

BOOK 182 PAGE 410

2726

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CHARLES O. CARLSON, ET ALS, AND
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

FINAL DECREE

This cause coming on to be heard on this date is submitted for final decree on the original Bill of Complaint; Notice of Pendency of Bill of Complaint; Proof of Publication of Notice of Pendency of Bill of Complaint; Motion for Decree Pro Confesso against respondents; Decree Pro Confesso against respondents; Disclaimer of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, by Reverend G. Harry Nelson, Pastor of the said church, Arthur Forsman, as its Vice Chairman, Mrs. George Lundberg, as its Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, as its Trustees, and Charles Johnston, Charles Pearson and George Lundberg, as three of its members; Decree ordering testimony taken in this case as required by Equity Rule Number 56, as amended; the testimony of complainant's witnesses taken in open court, as provided by Equity Rule Number 56, as amended; upon consideration of all of which, it appears to the Court that the complainant is entitled to the relief prayed for by him in his said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED AND DECREED by the Court as follows:

1. The complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, is the true and lawful owner in fee simple of the following described real property situated in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records.

The absolute fee simple title to the said lands and to each and every part thereof and all interest therein is in the said

complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, free and clear of and from the claim or claims of any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, or any interest therein. The said complainant shall have and he is hereby given judgment against the said lands and against any and all persons claiming any title to, interest in, lien or encumbrances on the said lands, or any part thereof.

2. The complainant's title to the said lands and to each and every part thereof and each and every interest therein is hereby quieted against Charles O. Carlson, Isidore J. Schiller, I. J. Schiller and against the heirs, devisees and personal representatives of such of the said parties as may be dead, and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and any and all such claim or claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

3. The Register of this Court shall file a certified copy of this decree for record in the office of the Judge of Probate of Baldwin County, Alabama and tax the expense of such recording as a part of this proceeding.

4. The Judge of Probate of Baldwin County, Alabama shall record the said certified copy of this decree in the same book and manner in which deeds are recorded and shall index the same in the direct index in the names of Charles O. Carlson, Isidore J. Schiller and I. J. Schiller and shall index the same in the indirect or reverse index of the said records in the name of George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased.

5. The title hereby decreed to be in the said complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, shall enure to the benefit of all persons who derive title to the said lands, or any part thereof, or any interest therein, from or through the said George Lyrene, as Executor

6. The costs of this proceeding are hereby taxed against the said complainant, for which execution may issue.

6. The costs of this proceeding are hereby taxed against the said complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 15th day
of April, 1952.

(S) TELFAIR J. MASHBURN, JR.

Judge *

STATE OF ALABAMA)
BALDWIN COUNTY)

I, 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 final decree rendered in the above stated cause, as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my seal on this the 11th day of June, 1952.

Register.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 6-12-52
Recorded *Reel* 37
..... book 182 page 410-12
W.R. Street
Judge of Probate

LEGAL NOTICE

NOTICE OF PENDENCY OF BILL OF COMPLAINT

GEORGE LYRENE, As Executor of the Last Will and Testament of O. T. Soelberg, Deceased, Complainant,
VS.
THE LANDS HEREINAFTER DESCRIBED and CHARLES O. CARLSON ET ALS, Respondents.

The Circuit Court of Baldwin County, Alabama, in Equity

Notice is hereby given to Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman, Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such parties as may be dead and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands hereinafter described, that on the 4th day of October, 1951, the Complainant filed in the Circuit Court of Baldwin County, Alabama, Equity Side, a Bill of Complaint against the following described property located in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama records,

against Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman, Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such parties as may be dead and any and all persons, firms or corporations claiming title to, interest in, lien or encumbrance on the said lands or any part of, the said Bill of Complaint have been filed for the purpose of establishing the title of the Complainant to all the said lands for the purpose of clearing his title thereto and to clear up doubts and disputes concerning the title to the said property.

The Complainant, as said Executor, claims the absolute fee simple title in and to all of the said lands under, by and through the following conveyances, all of which are recorded in the office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

Deed, Elmer V. Lovell to O. T. Soelberg, dated June 5, 1946 and recorded in Deed Book 108 at pages 258-9.
Deed, Elmer V. Lovell to O. T. Soelberg, dated January 4, 1947 and recorded in Deed Book 115 at pages 431-2.
Deed, Samuel Widberg to The Swedish Evangelical Mission Church of Silverhill, Alabama, dated January 13, 1916 and recorded in Deed Book 25 at pages 372-3.
Deed, Theodore A. Johnson and wife Isidore J. Schiller, dated April 12, 1941 and recorded in Deed Book 30 at pages 651-2.

Deed, Elmer V. Lovell to O. T. Soelberg, dated June 5, 1946 and recorded in Deed Book 108 at pages 258-9.
Deed, Elmer V. Lovell to O. T. Soelberg, dated January 4, 1947 and recorded in Deed Book 115 at pages 431-2.

Deed, Samuel Widberg to The Swedish Evangelical Mission Church of Silverhill, Alabama, dated January 13, 1916 and recorded in Deed Book 25 at pages 372-3.
Deed, Theodore A. Johnson and wife Isidore J. Schiller, dated April 12, 1941 and recorded in Deed Book 30 at pages 651-2.

JIMMY FAULKNER
EDITOR AND PUBLISHER

T COUNTY'S-

BAY MINETTE, ALABAMA

BEST NEWSPAPER

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

Geo. Lyrene - vs.
Cert. Lands

COST STATEMENT

1005 WORDS @ 6 1/2 cents --- \$ 65 00
I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner
Publisher.

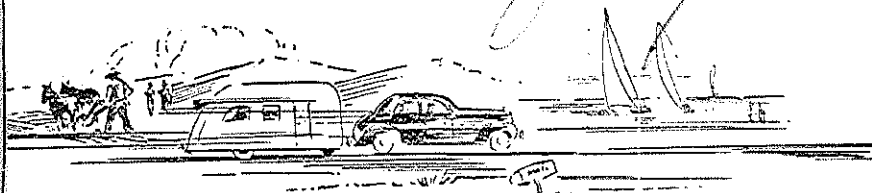
Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Oct. 4, 1951 Vol. 62 No. 37
Date of 2nd publication Oct. 11, 1951 Vol. 62 No. 38
Date of 3rd publication Oct. 18, 1951 Vol. 62 No. 39
Date of 4th publication Oct. 25, 1951 Vol. 62 No. 40

Subscribed and sworn before the undersigned this 26 day of Oct, 1951

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



GEORGE LYRENE, as Executor of and)
under the Last Will and Testament)
of O. T. Soelberg, Deceased,)

VS.

Complainant,)

CHARLES O. CARLSON, ET ALS, and)
CERTAIN LANDS,)

Respondents.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

MOTION

Now comes the complainant, by his Solicitor, and moves
the Court to take the testimony of George Lyrene and F. N. From,
witnesses for the complainant, orally as required by Equity Rule
Number 56.

Dated this 14th day of April, 1952.

Solicitor for Complainant.

MOTION

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

VS. Complainant,

CHARLES O. CARLSON, ET ALS, and
CERTAIN LANDS, Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Filed 4-14-52
Peris French
Registrar

NOTICE OF PENDENCY OF BILL OF COMPLAINT

GEORGE LYRENE,
As Executor of the Last Will
and Testament of O. T. Soel-
berg, Deceased,

Complainant,

VS.

THE LANDS HEREINAFTER DES-
CRIBED and CHARLES O. CARLSON
ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Notice is hereby given to Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman, Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such parties as may be dead and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands hereinafter described, that on the 4th day of October, 1951, the Complainant filed in the Circuit Court of Baldwin County, Alabama, Equity Side, a Bill of Complaint against the following described property situated in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records,

and against Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman, Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lund-

berg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such parties as may be dead and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, the said Bill of Complaint having been filed for the purpose of establishing the title of the Complainant to all of the said lands for the purpose of quieting his title thereto and to clear up all doubts and disputes concerning the title to the said property.

The Complainant, as said Executor, claims the absolute fee simple title in and to all of the said lands under, by and through the following conveyances, all of which are recorded in the office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

- A. Patent, United States of America to Woodson H. Kennon, dated February 1, 1860 and recorded in Deed Book T at pages 372-3.
- B. Deed, Theodore A. Johnson and wife to Isidore J. Schiller, dated April 12, 1921 and recorded in Deed Book 30 at pages 651-2.
- C. Tax deed, State Land Commissioner of Alabama to Elmer V. Lovell, dated August 22, 1945 and recorded in Deed Book 97 at page 267.
- D. Deed, Elmer V. Lovell to O. T. Soelberg, dated June 5, 1946 and recorded in Deed Book 108 at pages 258-9.
- E. Deed, Elmer V. Lovell to O. T. Soelberg, dated January 4, 1947 and recorded in Deed Book 115 at pages 431-2.
- F. Deed, Samuel Widberg to The Swedish Evangelical Mission Church of Silverhill, Alabama, dated January 13, 1916 and recorded in Deed Book 25 at pages 432-3.
- G. Deed, Mission Covenant Church of Silverhill, Alabama to O. T. Soelberg, dated April 15, 1946 and recorded in Deed Book 106 at pages 394-5.
- H. Will of O. T. Soelberg, Deceased, dated June 2, 1946 and recorded in Will Book E at pages 375-6.

The said Complainant, in and by the said Bill of Complaint, alleges and avers that he owns the said lands, as said Executor, absolutely and in fee simple; that he is in the actual, peaceable possession of all of the said lands, claiming to own it; that no suit is pending to test his title to, interest in, or right to possession of the said lands and that he and those through whom he

claims title to the said lands have held color of title thereto and have been in the actual, peaceable, continuous and undisputed possession of the said Lot Nineteen (19) in Block Nineteen (19) since 1916; of the said Lot Eighteen (18) in Block Nineteen (19) since on, to-wit, August 22, 1945, and of the said Lot Twenty (20) in Block Nineteen (19) since on, to-wit, June 5, 1946, and that no persons, firms or corporations, other than the Complainant and those through whom he claims title to the said property have paid any taxes on the said lands, or any part thereof, or any interest therein, since 1932.

The parties named above and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, must appear in this court and plead, answer or demur to the Bill of Complaint filed in this cause before the 4th day of December, 1951, or on the said date decrees pro confesso will be taken against them, testimony taken and the said cause submitted for a final decree quieting the complainant's title to the said lands.

IN WITNESS WHEREOF, I have hereunto set my hand, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, and affixed the seal of the said court on this the 4th day of October, 1951.

W. J. Blackburn

As Register of the Circuit Court of
Baldwin County, Alabama, in Equity.

J. B. BLACKBURN,
Solicitor for Complainant.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 10-4-51.....102X
Recorded *Hand*.....book 171.....page 89-91
W. J. Blackburn
Judge of Probate B-

NOTICE OF PENDENCY OF BILL OF
COMPLAINT

GEORGE LYRENE,
As Executor of the Last Will and
Testament of O. T. Soelberg,
Deceased,

Complainant,

VS.

THE LANDS HEREINAFTER DESCRIBED
and CHARLES O. CARLSON ET ALS,

Respondents.

171-8791

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

R-2-26
Mr. Duck

FILED
OCT 4

1951
ALICE J. DUCK, Register

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CERTAIN LANDS and CHARLES O. CARL-
SON, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

DECREE PRO CONFESSO

In this cause it being made to appear to the Register that the Notice of Pendency of the Bill of Complaint in this cause, dated October 4, 1951, was published once a week for four consecutive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, the said notice appearing in the issues of said paper of October 4, 1951, October 11, 1951, October 18, 1951 and October 25, 1951, and that on October 4, 1951 a copy thereof was filed for record in the office of the Judge of Probate of Baldwin County, Alabama, and another copy thereof posted at the front door of the courthouse at Bay Minette in Baldwin County, Alabama, which notice required the respondents, Charles O. Carlson, Isidore J. Schiller and I. J. Schiller and any and all other persons, firms or corporations interested in the lands involved in this suit, namely, Lots Eighteen (18), Nineteen (19), Twenty (20) and Twenty-one (21) in Block Nineteen (19) in the Town of Silverhill, Baldwin County, Alabama, according to the official map or plat of the said subdivision which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records, to appear in this court and plead, answer or demur to the Bill of Complaint filed against them in this cause before December 4, 1951 or on the said date decrees confesso would be taken against them, and that the three said respondents, Charles O. Carlson, Isidore J. Schiller and I. J. Schiller have failed to date to appear in this cause and plead, answer or demur to the Bill of Complaint filed herein:

It is, therefore, on motion of the complainant, ORDERED, ADJUDGED AND DECREED that the Bill of Complaint in this cause shall be and it is hereby confessed against the respondents, Charles O.

