by me first duly sworn deposes and says, that the facts contained in the foregoing bill of complaint from all information obtainable are true.

D. E. Hastings

Sworn to and subscribed before me on this the 7 day of April, 1949.

Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA  
BALDWIN COUNTY

You are hereby commanded to summon FRANCIS WILLIAM PEARSON, to appear and plead, answer or demur within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity, by D. E. HASTINGS, as Complainant, and against FRANCIS WILLIAM PEARSON, et al, as Respondents.

WITNESS my hand this the \_\_\_\_\_ day of April, 1949.

Register

D. E. HASTINGS

COMPLAINANT

VS.

FRANCIS WILLIAM PEARSON,  
ET AL.

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TO HONORABLE TELFAIR J. MASHURN JR., JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant, D. E. HASTINGS, presents this his bill of complaint against the following described land situated in Baldwin County, Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East;

and also against FRANCIS WILLIAM PEARSON, the unknown heirs, devisees, grantees, assigns and personal representatives of FRANCIS WILLIAM PEARSON, and all and all persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part thereof, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age.

2.

That FRANCIS WILLIAM PEARSON, if living or if dead, his heirs



and assigns are non residences of the State of Alabama, and their addresses cannot be ascertained after a diligent search and inquiry; that from all information obtainable they are all over twenty-one years of age;

3.

That your Complainant is the owner in fee simple and in the actual possession of the lands described herein in Baldwin County, Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East;

4.

That no suit is pending to test the Complainant's title to, interest in or rights of possession of said land; that the Complainant therefore calls upon the Respondents and each of them to set forth and specify what right, title, interest, lien or encumbrance they have in and to the said land, and by what instrument or instruments the same is derived and/or created.

5.

That your Complainant obtained title to said lands by conveyance from W. V. Hastings and Elberta Hastings, his wife, to D. E. Hastings and George Kopita, by Deed dated May 3rd, 1947, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 133 NS pages 179-80, and by deed from George Kopita and wife, dated August 11, 1948, and to record in the office of the Probate Judge of Baldwin County, Alabama in Deed Book 135, pages 447-8.

6.

That the title to said lands stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of your Complainant, D. E. Hastings.

7.

That no one has at any time within ten years next preceding the filing of this bill of complaint paid any taxes upon said land, other than the Complainant, D. E. Hastings and W. V. Hastings.

8.

That the only person known by your Complainant to claim said land, or any part thereof, or any interest therein are your Complainant D. E. Hastings, and Francis William Pearson, if he be living or if dead,

his heirs and assigns.

9.

That your Complainant in an effort to ascertain the names and addresses of any parties claiming any interest in said land has caused to be made an Abstract of Title of the records of Baldwin County, Alabama, and has also made inquiry of parties in the vicinity of the land, and also at Bay Minette, and in Robertsedale, in Baldwin County, Alabama.

WHEREFORE your Complainant prays that your Honor will by proper process make the said FRANCIS WILLIAM PEARSON, if living or if dead, the unknown heirs, devisees, grantees, and assigns of FRANCIS WILLIAM PEARSON, and any other person firm or corporation claiming any right, title to, interest in or encumbrance upon the said land, in Baldwin County, Alabama, to-wit:

Southwest quarter of Southeast quarter of Section 12,  
Township 5 South, Range 4 East;

or any part thereof, parties respondent to this bill of Complaint requiring them to appear, plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon a final hearing hereof, your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances to the land herein described, and to each and every part or parcel thereof, is vested in your Complainant, D. E. Hastings, and that neither FRANCIS WILLIAM PEARSON, the unknown heirs, devisees, grantees, and assigns of FRANCIS WILLIAM PEARSON, nor any other person, firm or corporation has any right, title to, interest or encumbrance upon the said land or any part or parcel thereof, and that any and all doubts and disputes concerning the said land be cleared up.

Your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

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Complainant

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Solicitor for Complainant