Carlson, Isidore J. Schiller, I. J. Schiller, the heirs and devisees of such parties as may be dead and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands described in this suit, which is the property described above.

ORDERED, ADJUDGED AND DECREED on this the 31st day of March, 1952.

Alice J. Schiller
Register.

DECREE PRO CONFESSO

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CERTAIN LANDS and CHARLES O.
CARLSON ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

RECORDED

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CHARLES O. CARLSON, ET ALS, AND
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FINAL DECREE

This cause coming on to be heard on this date is submitted for final decree on the original Bill of Complaint; Notice of Pendency of Bill of Complaint; Proof of Publication of Notice of Pendency of Bill of Complaint; Motion for Decree Pro Confesso against respondents; Decree Pro Confesso against respondents; Disclaimer of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, by Reverend G. Harry Nelson, Pastor of the said church, Arthur Forsman, as its Vice Chairman, Mrs. George Lundberg, as its Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, as its Trustees, and Charles Johnston, Charles Pearson and George Lundberg, as three of its members; Decree ordering testimony taken in this case as required by Equity Rule Number 56, as amended; the testimony of complainant's witnesses taken in open court, as provided by Equity Rule Number 56, as amended; upon consideration of all of which, it appears to the Court that the complainant is entitled to the relief prayed for by him in his said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED AND DECREED by the Court as follows:

1. The complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, is the true and lawful owner in fee simple of the following described real property situated in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records.

The absolute fee simple title to the said lands and to each and every part thereof and all interest therein is in the said

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

VS. Complainant,

CHARLES O. CARLSON, ET ALS, AND
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FINAL DECREE

This cause coming on to be heard on this date is submitted for final decree on the original Bill of Complaint; Notice of Pendency of Bill of Complaint; Proof of Publication of Notice of Pendency of Bill of Complaint; Motion for Decree Pro Confesso against respondents; Decree Pro Confesso against respondents; Disclaimer of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, by Reverend G. Harry Nelson, Pastor of the said church, Arthur Forsman, as its Vice Chairman, Mrs. George Lundberg, as its Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, as its Trustees, and Charles Johnston, Charles Pearson and George Lundberg, as three of its members; Decree ordering testimony taken in this case as required by Equity Rule Number 56, as amended; the testimony of complainant's witnesses taken in open court, as provided by Equity Rule Number 56, as amended; upon consideration of all of which, it appears to the Court that the complainant is entitled to the relief prayed for by him in his said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED AND DECREED by the Court as follows:

1. The complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, is the true and lawful owner in fee simple of the following described real property situated in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records.

The absolute fee simple title to the said lands and to each and every part thereof and all interest therein is in the said

complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, free and clear of and from the claim or claims of any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, or any interest therein. The said complainant shall have and he is hereby given judgment against the said lands and against any and all persons claiming any title to, interest in, lien or encumbrances on the said lands, or any part thereof.

2. The complainant's title to the said lands and to each and every part thereof and each and every interest therein is hereby quieted against Charles O. Carlson, Isidore J. Schiller, I. J. Schiller and against the heirs, devisees and personal representatives of such of the said parties as may be dead, and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and any and all such claim or claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

3. The Register of this Court shall file a certified copy of this decree for record in the office of the Judge of Probate of Baldwin County, Alabama and tax the expense of such recording as a part of this proceeding.

4. The Judge of Probate of Baldwin County, Alabama shall record the said certified copy of this decree in the same book and manner in which deeds are recorded and shall index the same in the direct index in the names of Charles O. Carlson, Isidore J. Schiller and I. J. Schiller and shall index the same in the indirect or reverse index of the said records in the name of George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased.

5. The title hereby decreed to be in the said complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, shall enure to the benefit of all persons who derive title to the said lands, or any part thereof, or any interest therein, from or through the said George Lyrene, as Executor

of the Last Will and Testament of O. T. Soelberg, Deceased, and such title or interest shall be at all times treated and considered as though it had been established in favor of the persons so procuring or deriving title from the said complainant.

6. The costs of this proceeding are hereby taxed against the said complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 15th day of April, 1952.

Jelfair J. Mathewson, Jr.
Judge.

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

VS. Complainant,

CERTAIN LANDS and CHARLES O. CARL-
SON ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

MOTION FOR DECREE PRO CONFESSO

Now comes the complainant, by his solicitor, and shows unto the Court that the Notice of Pendency of Bill of Complaint in this cause was published once a week for four successive weeks, requiring the respondents, Charles O. Carlson, Isidore J. Schiller and I. J. Schiller to appear in this court and plead, answer or demur to the Bill of Complaint filed in this cause before the 4th day of December, 1951, and further that the said notice was published in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama once a week for four consecutive weeks, the first publication of the said notice appearing in the issue of said paper of October 4, 1951, and that the said respondents and each of them have to date hereof failed to appear and plead, answer or demur to the Bill of Complaint filed in this cause.

WHEREFORE, complainant moves the Court to make and enter a decree pro confesso against the three said respondents and each of them.

Dated this 31st day of March, 1952.

J. B. Blackburn
Solicitor for Complainant.

RECORDED

MOTION FOR DECREE PRO CONFESSO

GEORGE LYRENE, as Executor of
and under the Last Will and
Testament of O. T. Soelberg,
Deceased,

VS.

Complainant,

CERTAIN LANDS and CHARLES O.
CARLSON ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

VS. Complainant,

CHARLES O. CARLSON, ET ALS, and
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DECREE

This cause coming on again to be heard on this date is submitted on the motion of the complainant to take the testimony of George Lyrene and F. N. From, witnesses for the complainant, orally as provided in and by Equity Rule Number 56, upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED that the testimony of the said witnesses for the complainant be taken, as provided by Equity Rule Number 56.

ORDERED, ADJUDGED AND DECREED on this the 14th day of April, 1952.

Jeffrey H. Madelberg
Judge.

14
DECREE

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CHARLES O. CARLSON, ET ALS, and
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

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

Your Orator, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, presents this Bill of Complaint against Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records, and against Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, and, thereupon, your Orator complains and shows unto the Court and your Honor as follows:

1. Your Orator is over twenty-one years of age and a resident of Baldwin County, Alabama, and has been appointed, qualified and is now acting as Executor of and under the Last Will and Testament of O. T. Soelberg, Deceased.

2. Charles O. Carlson, if living, is over the age of twenty-one years, but his place of residence and post office address is unknown and cannot be ascertained after diligent effort and the making of diligent inquiry to ascertain the facts with regard thereto.

The Respondents, Isidore J. Schiller and I. J. Schiller, are, if living, over the age of twenty-one years, but their respective places of residence and post office addresses are unknown and cannot be ascertained after diligent effort and the making of dil-

igent inquiry to ascertain the facts with regard thereto.

The Swedish Evangelical Mission Church of Silverhill, Alabama is an unincorporated association at Silverhill, Alabama. Reverend G. Harry Nelson , as Pastor, Arthur Forsman, as Vice Chairman, Mrs. George Lundberg, as Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, as Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, as three of the members of the said Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, are each and all over twenty-one years of age and residents of Baldwin County, Alabama. The other members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, are so numerous as to make it impracticable to bring all of them before the Court. The above named officers and members are such as will fairly insure the adequate representation of all of the officers and members of the said Church.

3. O. T. Soelberg, at the time of his death, owned the said lands in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records.

His Last Will and Testament has been admitted to probate and record in and by the Probate Court of Baldwin County, Alabama, in which Last Will and Testament your Orator is named as Executor. Under the terms and provisions of the said Will it is necessary that the said property be sold for a division among the devisees and legatees named in the said Will and it is necessary that title to the said property be perfected by this proceeding before the said property can be sold.

Your Orator, as said Executor, is in the actual, peaceable possession of the said property and he and those through whom he claims title to the said land has held color of title thereto and has been in the actual, peaceable, continuous and undisputed possession of Lot Nineteen (19) in the said Block Nineteen (19) since 1916.

Your Orator and those through whom he claims title to Lot Eighteen (18) in the said Block Nineteen (19) have been in the actual possession of the said Lot 18 in the said Block 19 since on, to-wit, August 22, 1945. Your Orator and those through whom he claims title have been in the actual possession of the said Lot Twenty (20) in Block Nineteen (19) since on, to-wit, June 5, 1946. No persons, firms or corporations, other than your Orator and those through whom he claims title to the said property, have paid any taxes on the said land, or any part thereof, or any interest therein since 1932. No suit is pending to test your Orator's title to, interest in or right to possession of the said land, or any part thereof. WHEREFORE, your Orator files this his verified Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity, the county where the said lands lie, against the said lands and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, to establish his title to the said lands and to clear up all doubts and disputes concerning same.

4. Your Orator has and claims to have the absolute fee simple title to all of the above described property. The title so held and claimed by your Orator in and to all of the said lands was obtained from the persons and through the instruments as will hereinafter appear.

Your Orator further shows that the title to the said lands stands upon the records in the office of the Judge of Probate of Baldwin County, Alabama in his name, as said Executor, and that no person, firm or corporation, other than your Orator, as said Executor, and those through whom he claims title, have at any time within ten (10) years next preceding the filing of this Bill of Complaint paid any taxes upon the said lands, or any part thereof, or any interest therein, nor has any other person, other than your Orator, as the said Executor, and those through whom he claims title, had any possession of the said lands, or any part thereof, for more than ten (10) years next preceding the filing of this Bill of Complaint.

5. Your Orator, as said Executor, claims the absolute fee simple title to all of the said lands under, by and through the following described instruments, all of which are recorded in the office of the Judge of Probate of Baldwin County, Alabama:

- A. Patent, United States of America to Woodson H. Kennon, dated February 1, 1860 and recorded in Deed Book T at pages 372-3.
- B. Deed, Theodore A. Johnson and wife to Isidore J. Schiller, dated April 12, 1921 and recorded in Deed Book 30 at pages 651-2.
- C. Tax deed, State Land Commissioner of Alabama to Elmer V. Lovell, dated August 22, 1945 and recorded in Deed Book 97 at page 267.
- D. Deed, Elmer V. Lovell to O. T. Soelberg, dated June 5, 1946 and recorded in Deed Book 108 at pages 258-9.
- E. Deed, Elmer V. Lovell to O. T. Soelberg, dated January 4, 1947 and recorded in Deed Book 115 at pages 431-2.
- F. Deed, Samuel Widberg to The Swedish Evangelical Mission Church of Silverhill, Alabama, dated January 13, 1916 and recorded in Deed Book 25 at pages 432-3.
- G. Deed, Mission Covenant Church of Silverhill, Alabama to O. T. Soelberg, dated April 15, 1946 and recorded in Deed Book 106 at pages 394-5.
- H. Will of O. T. Soelberg, Deceased, dated June 2, 1946 and recorded in Will Book E at pages 375-6.

Your Orator avers that he has made and caused a diligent search to be made in the community where the land is situated to ascertain the names, ages and addresses of all of the parties named herein who claim any interest in the said property, and to secure all possible information about their ages and places of residence. These inquiries have continued for a period of several months next preceding the filing of this Bill of Complaint: that he has caused an abstract to be made to the said property; has employed an attorney to examine the said abstract and all of the information so secured as to the claimants of the said property, their ages and places of residence are fully set out herein.

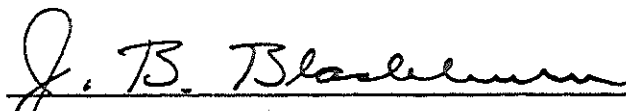
PRAYER FOR PROCESS

Your Orator prays that the lands hereinabove described, the respondents named herein and the unknown heirs, devisees, personal representatives and next of kin of the respondents named

herein who are dead, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, be made parties respondent to this Bill of Complaint and brought into court by the usual and proper processes of this Court.

PRAYER FOR RELIEF

Your Orator prays that each and all of the respondents named herein, the unknown heirs, devisees, personal representatives and next of kin of such of the respondents named herein who are dead, and all other persons, firms or corporations who claim to own the said lands, or any part thereof, for any interest therein, or any lien or encumbrance thereon be required to set forth and certify such claim, title, right, interest, lien or encumbrance and how and by what instrument the same is derived or created, and that upon a final hearing of this cause it be Ordered, Adjudged and Decreed that your Orator, as said Executor, had, at the time of the filing of this Bill of Complaint, the full legal title in fee simple to all of the above described lands and that none of the respondents named above, or any other person, firm or corporation, has any right, title or interest therein, or any part thereof, or any lien or encumbrance thereon: that all doubts and disputes concerning the said property be cleared up and that your Orator's title to the said lands be fully and completely quieted. Your Orator further prays for such other, further and general relief as he may be equitably entitled to, the premises considered.


Solicitor for Complainant.

STATE OF ALABAMA)
*
BALDWIN COUNTY)

Before me, the undersigned authority, within and for said County in said State, personally appeared GEORGE LYRENE, who, after being by me first duly and legally sworn, deposes and says: That he is the Orator named in the foregoing Bill of Complaint; that he has read over the said Bill of Complaint and that the facts

contained therein are true.

George Lyons

Sworn to and subscribed before me on
this the 28th day of September, 1951.

Mary Lou Blackburn

Notary Public

LEGAL NOTICE

NOTICE OF PENDENCY OF BILL OF COMPLAINT

GEORGE LYRENE, As Executor of the Last Will and Testament of O. T. Soelberg, Deceased, Complainant, VS.

THE LANDS HEREINAFTER DESCRIBED and CHARLES O. CARLSON ET ALS, Respondents.

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

Notice is hereby given to Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman, Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such parties as may be dead and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands hereinafter described, that on the 4th day of October, 1951, the Complainant filed in the Circuit Court of Baldwin County, Alabama, Equity Side, a Bill of Complaint against the following described property situated in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records,

and against Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman, Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such parties as may be dead and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, the said Bill of Complaint having been filed for the purpose of establishing the title of the Complainant to all of the said lands for the purpose of quieting his title thereto and to clear up all doubts and disputes concerning the title to the said property.

The Complainant, as said Executor, claims the absolute fee simple title in and to all of the said lands under, by and through the following conveyances, all of which are recorded in the office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

A. Patent, United States of America to Woodson H. Kennon, dated February 1, 1860 and recorded in Deed Book T at pages 372-3

B. Deed, Theodore A. Johnson and wife to Isidore J. Schiller, dated April 12, 1921 and recorded in Deed Book 30 at pages 651-2.

C. Tax deed, State Land Commissioner of Alabama to Elmer V. Lovell, dated August 22, 1945 and recorded in Deed Book 97 at page 267.

D. Deed, Elmer V. Lovell to O. T. Soelberg, dated June 5, 1946 and recorded in Deed Book 108 at pages 258-9.

E. Deed, Elmer V. Lovell to O. T. Soelberg, dated January 4, 1947 and recorded in Deed Book 115 at pages 431-2.

F. Deed, Samuel Widberg to The Swedish Evangelical Mission Church of Silverhill, Alabama, dated January 13, 1916 and recorded in Deed Book 25 at pages 432-3.

G. Deed, Mission Covenant Church of Silverhill, Alabama, to O. T. Soelberg, dated April 15, 1946 and recorded in Deed Book 106 at pages 394-5.

H. Will of O. T. Soelberg, Deceased, dated June 2, 1946 and recorded in Will Book E at pages 375-6.

The said Complainant, in and by the said Bill of Complaint, alleges and avers that he owns the said lands, as said Executor, absolutely and in fee simple; that he is in the actual, peaceable possession of all of the said lands, claiming to own it; that no suit is pending to test his title to, interest in, or right to possession of the said lands and that he and those through whom he claims title to the said lands have held color of title thereto and have been in the actual, peaceable, continuous and undisputed possession of the said Lot Nineteen (19) in Block Nineteen (19) since 1916; of the said Lot Eighteen (18) in Block Nineteen (19) since on, to-wit, August 22, 1945, and of the said Lot Twenty (20) in Block Nineteen (19) since on, to-wit, June 5, 1946, and that no persons, firms or corporations, other than the Complainant and those through whom he claims title to the said property have paid any taxes on the said lands, or any part thereof, or any interest therein, since 1932.

The parties named above and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, must appear in this court and plead, answer or demur to the Bill of Complaint filed in this cause before the 4th day of December, 1951, or on the said date decrees pro confesso will be taken against them, testimony taken and the said cause submitted for a final decree quieting the complainant's title to the said lands.

IN WITNESS WHEREOF I have hereunto set my hand as Register of the Circuit Court of Baldwin County, Alabama, in Equity, and affixed the seal of the said court on this the 4th day of October, 1951.

ALICE J. DUCK, As Register of the Circuit Court of Baldwin County, Alabama, in Equity.

B. BLACKBURN, Solicitor for Complainant.

37-4tc.

JIMMY FAULKNER
EDITOR AND PUBLISHER

the BALDWIN TIMES

T COUNTY'S- BEST NEWSPAPER

BAY MINETTE, ALABAMA

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

Geo. Lyrene - vs.
Cent. Lands

COST STATEMENT

1005 WORDS @ 6 1/2 cents --- \$ 65 00

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 Oct. 4, 1951 Vol. 62 No. 37

Date of 2nd publication Oct. 11, 1951 Vol. 62 No. 38

Date of 3rd publication Oct. 18, 1951 Vol. 62 No. 39

Date of 4th publication Oct. 25, 1951 Vol. 62 No. 40

Subscribed and sworn before the undersigned this 26 day of Oct, 1951.

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

VS.

Complainant,

CHARLES O. CARLSON ET ALS and
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DISCLAIMER

Now come the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, Reverend G. Harry Nelson, Pastor of the said church, Arthur Forsman, as its Vice Chairman, Mrs. George Lundberg, as its Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, as its Trustees, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and disclaim all right, title and interest in and to all of the property involved in this suit, namely, Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records.

Dated this 31st day of March, 1952.

SWEDISH EVANGELICAL MISSION CHURCH OF
SILVERHILL, ALABAMA, an unincorporated as-
sociation,

By

Pastor, G. Harry Nelson
Pastor, G. Harry Nelson.

Arthur Forsman
Arthur Forsman, Vice Chairman.

Mrs. George Lundberg
Mrs. George Lundberg, Secretary.

Conway Edhegard
Conway Edhegard, Trustee.

Ted Forsman
Ted Forsman, Trustee.

Ed Lyrene
Ed Lyrene, Trustee.

Charles Johnston
Charles Johnston, as a member.

Charles Pearson
Charles Pearson, as a member.

George Lundberg
George Lundberg, as a member.

~~Charles Pearson~~

DISCLAIMER **RECORDED**

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CERTAIN LANDS, CHARLES O. CARLSON
ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

*Filed 3-31-52
Recd. Clerk
Register*

Testimony

\$ 450

GEORGE LYRENE, as Executor of
and under the Last Will and
Testament of O. T. Solberg,
Deceased,

Complainant,

VS.

CHARLES O. CARLSON, ET ALS, and
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2726.

TESTIMONY TAKEN IN OPEN COURT ON APRIL 14, 1952

APPEARED: For Executor,

Hon. J. B. Blackburn

Mr. George Lyrene, having been first duly and legally
sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Blackburn

Q. Are you Mr. George Lyrene?

A. I am.

Q. Mr. Lyrene, I will ask you whether or not you are over twenty-
one years of age and a resident of Baldwin County, Alabama?

A. Yes, I am.

Q. Have you been appointed, qualified, and are you now acting as
Executor of the Estate of O. T. Solberg, Deceased?

A. Yes, I am.

Q. Now, we offer in evidence and ask that it be identified as
Complainant's Exhibit "1", certified copy of Last Will and
Testament of O. T. Solberg, Deceased.

(Certified Copy of Last Will and Testament identified as
Complainant's Exhibit "1" and is attached to and made a
part of this transcript).

Q. Mr. Lyrene, Charles O. Carlson is named as one of the
Respondents in this case. I will ask you whether or not he
is living and if he is living if you know^{have}/, knowledge of
his whereabouts and if he is over twenty-one years of age?

A. If he is living he is over, well over twenty-one.

I have no knowledge of his whereabouts.

Q. With reference to his whereabouts; before filing of this suit I will ask you whether you made a diligent effort; had me work on the matter, to see if we could ascertain his place of residence and post office address?

A. Yes, we did that.

Q. To see if we could learn if he was living or dead?

A. Yes.

Q. Is Isidore J. Schiller and I. J. Schiller, if living, over the age of twenty-one?

A. Yes.

Q. Did you also make and have a diligent search made to determine if he was living and to locate, if possible, his place of residence and post office address?

A. Yes, we did.

Q. And were not able to find it?

A. No.

Q. I will ask you if the Swedish Evangelical Mission Church of Silverhill, is an unincorporated association?

A. Yes, it is an unincorporated association.

Q. G. Harry Nelson is its Pastor?

A. Yes.

Q. Arthur Forsman is its Vice Chairman?

A. Yes. He was at the time this testimony was taken.

Q. Was Mrs. George Lundberg the secretary?

A. Yes.

Q. Conway Edhegard, Ted Forsman and Ed Lyrene, were they Trustees of the Swedish Evangelical Mission Church of Silverhill?

A. Yes.

Q. Charles Johnston, Charles Pearson and George Lundberg, three of the members of that church at the time this suit was filed?

A. Yes, they were.

Q. I will ask you whether or not Mr. Solberg, O. T. Solberg, at the time of his death, owned Lots Eighteen, Nineteen and Twenty in Block Nineteen in the Town of Silverhill; according to the official map or plat of said subdivision which is recorded in

Map Book 1, at page 59, Baldwin County, Alabama Records?

A. Yes, he did.

Q. Since his death have you, as Executor of this Estate, been in possession of this property?

A. Yes, I have.

Q. What kind of property is it, Mr. Lyrene?

A. Three lots mentioned, Eighteen, Nineteen and Twenty in Block Nineteen, Silverhill, and there is a concrete block residence on the north lot, lot eighteen isn't it? And Lot nineteen is vacant and there is a frame structure dwelling on Lot Twenty.

Q. Which is the oldest residence?

A. On the north side, Lot Eighteen, the concrete block, the one he lived in.

Q. Bought that from the Church?

A. No. I think he bought from the Church the vacant lot. Is that not right? I think one, the two of them was tax title I understand one got from the church, the middle, that's vacant.

Q. You are right. At the time this suit was filed had you and those through whom you claim title, been in possession of this Lot Nineteen in Block Nineteen since 1916, the Church lot?

A. Yes, the Church lot.

Q. Have you and those through whom you claim title been in possession of Lot Eighteen in Block Nineteen since about the 22nd of August, 1945?

A. Yes.

Q. Been in actual possession of Lot Twenty in Block Nineteen since June 5, 1946?

A. Yes.

Q. Now, has any person other than yourself, Mr. Solberg, and those through whom you claim title, and Elmer V. Lowell and those through whom he claims title, paid taxes or had any possession of this property since 1932?

A. No. We had an abstract brought up and it showed no other grantees.

Q. At the time this suit was filed there was no suit pending to test title to or possession of this property?

A. None.

Q. And you, as Executor, claim the absolute title to all of this property?

A. Yes.

Q. I will ask you, Mr. Lyrene, if under the will of Mr. Solberg, here, a sale of this property isn't required for a division of the proceeds to be made by the Church in Silverhill, the Swedish Evangelical Mission/^{Covenant}Church and a brother he has in Sweden?

A. It will be necessary to turn it into cash before I can divide it.

Q. You claim title to the property through instruments described in the Bill of Complaint you filed in this cause, do you not?

A. Yes.

Q. Now, we offer in evidence, Certified Copy of Patent from the United States of America to Woodson H. Kennon, dated February 1, 1860, and recorded in Book T at pages 372-3, Baldwin County Records, and ask that it be identified as Exhibit "2".

(Certified Copy of Patent identified as Exhibit "2" and is attached to and made a part of this transcript).

Then we offer in evidence certified copy of deed from Theodore A. Johnson and wife to Isidore J. Schiller, dated April 12, 1921, and recorded in Deed Book 30, pages 61-2, and ask that it be identified as Exhibit "3".

(Certified Copy of Deed identified as Exhibit "3" and is attached to and made a part of this transcript).

Then we offer in evidence certified copy of tax deed from the State Land Commissioner of Alabama, to Elmer V. Lovell, dated August 22, 1945, and recorded in Book 97 at page 267, and ask that it be identified as Exhibit "4".

(Certified Copy of Deed identified as Exhibit "4" and is attached to and made a part of this transcript).

Then we offer in evidence certified copy of deed from Elmer V. Lovell, unmarried, to O. T. Soelberg, dated June 5, 1946 and recorded in Book 108, pages 257-9, and ask that it be identified as Exhibit "5".

(Certified Copy of Deed identified as Exhibit "5" and is attached to and made a part of this transcript).

Then we offer in evidence another deed from Elmer V. Lovell, unmarried, to O. T. Soelberg, dated January 4, 1947, and recorded in Book 115, page 431-2, and ask that it be identified as

Exhibit "6".

(Certified copy of deed identified as Exhibit "6" and is attached to and made a part of this transcript).

Next, we offer in evidence certified copy of deed from Samuel Widberg to The Swedish Evangelical Mission Church of Silverhill, dated January 13, 1916 and recorded in Book 25 at pages 432-33, and ask that it be identified as Exhibit "7".

(Certified copy of deed identified as Exhibit "7" and is attached to and made a part of this transcript).

Then we offer in evidence certified copy of deed from Mission Covenant Church of Silverhill, Alabama, to O. T. Soelberg, dated April 15, 1946 and recorded in Deed Book 106, pages 394-5, and ask that it be identified as Exhibit "8".

(Certified copy of deed identified as Exhibit "8" and is attached to and made a part of this transcript).

Q. Mr. Lyrene, before this suit was filed, did you have abstracts prepared to this property?

A. You mean before suit was filed to quiet title?

Q. Yes?

A. Yes, we did.

Q. Did you have those abstracts examined?

A. Yes.

Q. And the information as to the title and ownership of this property that was disclosed by this abstract and the information you were able to obtain in the community fully set out in this suit, is it not?

A. Yes, it is.

Q. At the time the suit was filed I believe you stated, you were in the actual possession of that property?

A. Yes.

Q. Had two residences on it?

A. Right.

Q. Had both residences been there on that property from the time, three years at the time this suit was filed?

A. I believe they did. One might be more than that. I'm not just exactly sure about when they built the last one.

Q. All used within the one enclosure where he had the other house?

A. Yes.

Mr. F. N. From, having been first duly and legally sworn,
testified as follows:

ON DIRECT EXAMINATION

By Mr. Blackburn

Q. Do you live in the Silverhill community?

A. Yes.

Q. How long have you lived there?

A. I have lived there twenty-three years.

Q. Are you familiar with the property involved in this suit?

A. Yes.

Q. I will ask you whether or not Mr. Lyrene, as Executor of the
Will of O. T. Soelberg, was in possession of this property at
the time this suit was filed?

A. I couldn't say that positively.

Q. You knew he had been appointed?

A. I heard so.

Q. As Executor of the Soelberg Estate?

A. Yes.

Q. Knew he was acting as Executor of this estate in September, 1951?

A. Yes, I understood he was.

Q. You knew Mr. Soelberg in his lifetime?

A. Yes.

Q. At the time of his death wasn't he living on part of this
property?

A. Yes.

Q. He had lived there for a number of years?

A. I think that property was built in 1945, that he was living in.

Q. During the past ten years have you heard of anyone other than
Mr. Lyrene and Mr. Soelberg and those through whom they claim
title having owned or been in possession of any part of the
property?

A. No.

That's all.

I, Ora S. Nelson, Court Reporter of and for the Twenty-eighth Judicial Circuit of Alabama, hereby certify that the above and foregoing is a true and correct transcript of the testimony and exhibits given on a hearing of this cause on April 14, 1952, before Honorable Telfair J. Mashburn, Jr., Judge. (Equity Case No. 2726).

Transcribed and filed this 13th day of June, 1952.

Ora S. Nelson
Court Reporter

FILED

JUN 13 1952

ALICE J. DUCK, Register

STATE OF ALABAMA, }
Baldwin County. }

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Will of O. T. Solberg, Deceased

as the same appears of record in my office in _____ Will _____ Book No. "E"

Page 375-6

Given under my hand and seal of office, this 12th day of April, 19 52

W R Stuart
Judge of Probate



The State of Alabama,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Patent from United States of America

to Woodson H. Kennon

as the same appears of record in my office in _____ Deed _____ Book No. "T"

Page 372-3

Given under my hand and seal of office, this 12th day of April, 1952.

W. R. Stuart

Judge of Probate

The State of Alabama, { PROBATE COURT
Baldwin County

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Deed from Theodore A. Johnson and

wife to Isidore J. Schiller

as the same appears of record in my office in Deed Book No. 30

Page 651-2

Given under my hand and seal of office, this 12th day of April, 1952

W R Stuart
Judge of Probate

ORIGINAL

Chas. S. Nelson
Court Reporter

No. 10745

THE STATE OF ALABAMA

BOOK 097 Page 267

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, on 15 day of July, A.D. 1935, the Probate Court of Baldwin County rendered a decree for the sale of lands hereinafter described and conveyed, for the payment of State and County taxes then due from I. J. Schiller #1 the owner of said lands and for the payment of the fees, cost, and expenses of and under said decree, and the sale had in execution thereof.

AND WHEREAS, thereafter, to-wit, on the 15 day of August, 1935, under and in pursuance of said decree, said lands were regularly offered for sale by the Tax Collector of Baldwin County for said taxes, fees, cost, and expenses, and no person having bid a sufficient sum for said lands to pay the same, said lands were bid in for the State for the sum of said taxes, fees, costs, and expenses.

AND WHEREAS, the time allowed by law for the redemption of said lands has elapsed since said sale, and the same not having been redeemed, the title thereto under said sale is still in the State.

AND WHEREAS, said lands having been entered upon the books of the State Land Commissioner, and the State Land Commissioner of the State of Alabama, with the approval of the Governor, has fixed the price of said land, and ascertained that the sum of Three Hundred Twenty & No/100 (\$320.00) Dollars is sufficient to cover and satisfy all claims of the State and County against said lands for or on account of taxes, interest, fees, and costs, and officers fees which were due upon or have accrued against said lands, as provided for by law.

AND WHEREAS, application has been made to the State Land Commissioner of the State of Alabama by Elmer V. Lovell to purchase said lands, and said sum of Three Hundred Twenty & No/100 (\$320.00) Dollars therefor has been paid into the State Treasury.

NOW THEREFORE, The State Land Commissioner of the State of Alabama, by virtue of and in accordance with the authority in him vested by law, with the approval of the Governor of Alabama, and in consideration of the premises above set out, has this day granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said Elmer V. Lovell, without warranty or covenant of any kind on the part of the State, express or implied, all right and title of the State of Alabama in and to said lands, described as follows:

Lots 16, 17, Block 12 of SE $\frac{1}{4}$ of SE $\frac{1}{2}$, Sec. 3,
T 6 S, Range 3 E,
All of Block 18, ex Lots 1, 3, 4, 5, 6,
All of block 19, ex Lots 1, 3, 4, 5, 6, 19,
23, 24,
Lots 4, 5, 6, Block 20, All in Silverhill,

STATE OF ALABAMA, BALDWIN COUNTY

Filed Sept. 19, 1945 10:55 A.M.

Recorded Book page

and I certify that the following Privilege Tax has been paid.

Deed Tax .50

Mortgage Tax

W. R. Stuart

Judge of Probate

By. J. L. Kessler

lying and being situate in said County and State, to have and to hold the same, the said right and title of the State in the lands aforesaid, unto Elmer V. Lovell and his heirs and assigns forever.

In testimony whereof I have hereunto set my hand and seal this the 22 day of August, 1945.

Approved

Chauncey Sparks
Governor

STATE LAND COMMISSIONER OF ALABAMA
H. G. Dowling
State Land Commissioner.

THE STATE OF ALABAMA, MONTGOMERY COUNTY.

I, Mary Slade, a Notary Public in and for said County, in said State, hereby certify that H. G. Dowling, whose name is signed to the foregoing conveyance as State Land Commissioner, 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 State Land Commissioner, executed the same voluntarily on the day the same bears date.

Given under my hand this the 22 day of August, 1945.

Mary Slade, Notary Public.

The State of Alabama, {

Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Tax Deed from State Land Commissioner

of Alabama to Elmer V. Lovell

as the same appears of record in my office in Deed Book No. 97

Page 257

Given under my hand and seal of office, this 12th day of April, 1952

W R Stuart

Judge of Probate

The State of Alabama, { PROBATE COURT
Baldwin County

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Deed from Elmer V. Lovell to O. T.

Solberg

as the same appears of record in my office in Deed Book No. 108

Page 258-9

Given under my hand and seal of office, this 12th day of April, 1952.

W R Stuart
Judge of Probate

The State of Alabama,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Deed from Elmer V. Lovell to O. T.

Solberg

as the same appears of record in my office in _____ Deed _____ Book No. 115

Page 1431-2

Given under my hand and seal of office, this 12 day of April, 1952

W R Stuart

Judge of Probate

The State of Alabama, {

Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Deed from Samuel Widberg to The

Swedish Evangelical Mission Church of Silverhill

as the same appears of record in my office in _____ Deed _____ Book No. 25

Page 432-3

Given under my hand and seal of office, this 12th day of April, 1952.

W R Stuart

Judge of Probate

The State of Alabama,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Deed from Mission Covenant Church

of Silverhill to O. T. Soelberg

as the same appears of record in my office in _____ Deed _____ Book No. 106

Page 394-5

Given under my hand and seal of office, this 12th day of April, 1952.

W R Stuart

Judge of Probate

PROBATE JUDGE

No. 536

Bay Minette, Ala., 10-4, 1957

Received of

[illegible]

FOR RECORD

TOTAL \$

41939 MARSHALL & BRUCE-NASHVILLE

Judge of Probate.

PROBATE JUDGE

No. 4472

Bay Minette, Ala.,

6-12, 1952

Received of

Mrs. Duck

[illegible]

FOR RECORD

TOTAL \$

TOTAL \$ 1.65
W R Stewart

Judge of Probate.

9

2726

Grant Register

Last Will and Testament of C.T. Soelberg.

I, C.T. Soelberg, of Silverhill, Alabama, being of sound mind and memory and thankful to my Blessed Savior for all his benefits, considering the uncertainty of this frail life do therefore make, ordain, publish and declare this to be my last will and testament, and hereby revoke all other and former Wills by me at any time made.

Article 1.

I appoint Mr. George Lyrene of Silverhill, Alabama, the Executor of this my Will and I direct that no Bond be required of him in the performance of his duties as such.

Article 2.

I direct that all my lawful debts, testamentary and funeral expenses be paid and discharged, A. Burial policy Number 3130833 on Browns Service Insurance Company of Birmingham, Alabama, is provided for my burial expense.

Article 3.

I make the following provision for the disposal of my property real and personal:

- a. Two hundred dollars (\$200.00) to the Swedish Mission Covenant Church at Silverhill, Alabama for church benches.
- b. Fifty Dollars (\$50.00) to Paul R. Swanson of Silverhill, Ala.
- c. Fifty Dollars (\$50.00) to Grace A. Swanson of Silverhill, Ala.
- d. Of the remaining residue, I bequeath the following:
 1. One half of residue to my brother Frederick M. Soelberg, of Kottvegen 6, Helenelund, Sweden.
 2. Onehalf to the Evangelical Mission Covenant Church of America, to be known as the Cecelia Soelbert Memorial Fund, the principal to be invested by the said Evangelical Mission Covenant Church, of America, and the interest to be used for Home Mission work in the Southland, particularly Covenant Home Missions in the State of Alabama.

In Witness Whereof, I have hereunto subscribed my name and fixed my seal this June 2, 1948 in the year of our Lord one nine hundred and forty eight
 Witnesses:
 C.T. Soelberg.

Fred Hinz Foley, Ala.

✓
State of Alabama, |
Baldwin County. |

I, W.R.Stuart, Judge of the Court of Probate, in and for said county and State, do hereby certify, that the within instrument of writing has this day, in said Court, and before me, as the Judge thereof, been duly proven, by the proper testimony, to be the genuine last will and testament of C.T.Scoelberg, deceased; and that said will together with said proof thereof, have been recorded in my office, in Book of Wills E, at page 375.

In witness of all which, I have hereto set my hand, and the seal of the said Court, this 31st day of October, A.D., 1950.

W.R.Stuart; Judge of Probate.

-----000-----

Recorded July 2, 1870.
Chas Hall, Probate Judge

graduation
D+C

The United States of America. ^{Court Reporter}
certificate) To all to whom these presents shall
No 14,659 } greetings:
Whereas ~~Woodson H. Kinnon~~ ^{Woodson H. Kinnon} ^{has} deposited
in the General Land Office of the United States, a
certificate of the Register of the Land office at St.
Stephens, whereby it appears that full payment
has been made by the said Woodson H. Kinnon ac-
cording to the provisions of the act of Congress of
the 24th of April, 1870, entitled "an act making
further provision for the sale of Public lands," for
the West Half of Section Eleven, in Township Six
South of Range Three East in the District of Lands
Subject to Sale at St Stephens, Alabama containing
Three hundred and twenty-three acres and ninety-two
hundredths of an acre, according to the official Plat
of the Survey of the said lands, returned to the General

and in reference to 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, this 21st day of April, 1921.

(Seal)

Oscar Johnson Notary Public.

Filed for record May 26th 1921 at 2 PM

Recorded May 30th 1921.

Jas M Voltz, Judge of Probate.

-----00000000000000000000-----

End
Special Warranty Deed.

This indenture, made this twelfth day of April, in the year of our Lord one thousand nine hundred and twenty-one (1921) between Theodore A. Johnson and Hanna Johnson, his wife, of the Town of Silverhill, in the County of Baldwin and State of Alabama, parties of the first part, and Isidore J. Schiller, of the City of Chicago, in the County of Cook and State of Illinois, party of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, in hand paid by said party of the second part, the receipt whereof is hereby acknowledged, grant, bargain and sell unto the said party of the second part, and to his heirs and assigns forever, all the following described lots, pieces or parcels of land, situated in the County of Baldwin and State of Alabama, and known and described as follows, to-wit:-

All of Block five (5); Lots 1, 2, 3, 4, 8, 9, 16, 17, 20, 23 and 24 in Block twelve (12); of the southeast quarter (SE $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) ~~of the southeast quarter (SE $\frac{1}{4}$) of Section Three (3);~~ also Lots 1 and 2 in Block seventeen (17); All of Block eighteen (18) except lots 1, 3, 4, 5 and 6; All of Block nineteen (19) except lots 1, 3, 4, 5, 6, 19, 23 and 24; Lots 4, 5 and 6 in Block twenty (20); All of Block twenty-nine (29) except lots 1, 22, 23 and 24; All of block thirty (30); All of Block thirty-one (31); All of block thirty-two (32) except lots 21, 22, 23 and 24, of Northwest quarter (NW $\frac{1}{4}$) of the Northwest quarter (NW $\frac{1}{4}$) of Section eleven (11), all in Township six (6) South, Range three (3) East, (163 lots in all, including streets and alleys in Town of Silverhill, as per plat on record in Baldwin County, Alabama.)

And the said Theodore A. Johnson and Hanna Johnson, his wife, parties of the first part, for their

heirs, executors and administrators, do covenant, promise and agree, to and with the said party of the second part, his heirs and assigns, that they have not done, or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged; and that the said premises, against all persons lawfully claiming, or to claim the same, by, through or under them, they will warrant and forever defend.

And the said parties of the first part hereby expressly waive and release any and all right, benefit, privilege and advantage, and exemption under or by virtue of any and all Statutes of the State of Alabama, providing for the exemption of homesteads from sale on execution or otherwise.

In witness whereof, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of
Oscar Johnson.

Theodore A. Johnson
Hanna Johnson

(Seal)
(Seal)

(\$1.00 U S I R Stamp attached.)

State of Alabama,) SS.
Baldwin County.)

I, Oscar Johnson a notary public, in and for said State and County, do hereby certify that Theodore A. Johnson and Hanna Johnson, his wife, whose names 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 said conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand this 21st day of April, 1921.

(Seal)

Oscar Johnson Notary Public.

State of Alabama,) SS.
Baldwin County.)

2726
I, Oscar Johnson, a notary public, in and for said State and County, do hereby certify that on the 21st day of April, 1921, came before me the within named Hanna Johnson, known to me to be the wife of the within named Theodore A. Johnson, who being examined separately and apart from her husband in reference to 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, this 21st day of April, 1921.

(Seal)

Oscar Johnson Notary Public.

Filed for record May 26th 1921 at 2 PM

Recorded May 30th 1921.

Jas M Voltz, Judge of Probate.

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BOOK 182 PAGE 410

2726

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CHARLES O. CARLSON, ET ALS, AND
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

FINAL DECREE

This cause coming on to be heard on this date is submitted for final decree on the original Bill of Complaint; Notice of Pendency of Bill of Complaint; Proof of Publication of Notice of Pendency of Bill of Complaint; Motion for Decree Pro Confesso against respondents; Decree Pro Confesso against respondents; Disclaimer of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, by Reverend G. Harry Nelson, Pastor of the said church, Arthur Forsman, as its Vice Chairman, Mrs. George Lundberg, as its Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, as its Trustees, and Charles Johnston, Charles Pearson and George Lundberg, as three of its members; Decree ordering testimony taken in this case as required by Equity Rule Number 56, as amended; the testimony of complainant's witnesses taken in open court, as provided by Equity Rule Number 56, as amended; upon consideration of all of which, it appears to the Court that the complainant is entitled to the relief prayed for by him in his said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED AND DECREED by the Court as follows:

1. The complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, is the true and lawful owner in fee simple of the following described real property situated in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records.

The absolute fee simple title to the said lands and to each and every part thereof and all interest therein is in the said

complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, free and clear of and from the claim or claims of any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, or any interest therein. The said complainant shall have and he is hereby given judgment against the said lands and against any and all persons claiming any title to, interest in, lien or encumbrances on the said lands, or any part thereof.

2. The complainant's title to the said lands and to each and every part thereof and each and every interest therein is hereby quieted against Charles O. Carlson, Isidore J. Schiller, I. J. Schiller and against the heirs, devisees and personal representatives of such of the said parties as may be dead, and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and any and all such claim or claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

3. The Register of this Court shall file a certified copy of this decree for record in the office of the Judge of Probate of Baldwin County, Alabama and tax the expense of such recording as a part of this proceeding.

4. The Judge of Probate of Baldwin County, Alabama shall record the said certified copy of this decree in the same book and manner in which deeds are recorded and shall index the same in the direct index in the names of Charles O. Carlson, Isidore J. Schiller and I. J. Schiller and shall index the same in the indirect or reverse index of the said records in the name of George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased.

5. The title hereby decreed to be in the said complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, shall enure to the benefit of all persons who derive title to the said lands, or any part thereof, or any interest therein, from or through the said George Lyrene, as Executor

6. The costs of this proceeding are hereby taxed against the said complainant, for which execution may issue.

6. The costs of this proceeding are hereby taxed against the said complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 15th day
of April, 1952.

(S) TELFAIR J. MASHBURN, JR.

Judge *

STATE OF ALABAMA)
BALDWIN COUNTY)

I, 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 final decree rendered in the above stated cause, as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my seal on this the 11th day of June, 1952.

Register.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 6-12-52
Recorded *Reed* 34 M
..... book 182 page 410-12
W.R. Street
Judge of Probate

LEGAL NOTICE

NOTICE OF PENDENCY OF BILL OF COMPLAINT

GEORGE LYRENE, As Executor of the Last Will and Testament of O. T. Soelberg, Deceased, Complainant,
VS.
THE LANDS HEREINAFTER DESCRIBED and CHARLES O. CARLSON ET ALS, Respondents.

The Circuit Court of Baldwin County, Alabama, in Equity

Notice is hereby given to Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman, Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such parties as may be dead and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands hereinafter described, that on the 4th day of October, 1951, the Complainant filed in the Circuit Court of Baldwin County, Alabama, Equity Side, a Bill of Complaint against the following described property located in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama records,

against Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman, Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such parties as may be dead and any and all persons, firms or corporations claiming title to, interest in, lien or encumbrance on the said lands or any part of, the said Bill of Complaint have been filed for the purpose of establishing the title of the Complainant to all the said lands for the purpose of clearing his title thereto and to clear up doubts and disputes concerning the title to the said property.

The Complainant, as said Executor, claims the absolute fee simple title in and to all of the said lands under, by and through the following conveyances, all of which are recorded in the office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

Deed, Elmer V. Lovell to O. T. Soelberg, dated June 5, 1946 and recorded in Deed Book 108 at pages 258-9.
Deed, Elmer V. Lovell to O. T. Soelberg, dated January 4, 1947 and recorded in Deed Book 115 at pages 431-2.
Deed, Samuel Widberg to The Swedish Evangelical Mission Church of Silverhill, Alabama, dated January 13, 1916 and recorded in Deed Book 25 at pages 372-3.
Deed, Theodore A. Johnson and wife Isidore J. Schiller, dated April 12, 1941 and recorded in Deed Book 30 at pages 651-2.

Deed, Elmer V. Lovell to O. T. Soelberg, dated June 5, 1946 and recorded in Deed Book 108 at pages 258-9.
Deed, Elmer V. Lovell to O. T. Soelberg, dated January 4, 1947 and recorded in Deed Book 115 at pages 431-2.

Deed, Samuel Widberg to The Swedish Evangelical Mission Church of Silverhill, Alabama, dated January 13, 1916 and recorded in Deed Book 25 at pages 372-3.
Deed, Theodore A. Johnson and wife Isidore J. Schiller, dated April 12, 1941 and recorded in Deed Book 30 at pages 651-2.

JIMMY FAULKNER
EDITOR AND PUBLISHER

T COUNTY'S-

BAY MINETTE, ALABAMA

BEST NEWSPAPER

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

Geo. Lyrene - vs.
Cert. Lands

COST STATEMENT

1005 WORDS @ 6 1/2 cents --- \$ 65 00

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

Jimmy Faulkner
Publisher.

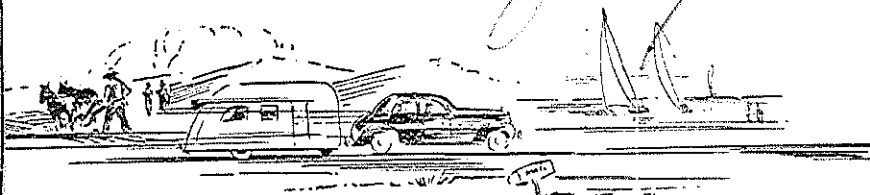
Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Oct. 4, 1951 Vol. 62 No. 37
Date of 2nd publication Oct. 11, 1951 Vol. 62 No. 38
Date of 3rd publication Oct. 18, 1951 Vol. 62 No. 39
Date of 4th publication Oct. 25, 1951 Vol. 62 No. 40

Subscribed and sworn before the undersigned this 26 day of Oct, 1951

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



GEORGE LYRENE, as Executor of and)
under the Last Will and Testament)
of O. T. Soelberg, Deceased,)

VS.

Complainant,)

CHARLES O. CARLSON, ET ALS, and)
CERTAIN LANDS,)

Respondents.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

MOTION

Now comes the complainant, by his Solicitor, and moves
the Court to take the testimony of George Lyrene and F. N. From,
witnesses for the complainant, orally as required by Equity Rule
Number 56.

Dated this 14th day of April, 1952.

Solicitor for Complainant.

MOTION

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

VS. Complainant,

CHARLES O. CARLSON, ET ALS, and
CERTAIN LANDS, Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Filed 4-14-52
R. J. French
Registrar

NOTICE OF PENDENCY OF BILL OF COMPLAINT

GEORGE LYRENE,
As Executor of the Last Will
and Testament of O. T. Soel-
berg, Deceased,

Complainant,

VS.

THE LANDS HEREINAFTER DES-
CRIBED and CHARLES O. CARLSON
ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Notice is hereby given to Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman, Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such parties as may be dead and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands hereinafter described, that on the 4th day of October, 1951, the Complainant filed in the Circuit Court of Baldwin County, Alabama, Equity Side, a Bill of Complaint against the following described property situated in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records,

and against Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman, Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lund-

berg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such parties as may be dead and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, the said Bill of Complaint having been filed for the purpose of establishing the title of the Complainant to all of the said lands for the purpose of quieting his title thereto and to clear up all doubts and disputes concerning the title to the said property.

The Complainant, as said Executor, claims the absolute fee simple title in and to all of the said lands under, by and through the following conveyances, all of which are recorded in the office of the Judge of Probate of Baldwin County, Alabama, the county where the said lands are situated, to-wit:

- A. Patent, United States of America to Woodson H. Kennon, dated February 1, 1860 and recorded in Deed Book T at pages 372-3.
- B. Deed, Theodore A. Johnson and wife to Isidore J. Schiller, dated April 12, 1921 and recorded in Deed Book 30 at pages 651-2.
- C. Tax deed, State Land Commissioner of Alabama to Elmer V. Lovell, dated August 22, 1945 and recorded in Deed Book 97 at page 267.
- D. Deed, Elmer V. Lovell to O. T. Soelberg, dated June 5, 1946 and recorded in Deed Book 108 at pages 258-9.
- E. Deed, Elmer V. Lovell to O. T. Soelberg, dated January 4, 1947 and recorded in Deed Book 115 at pages 431-2.
- F. Deed, Samuel Widberg to The Swedish Evangelical Mission Church of Silverhill, Alabama, dated January 13, 1916 and recorded in Deed Book 25 at pages 432-3.
- G. Deed, Mission Covenant Church of Silverhill, Alabama to O. T. Soelberg, dated April 15, 1946 and recorded in Deed Book 106 at pages 394-5.
- H. Will of O. T. Soelberg, Deceased, dated June 2, 1946 and recorded in Will Book E at pages 375-6.

The said Complainant, in and by the said Bill of Complaint, alleges and avers that he owns the said lands, as said Executor, absolutely and in fee simple; that he is in the actual, peaceable possession of all of the said lands, claiming to own it; that no suit is pending to test his title to, interest in, or right to possession of the said lands and that he and those through whom he

claims title to the said lands have held color of title thereto and have been in the actual, peaceable, continuous and undisputed possession of the said Lot Nineteen (19) in Block Nineteen (19) since 1916; of the said Lot Eighteen (18) in Block Nineteen (19) since on, to-wit, August 22, 1945, and of the said Lot Twenty (20) in Block Nineteen (19) since on, to-wit, June 5, 1946, and that no persons, firms or corporations, other than the Complainant and those through whom he claims title to the said property have paid any taxes on the said lands, or any part thereof, or any interest therein, since 1932.

The parties named above and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, must appear in this court and plead, answer or demur to the Bill of Complaint filed in this cause before the 4th day of December, 1951, or on the said date decrees pro confesso will be taken against them, testimony taken and the said cause submitted for a final decree quieting the complainant's title to the said lands.

IN WITNESS WHEREOF, I have hereunto set my hand, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, and affixed the seal of the said court on this the 4th day of October, 1951.

W. J. Blackburn

As Register of the Circuit Court of Baldwin County, Alabama, in Equity.

J. B. BLACKBURN,
Solicitor for Complainant.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 10-4-51

Recorded

1028

book 171 page 89-91

W. J. Blackburn
Judge of Probate

NOTICE OF PENDENCY OF BILL OF
COMPLAINT

GEORGE LYRENE,
As Executor of the Last Will and
Testament of O. T. Soelberg,
Deceased,

Complainant,

VS.

THE LANDS HEREINAFTER DESCRIBED
and CHARLES O. CARLSON ET ALS,

Respondents.

171-8791

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

R-2-26
Mr. Duck

FILED
OCT 4

1951
ALICE J. DUCK, Register

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CERTAIN LANDS and CHARLES O. CARL-
SON, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

DECREE PRO CONFESSO

In this cause it being made to appear to the Register that the Notice of Pendency of the Bill of Complaint in this cause, dated October 4, 1951, was published once a week for four consecutive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, the said notice appearing in the issues of said paper of October 4, 1951, October 11, 1951, October 18, 1951 and October 25, 1951, and that on October 4, 1951 a copy thereof was filed for record in the office of the Judge of Probate of Baldwin County, Alabama, and another copy thereof posted at the front door of the courthouse at Bay Minette in Baldwin County, Alabama, which notice required the respondents, Charles O. Carlson, Isidore J. Schiller and I. J. Schiller and any and all other persons, firms or corporations interested in the lands involved in this suit, namely, Lots Eighteen (18), Nineteen (19), Twenty (20) and Twenty-one (21) in Block Nineteen (19) in the Town of Silverhill, Baldwin County, Alabama, according to the official map or plat of the said subdivision which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records, to appear in this court and plead, answer or demur to the Bill of Complaint filed against them in this cause before December 4, 1951 or on the said date decrees confesso would be taken against them, and that the three said respondents, Charles O. Carlson, Isidore J. Schiller and I. J. Schiller have failed to date to appear in this cause and plead, answer or demur to the Bill of Complaint filed herein:

It is, therefore, on motion of the complainant, ORDERED, ADJUDGED AND DECREED that the Bill of Complaint in this cause shall be and it is hereby confessed against the respondents, Charles O.

Carlson, Isidore J. Schiller, I. J. Schiller, the heirs and devisees of such parties as may be dead and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands described in this suit, which is the property described above.

ORDERED, ADJUDGED AND DECREED on this the 31st day of March, 1952.

Alice J. Schiller
Register.

DECREE PRO CONFESSO

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CERTAIN LANDS and CHARLES O.
CARLSON ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

RECORDED

Carlson, Isidore J. Schiller, I. J. Schiller, the heirs and devisees of such parties as may be dead and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the lands described in this suit, which is the property described above.

ORDERED, ADJUDGED AND DECREED on this the 31st day of March, 1952.

Alfred J. Kunkel
Register.

RECORDED

IN 1952

RECORDED IN 1952

IN 1952

RECORDED

IN 1952

RECORDED

IN 1952

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CHARLES O. CARLSON, ET ALS, AND
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FINAL DECREE

This cause coming on to be heard on this date is submitted for final decree on the original Bill of Complaint; Notice of Pendency of Bill of Complaint; Proof of Publication of Notice of Pendency of Bill of Complaint; Motion for Decree Pro Confesso against respondents; Decree Pro Confesso against respondents; Disclaimer of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, by Reverend G. Harry Nelson, Pastor of the said church, Arthur Forsman, as its Vice Chairman, Mrs. George Lundberg, as its Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, as its Trustees, and Charles Johnston, Charles Pearson and George Lundberg, as three of its members; Decree ordering testimony taken in this case as required by Equity Rule Number 56, as amended; the testimony of complainant's witnesses taken in open court, as provided by Equity Rule Number 56, as amended; upon consideration of all of which, it appears to the Court that the complainant is entitled to the relief prayed for by him in his said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED AND DECREED by the Court as follows:

1. The complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, is the true and lawful owner in fee simple of the following described real property situated in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records.

The absolute fee simple title to the said lands and to each and every part thereof and all interest therein is in the said

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

VS. Complainant,

CHARLES O. CARLSON, ET ALS, AND
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FINAL DECREE

This cause coming on to be heard on this date is submitted for final decree on the original Bill of Complaint; Notice of Pendency of Bill of Complaint; Proof of Publication of Notice of Pendency of Bill of Complaint; Motion for Decree Pro Confesso against respondents; Decree Pro Confesso against respondents; Disclaimer of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, by Reverend G. Harry Nelson, Pastor of the said church, Arthur Forsman, as its Vice Chairman, Mrs. George Lundberg, as its Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, as its Trustees, and Charles Johnston, Charles Pearson and George Lundberg, as three of its members; Decree ordering testimony taken in this case as required by Equity Rule Number 56, as amended; the testimony of complainant's witnesses taken in open court, as provided by Equity Rule Number 56, as amended; upon consideration of all of which, it appears to the Court that the complainant is entitled to the relief prayed for by him in his said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED AND DECREED by the Court as follows:

1. The complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, is the true and lawful owner in fee simple of the following described real property situated in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records.

The absolute fee simple title to the said lands and to each and every part thereof and all interest therein is in the said

complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, free and clear of and from the claim or claims of any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, or any interest therein. The said complainant shall have and he is hereby given judgment against the said lands and against any and all persons claiming any title to, interest in, lien or encumbrances on the said lands, or any part thereof.

2. The complainant's title to the said lands and to each and every part thereof and each and every interest therein is hereby quieted against Charles O. Carlson, Isidore J. Schiller, I. J. Schiller and against the heirs, devisees and personal representatives of such of the said parties as may be dead, and against all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands or any part thereof, and any and all such claim or claims are hereby adjudged and decreed to be invalid, groundless and of no effect.

3. The Register of this Court shall file a certified copy of this decree for record in the office of the Judge of Probate of Baldwin County, Alabama and tax the expense of such recording as a part of this proceeding.

4. The Judge of Probate of Baldwin County, Alabama shall record the said certified copy of this decree in the same book and manner in which deeds are recorded and shall index the same in the direct index in the names of Charles O. Carlson, Isidore J. Schiller and I. J. Schiller and shall index the same in the indirect or reverse index of the said records in the name of George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased.

5. The title hereby decreed to be in the said complainant, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, shall enure to the benefit of all persons who derive title to the said lands, or any part thereof, or any interest therein, from or through the said George Lyrene, as Executor

of the Last Will and Testament of O. T. Soelberg, Deceased, and such title or interest shall be at all times treated and considered as though it had been established in favor of the persons so procuring or deriving title from the said complainant.

6. The costs of this proceeding are hereby taxed against the said complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 15th day of April, 1952.

Jelfair J. Mathewson, Jr.
Judge.

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

VS. Complainant,

CERTAIN LANDS and CHARLES O. CARL-
SON ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

MOTION FOR DECREE PRO CONFESSO

Now comes the complainant, by his solicitor, and shows unto the Court that the Notice of Pendency of Bill of Complaint in this cause was published once a week for four successive weeks, requiring the respondents, Charles O. Carlson, Isidore J. Schiller and I. J. Schiller to appear in this court and plead, answer or demur to the Bill of Complaint filed in this cause before the 4th day of December, 1951, and further that the said notice was published in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama once a week for four consecutive weeks, the first publication of the said notice appearing in the issue of said paper of October 4, 1951, and that the said respondents and each of them have to date hereof failed to appear and plead, answer or demur to the Bill of Complaint filed in this cause.

WHEREFORE, complainant moves the Court to make and enter a decree pro confesso against the three said respondents and each of them.

Dated this 31st day of March, 1952.

J. B. Blackburn
Solicitor for Complainant.

RECORDED

MOTION FOR DECREE PRO CONFESSO

GEORGE LYRENE, as Executor of
and under the Last Will and
Testament of O. T. Soelberg,
Deceased,

VS.

Complainant,

CERTAIN LANDS and CHARLES O.
CARLSON ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CHARLES O. CARLSON, ET ALS, and
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DECREE

This cause coming on again to be heard on this date is submitted on the motion of the complainant to take the testimony of George Lyrene and F. N. From, witnesses for the complainant, orally as provided in and by Equity Rule Number 56, upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED that the testimony of the said witnesses for the complainant be taken, as provided by Equity Rule Number 56.

ORDERED, ADJUDGED AND DECREED on this the 14th day of April, 1952.

Jeffrey H. Madelbourn
Judge.

14
DECREE

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CHARLES O. CARLSON, ET ALS, and
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

VS. Complainant,

CHARLES O. CARLSON, ET ALS, and
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DECREE

This cause coming on again to be heard on this date is submitted on the motion of the complainant to take the testimony of George Lyrene and F. N. From, witnesses for the complainant, orally as provided in and by Equity Rule Number 56, upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED that the testimony of the said witnesses for the complainant be taken, as provided by Equity Rule Number 56.

ORDERED, ADJUDGED AND DECREED on this the 14th day of April, 1952.

Jeffery H. Madaleno
Judge.

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

Your Orator, George Lyrene, as Executor of the Last Will and Testament of O. T. Soelberg, Deceased, presents this Bill of Complaint against Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records, and against Charles O. Carlson, Isidore J. Schiller, I. J. Schiller, the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the Reverend G. Harry Nelson, Pastor, Arthur Forsman, Vice Chairman, Mrs. George Lundberg, Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, the heirs and devisees of such of the said parties as may be dead, and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, and, thereupon, your Orator complains and shows unto the Court and your Honor as follows:

1. Your Orator is over twenty-one years of age and a resident of Baldwin County, Alabama, and has been appointed, qualified and is now acting as Executor of and under the Last Will and Testament of O. T. Soelberg, Deceased.

2. Charles O. Carlson, if living, is over the age of twenty-one years, but his place of residence and post office address is unknown and cannot be ascertained after diligent effort and the making of diligent inquiry to ascertain the facts with regard thereto.

The Respondents, Isidore J. Schiller and I. J. Schiller, are, if living, over the age of twenty-one years, but their respective places of residence and post office addresses are unknown and cannot be ascertained after diligent effort and the making of dil-

igent inquiry to ascertain the facts with regard thereto.

The Swedish Evangelical Mission Church of Silverhill, Alabama is an unincorporated association at Silverhill, Alabama. Reverend G. Harry Nelson , as Pastor, Arthur Forsman, as Vice Chairman, Mrs. George Lundberg, as Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, as Trustees of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and Charles Johnston, Charles Pearson and George Lundberg, as three of the members of the said Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, are each and all over twenty-one years of age and residents of Baldwin County, Alabama. The other members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, are so numerous as to make it impracticable to bring all of them before the Court. The above named officers and members are such as will fairly insure the adequate representation of all of the officers and members of the said Church.

3. O. T. Soelberg, at the time of his death, owned the said lands in Baldwin County, Alabama, to-wit:

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision, which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records.

His Last Will and Testament has been admitted to probate and record in and by the Probate Court of Baldwin County, Alabama, in which Last Will and Testament your Orator is named as Executor. Under the terms and provisions of the said Will it is necessary that the said property be sold for a division among the devisees and legatees named in the said Will and it is necessary that title to the said property be perfected by this proceeding before the said property can be sold.

Your Orator, as said Executor, is in the actual, peaceable possession of the said property and he and those through whom he claims title to the said land has held color of title thereto and has been in the actual, peaceable, continuous and undisputed possession of Lot Nineteen (19) in the said Block Nineteen (19) since 1916.

Your Orator and those through whom he claims title to Lot Eighteen (18) in the said Block Nineteen (19) have been in the actual possession of the said Lot 18 in the said Block 19 since on, to-wit, August 22, 1945. Your Orator and those through whom he claims title have been in the actual possession of the said Lot Twenty (20) in Block Nineteen (19) since on, to-wit, June 5, 1946. No persons, firms or corporations, other than your Orator and those through whom he claims title to the said property, have paid any taxes on the said land, or any part thereof, or any interest therein since 1932. No suit is pending to test your Orator's title to, interest in or right to possession of the said land, or any part thereof. WHEREFORE, your Orator files this his verified Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity, the county where the said lands lie, against the said lands and against any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, to establish his title to the said lands and to clear up all doubts and disputes concerning same.

4. Your Orator has and claims to have the absolute fee simple title to all of the above described property. The title so held and claimed by your Orator in and to all of the said lands was obtained from the persons and through the instruments as will hereinafter appear.

Your Orator further shows that the title to the said lands stands upon the records in the office of the Judge of Probate of Baldwin County, Alabama in his name, as said Executor, and that no person, firm or corporation, other than your Orator, as said Executor, and those through whom he claims title, have at any time within ten (10) years next preceding the filing of this Bill of Complaint paid any taxes upon the said lands, or any part thereof, or any interest therein, nor has any other person, other than your Orator, as the said Executor, and those through whom he claims title, had any possession of the said lands, or any part thereof, for more than ten (10) years next preceding the filing of this Bill of Complaint.

5. Your Orator, as said Executor, claims the absolute fee simple title to all of the said lands under, by and through the following described instruments, all of which are recorded in the office of the Judge of Probate of Baldwin County, Alabama:

- A. Patent, United States of America to Woodson H. Kennon, dated February 1, 1860 and recorded in Deed Book T at pages 372-3.
- B. Deed, Theodore A. Johnson and wife to Isidore J. Schiller, dated April 12, 1921 and recorded in Deed Book 30 at pages 651-2.
- C. Tax deed, State Land Commissioner of Alabama to Elmer V. Lovell, dated August 22, 1945 and recorded in Deed Book 97 at page 267.
- D. Deed, Elmer V. Lovell to O. T. Soelberg, dated June 5, 1946 and recorded in Deed Book 108 at pages 258-9.
- E. Deed, Elmer V. Lovell to O. T. Soelberg, dated January 4, 1947 and recorded in Deed Book 115 at pages 431-2.
- F. Deed, Samuel Widberg to The Swedish Evangelical Mission Church of Silverhill, Alabama, dated January 13, 1916 and recorded in Deed Book 25 at pages 432-3.
- G. Deed, Mission Covenant Church of Silverhill, Alabama to O. T. Soelberg, dated April 15, 1946 and recorded in Deed Book 106 at pages 394-5.
- H. Will of O. T. Soelberg, Deceased, dated June 2, 1946 and recorded in Will Book E at pages 375-6.

Your Orator avers that he has made and caused a diligent search to be made in the community where the land is situated to ascertain the names, ages and addresses of all of the parties named herein who claim any interest in the said property, and to secure all possible information about their ages and places of residence. These inquiries have continued for a period of several months next preceding the filing of this Bill of Complaint: that he has caused an abstract to be made to the said property; has employed an attorney to examine the said abstract and all of the information so secured as to the claimants of the said property, their ages and places of residence are fully set out herein.

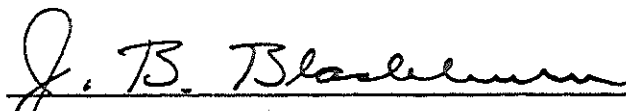
PRAYER FOR PROCESS

Your Orator prays that the lands hereinabove described, the respondents named herein and the unknown heirs, devisees, personal representatives and next of kin of the respondents named

herein who are dead, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance on the said lands, or any part thereof, be made parties respondent to this Bill of Complaint and brought into court by the usual and proper processes of this Court.

PRAYER FOR RELIEF

Your Orator prays that each and all of the respondents named herein, the unknown heirs, devisees, personal representatives and next of kin of such of the respondents named herein who are dead, and all other persons, firms or corporations who claim to own the said lands, or any part thereof, for any interest therein, or any lien or encumbrance thereon be required to set forth and certify such claim, title, right, interest, lien or encumbrance and how and by what instrument the same is derived or created, and that upon a final hearing of this cause it be Ordered, Adjudged and Decreed that your Orator, as said Executor, had, at the time of the filing of this Bill of Complaint, the full legal title in fee simple to all of the above described lands and that none of the respondents named above, or any other person, firm or corporation, has any right, title or interest therein, or any part thereof, or any lien or encumbrance thereon: that all doubts and disputes concerning the said property be cleared up and that your Orator's title to the said lands be fully and completely quieted. Your Orator further prays for such other, further and general relief as he may be equitably entitled to, the premises considered.


Solicitor for Complainant.

STATE OF ALABAMA)
*
BALDWIN COUNTY)

Before me, the undersigned authority, within and for said County in said State, personally appeared GEORGE LYRENE, who, after being by me first duly and legally sworn, deposes and says: That he is the Orator named in the foregoing Bill of Complaint; that he has read over the said Bill of Complaint and that the facts

contained therein are true.

George Lyons

Sworn to and subscribed before me on
this the 28th day of September, 1951.

Mary Lou Blackburn

Notary Public

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

VS.

Complainant,

CHARLES O. CARLSON ET ALS and
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DISCLAIMER

Now come the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, Reverend G. Harry Nelson, Pastor of the said church, Arthur Forsman, as its Vice Chairman, Mrs. George Lundberg, as its Secretary, Conway Edhegard, Ted Forsman and Ed Lyrene, as its Trustees, and Charles Johnston, Charles Pearson and George Lundberg, three of the members of the Swedish Evangelical Mission Church of Silverhill, Alabama, an unincorporated association, and disclaim all right, title and interest in and to all of the property involved in this suit, namely, Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Nineteen (19) in the Town of Silverhill, Alabama, according to the official map or plat of the said subdivision which is recorded in Miscellaneous Book 1 at page 59, Baldwin County, Alabama Records.

Dated this 31st day of March, 1952.

SWEDISH EVANGELICAL MISSION CHURCH OF
SILVERHILL, ALABAMA, an unincorporated as-
sociation,

By

Pastor, G. Harry Nelson
Pastor, G. Harry Nelson.

Arthur Forsman
Arthur Forsman, Vice Chairman.

Mrs. George Lundberg
Mrs. George Lundberg, Secretary.

Conway Edhegard
Conway Edhegard, Trustee.

Ted Forsman
Ted Forsman, Trustee.

Ed Lyrene
Ed Lyrene, Trustee.

Charles Johnston
Charles Johnston, as a member.

Charles Pearson
Charles Pearson, as a member.

George Lundberg
George Lundberg, as a member.

~~Charles Pearson~~

DISCLAIMER **RECORDED**

GEORGE LYRENE, as Executor of and
under the Last Will and Testament
of O. T. Soelberg, Deceased,

Complainant,

VS.

CERTAIN LANDS, CHARLES O. CARLSON
ET ALS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

*Filed 3-31-52
Recd. Clerk
Register*

Testimony

\$ 450

GEORGE LYRENE, as Executor of
and under the Last Will and
Testament of O. T. Solberg,
Deceased,

Complainant,

VS.

CHARLES O. CARLSON, ET ALS, and
CERTAIN LANDS,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2726.

TESTIMONY TAKEN IN OPEN COURT ON APRIL 14, 1952

APPEARED: For Executor,

Hon. J. B. Blackburn

Mr. George Lyrene, having been first duly and legally
sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Blackburn

Q. Are you Mr. George Lyrene?

A. I am.

Q. Mr. Lyrene, I will ask you whether or not you are over twenty-
one years of age and a resident of Baldwin County, Alabama?

A. Yes, I am.

Q. Have you been appointed, qualified, and are you now acting as
Executor of the Estate of O. T. Solberg, Deceased?

A. Yes, I am.

Q. Now, we offer in evidence and ask that it be identified as
Complainant's Exhibit "1", certified copy of Last Will and
Testament of O. T. Solberg, Deceased.

(Certified Copy of Last Will and Testament identified as
Complainant's Exhibit "1" and is attached to and made a
part of this transcript).

Q. Mr. Lyrene, Charles O. Carlson is named as one of the
Respondents in this case. I will ask you whether or not he
is living and if he is living if you know^{have}/, knowledge of
his whereabouts and if he is over twenty-one years of age?

A. If he is living he is over, well over twenty-one.

I have no knowledge of his whereabouts.

Q. With reference to his whereabouts; before filing of this suit I will ask you whether you made a diligent effort; had me work on the matter, to see if we could ascertain his place of residence and post office address?

A. Yes, we did that.

Q. To see if we could learn if he was living or dead?

A. Yes.

Q. Is Isidore J. Schiller and I. J. Schiller, if living, over the age of twenty-one?

A. Yes.

Q. Did you also make and have a diligent search made to determine if he was living and to locate, if possible, his place of residence and post office address?

A. Yes, we did.

Q. And were not able to find it?

A. No.

Q. I will ask you if the Swedish Evangelical Mission Church of Silverhill, is an unincorporated association?

A. Yes, it is an unincorporated association.

Q. G. Harry Nelson is its Pastor?

A. Yes.

Q. Arthur Forsman is its Vice Chairman?

A. Yes. He was at the time this testimony was taken.

Q. Was Mrs. George Lundberg the secretary?

A. Yes.

Q. Conway Edhegard, Ted Forsman and Ed Lyrene, were they Trustees of the Swedish Evangelical Mission Church of Silverhill?

A. Yes.

Q. Charles Johnston, Charles Pearson and George Lundberg, three of the members of that church at the time this suit was filed?

A. Yes, they were.

Q. I will ask you whether or not Mr. Solberg, O. T. Solberg, at the time of his death, owned Lots Eighteen, Nineteen and Twenty in Block Nineteen in the Town of Silverhill; according to the official map or plat of said subdivision which is recorded in

Map Book 1, at page 59, Baldwin County, Alabama Records?

A. Yes, he did.

Q. Since his death have you, as Executor of this Estate, been in possession of this property?

A. Yes, I have.

Q. What kind of property is it, Mr. Lyrene?

A. Three lots mentioned, Eighteen, Nineteen and Twenty in Block Nineteen, Silverhill, and there is a concrete block residence on the north lot, lot eighteen isn't it? And Lot nineteen is vacant and there is a frame structure dwelling on Lot Twenty.

Q. Which is the oldest residence?

A. On the north side, Lot Eighteen, the concrete block, the one he lived in.

Q. Bought that from the Church?

A. No. I think he bought from the Church the vacant lot. Is that not right? I think one, the two of them was tax title I understand one got from the church, the middle, that's vacant.

Q. You are right. At the time this suit was filed had you and those through whom you claim title, been in possession of this Lot Nineteen in Block Nineteen since 1916, the Church lot?

A. Yes, the Church lot.

Q. Have you and those through whom you claim title been in possession of Lot Eighteen in Block Nineteen since about the 22nd of August, 1945?

A. Yes.

Q. Been in actual possession of Lot Twenty in Block Nineteen since June 5, 1946?

A. Yes.

Q. Now, has any person other than yourself, Mr. Solberg, and those through whom you claim title, and Elmer V. Lowell and those through whom he claims title, paid taxes or had any possession of this property since 1932?

A. No. We had an abstract brought up and it showed no other grantees.

Q. At the time this suit was filed there was no suit pending to test title to or possession of this property?

A. None.

Q. And you, as Executor, claim the absolute title to all of this property?

A. Yes.

Q. I will ask you, Mr. Lyrene, if under the will of Mr. Solberg, here, a sale of this property isn't required for a division of the proceeds to be made by the Church in Silverhill, the Swedish Evangelical Mission/^{Covenant}Church and a brother he has in Sweden?

A. It will be necessary to turn it into cash before I can divide it.

Q. You claim title to the property through instruments described in the Bill of Complaint you filed in this cause, do you not?

A. Yes.

Q. Now, we offer in evidence, Certified Copy of Patent from the United States of America to Woodson H. Kennon, dated February 1, 1860, and recorded in Book T at pages 372-3, Baldwin County Records, and ask that it be identified as Exhibit "2".

(Certified Copy of Patent identified as Exhibit "2" and is attached to and made a part of this transcript).

Then we offer in evidence certified copy of deed from Theodore A. Johnson and wife to Isidore J. Schiller, dated April 12, 1921, and recorded in Deed Book 30, pages 61-2, and ask that it be identified as Exhibit "3".

(Certified Copy of Deed identified as Exhibit "3" and is attached to and made a part of this transcript).

Then we offer in evidence certified copy of tax deed from the State Land Commissioner of Alabama, to Elmer V. Lovell, dated August 22, 1945, and recorded in Book 97 at page 267, and ask that it be identified as Exhibit "4".

(Certified Copy of Deed identified as Exhibit "4" and is attached to and made a part of this transcript).

Then we offer in evidence certified copy of deed from Elmer V. Lovell, unmarried, to O. T. Soelberg, dated June 5, 1946 and recorded in Book 108, pages 257-9, and ask that it be identified as Exhibit "5".

(Certified Copy of Deed identified as Exhibit "5" and is attached to and made a part of this transcript).

Then we offer in evidence another deed from Elmer V. Lovell, unmarried, to O. T. Soelberg, dated January 4, 1947, and recorded in Book 115, page 431-2, and ask that it be identified as

Exhibit "6".

(Certified copy of deed identified as Exhibit "6" and is attached to and made a part of this transcript).

Next, we offer in evidence certified copy of deed from Samuel Widberg to The Swedish Evangelical Mission Church of Silverhill, dated January 13, 1916 and recorded in Book 25 at pages 432-33, and ask that it be identified as Exhibit "7".

(Certified copy of deed identified as Exhibit "7" and is attached to and made a part of this transcript).

Then we offer in evidence certified copy of deed from Mission Covenant Church of Silverhill, Alabama, to O. T. Soelberg, dated April 15, 1946 and recorded in Deed Book 106, pages 394-5, and ask that it be identified as Exhibit "8".

(Certified copy of deed identified as Exhibit "8" and is attached to and made a part of this transcript).

Q. Mr. Lyrene, before this suit was filed, did you have abstracts prepared to this property?

A. You mean before suit was filed to quiet title?

Q. Yes?

A. Yes, we did.

Q. Did you have those abstracts examined?

A. Yes.

Q. And the information as to the title and ownership of this property that was disclosed by this abstract and the information you were able to obtain in the community fully set out in this suit, is it not?

A. Yes, it is.

Q. At the time the suit was filed I believe you stated, you were in the actual possession of that property?

A. Yes.

Q. Had two residences on it?

A. Right.

Q. Had both residences been there on that property from the time, three years at the time this suit was filed?

A. I believe they did. One might be more than that. I'm not just exactly sure about when they built the last one.

Q. All used within the one enclosure where he had the other house?

A. Yes.

Mr. F. N. From, having been first duly and legally sworn,
testified as follows:

ON DIRECT EXAMINATION

By Mr. Blackburn

Q. Do you live in the Silverhill community?

A. Yes.

Q. How long have you lived there?

A. I have lived there twenty-three years.

Q. Are you familiar with the property involved in this suit?

A. Yes.

Q. I will ask you whether or not Mr. Lyrene, as Executor of the Will of O. T. Soelberg, was in possession of this property at the time this suit was filed?

A. I couldn't say that positively.

Q. You knew he had been appointed?

A. I heard so.

Q. As Executor of the Soelberg Estate?

A. Yes.

Q. Knew he was acting as Executor of this estate in September, 1951?

A. Yes, I understood he was.

Q. You knew Mr. Soelberg in his lifetime?

A. Yes.

Q. At the time of his death wasn't he living on part of this property?

A. Yes.

Q. He had lived there for a number of years?

A. I think that property was built in 1945, that he was living in.

Q. During the past ten years have you heard of anyone other than Mr. Lyrene and Mr. Soelberg and those through whom they claim title having owned or been in possession of any part of the property?

A. No.

That's all.

I, Ora S. Nelson, Court Reporter of and for the Twenty-eighth Judicial Circuit of Alabama, hereby certify that the above and foregoing is a true and correct transcript of the testimony and exhibits given on a hearing of this cause on April 14, 1952, before Honorable Telfair J. Mashburn, Jr., Judge. (Equity Case No. 2726).

Transcribed and filed this 13th day of June, 1952.

Ora S. Nelson
Court Reporter

FILED

JUN 13 1952

ALICE J. DUCK, Register

STATE OF ALABAMA, }
Baldwin County. }

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Will of O. T. Solberg, Deceased

as the same appears of record in my office in _____ Will _____ Book No. "E"

Page 375-6

Given under my hand and seal of office, this 12th day of April, 19 52

W R Stuart
Judge of Probate



The State of Alabama,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Patent from United States of America

to Woodson H. Kennon

as the same appears of record in my office in _____ Deed _____ Book No. "T"

Page 372-3

Given under my hand and seal of office, this 12th day of April, 1952.

W. R. Stuart

Judge of Probate

The State of Alabama, { PROBATE COURT
Baldwin County

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Deed from Theodore A. Johnson and

wife to Isidore J. Schiller

as the same appears of record in my office in Deed Book No. 30

Page 651-2

Given under my hand and seal of office, this 12th day of April, 1952

W R Stuart
Judge of Probate

ORIGINAL

Chas. S. Nelson
Court Reporter

No. 10745

THE STATE OF ALABAMA

BOOK 097 Page 267

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, on 15 day of July, A.D. 1935, the Probate Court of Baldwin County rendered a decree for the sale of lands hereinafter described and conveyed, for the payment of State and County taxes then due from I. J. Schiller #1 the owner of said lands and for the payment of the fees, cost, and expenses of and under said decree, and the sale had in execution thereof.

AND WHEREAS, thereafter, to-wit, on the 15 day of August, 1935, under and in pursuance of said decree, said lands were regularly offered for sale by the Tax Collector of Baldwin County for said taxes, fees, cost, and expenses, and no person having bid a sufficient sum for said lands to pay the same, said lands were bid in for the State for the sum of said taxes, fees, costs, and expenses.

AND WHEREAS, the time allowed by law for the redemption of said lands has elapsed since said sale, and the same not having been redeemed, the title thereto under said sale is still in the State.

AND WHEREAS, said lands having been entered upon the books of the State Land Commissioner, and the State Land Commissioner of the State of Alabama, with the approval of the Governor, has fixed the price of said land, and ascertained that the sum of Three Hundred Twenty & No/100 (\$320.00) Dollars is sufficient to cover and satisfy all claims of the State and County against said lands for or on account of taxes, interest, fees, and costs, and officers fees which were due upon or have accrued against said lands, as provided for by law.

AND WHEREAS, application has been made to the State Land Commissioner of the State of Alabama by Elmer V. Lovell to purchase said lands, and said sum of Three Hundred Twenty & No/100 (\$320.00) Dollars therefor has been paid into the State Treasury.

NOW THEREFORE, The State Land Commissioner of the State of Alabama, by virtue of and in accordance with the authority in him vested by law, with the approval of the Governor of Alabama, and in consideration of the premises above set out, has this day granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said Elmer V. Lovell, without warranty or covenant of any kind on the part of the State, express or implied, all right and title of the State of Alabama in and to said lands, described as follows:

Lots 16, 17, Block 12 of SE $\frac{1}{4}$ of SE $\frac{1}{2}$, Sec. 3,
T 6 S, Range 3 E,
All of Block 18, ex Lots 1, 3, 4, 5, 6,
All of block 19, ex Lots 1, 3, 4, 5, 6, 19,
23, 24,
Lots 4, 5, 6, Block 20, All in Silverhill,

STATE OF ALABAMA, BALDWIN COUNTY

Filed Sept. 19, 1945 10:55 A.M.

Recorded Book page

and I certify that the following Privilege Tax has been paid.

Deed Tax .50

Mortgage Tax

W. R. Stuart

Judge of Probate

By. J. L. Kessler

lying and being situate in said County and State, to have and to hold the same, the said right and title of the State in the lands aforesaid, unto Elmer V. Lovell and his heirs and assigns forever.

In testimony whereof I have hereunto set my hand and seal this the 22 day of August, 1945.

Approved

Chauncey Sparks
Governor

STATE LAND COMMISSIONER OF ALABAMA
H. G. Dowling
State Land Commissioner.

THE STATE OF ALABAMA, MONTGOMERY COUNTY.

I, Mary Slade, a Notary Public in and for said County, in said State, hereby certify that H. G. Dowling, whose name is signed to the foregoing conveyance as State Land Commissioner, 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 State Land Commissioner, executed the same voluntarily on the day the same bears date.

Given under my hand this the 22 day of August, 1945.

Mary Slade, Notary Public.

The State of Alabama, {

Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Tax Deed from State Land Commissioner

of Alabama to Elmer V. Lovell

as the same appears of record in my office in Deed Book No. 97

Page 257

Given under my hand and seal of office, this 12th day of April, 1952

W R Stuart

Judge of Probate

The State of Alabama, { PROBATE COURT
Baldwin County

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Deed from Elmer V. Lovell to O. T.

Solberg

as the same appears of record in my office in Deed Book No. 108

Page 258-9

Given under my hand and seal of office, this 12th day of April, 1952.

W R Stuart
Judge of Probate

The State of Alabama,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Deed from Elmer V. Lovell to O. T.

Solberg

as the same appears of record in my office in _____ Deed _____ Book No. 115

Page 1431-2

Given under my hand and seal of office, this 12 day of April, 1952

W R Stuart

Judge of Probate

The State of Alabama, {

Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Deed from Samuel Widberg to The

Swedish Evangelical Mission Church of Silverhill

as the same appears of record in my office in _____ Deed _____ Book No. 25

Page 432-3

Given under my hand and seal of office, this 12th day of April, 1952.

W R Stuart

Judge of Probate

The State of Alabama, {

Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ pages

contain a full, true and complete copy of the Deed from Mission Covenant Church

of Silverhill to O. T. Soelberg

as the same appears of record in my office in _____ Deed _____ Book No. 106

Page 394-5

Given under my hand and seal of office, this 12th day of April, 1952.

W R Stuart

Judge of Probate

W. L. Stuart
 Judge of Probate
 By L. M.

254

Court Reporter

Quit Claim Deed.

Moore Printing Co., Bay Minette

The State of Alabama,

PAULDWIN County

THIS DEED made this 5th, day of June, 1946.

between Elmer V. Lovell, a single man

..... of the first part, and
O. T. Soelberg, a single man,

..... of the second part

WITNESSETH, that the part V of the first part, in consideration of
Five (\$5.00) and valuable considerations, DOLLARS

to AND in hand paid by the party 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



115 PAGE 432

WITNESSETH, that the part 7 of the first part, in consideration of

Seventy (\$70.00) and no /100 DOLLARS

to and in hand paid by the part 7 of the second part, the receipt of which is hereby

acknowledged, ha 7 remised, released and quit-claimed and by these presents do remise, release

and forever quit-claim unto the said part 7 of the second part his

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

described as follows to-wit: -----

Lot 19, in Block 19, in the Town of Silver Hill,

as recorded in Plat, as of record in the Office

of Judge of Probate, Bay Minette, Baldwin County,

Alabama,

STATE OF ALABAMA, BALDWIN COUNTY

Filed Jan 9, 1947 1 P M

Recorded book page

and I certify that the following Privilege Tax
has been paid.

Deed Tax 50

Mortgage Tax -----

W. B. Stuart
Judge of Probate

By A. G.

has been paid.

Deed Tax

Mortgage Tax

W. E. Stewart
Judge of Probate

By *W. E. Stewart*

Court Reporter

The State of Alabama,

BALDWIN

County

THIS DEED made this

4th

day of

Jan

19*47*

between

ELMER V. LOVELL,

A. Single man,

of the first part, and

O. T. SOELBERG, A Single man,

of the second part

J. A. Shiver J. P.
Baldwin County, Alabama.

J H H Smith, Judge of Probate.

[illegible]

John M. Boren.

0000000000

STATE OF ALABAMA, BALDWIN COUNTY

Filed April 19, 1946 8a.m

BOOK 106 PAGE 395

Recorded _____ book _____ page _____
and I certify that the following Privilege Tax has
been paid _____

Deed Tax _____ 50

Mortgage Tax _____

W. L. Stewart
Judge of Probate

By X. G.

TO HAVE AND TO HOLD to the said O. T. SOELBERG. A Widower,
his heirs and assigns forever.

And WE do covenant with the said O. T. SOELBERG.

that WE ARE seized in fee of the above
described premises; that WE have the right to sell and convey the same; that the said
premises are free from all incumbrances, and that WE will, and OUR heirs
executors and administrators shall forever WARRANT AND DEFEND the same to the said _____

O. T. SOELBERG.

heirs and assigns against the lawful claims of all persons whomsoever.

Witness OUR hand and seal this 15th, day of April, 1946.

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of
TEN (\$10.00) Dollars and other Valuable Considerations,

to _____ and _____ in hand paid by _____ C. T. SOELBERG. A. Widower,

the receipt whereof is hereby acknowledged _____ Oscar Steve, George D. Lundberg, & Charlie
Johnston, Trustees of the Mission Covenant Church, of Silver Hill, Ala.

do grant, bargain, sell and convey unto the said

_____ C. T. SOELBERG. A. Widower.

the following described lands situated in _____ BALDWIN _____ County, Alabama, to-wit:

_____ Lot Ninteen (19) in Block Nineteen (19) as per Plat
_____ on Record in the Office of Probate Judge, of Baldwin
_____ County, State of Alabama, a Subdivision of North-West
_____ Quarter (NW $\frac{1}{4}$) of Section Eleven (11) Township Six (6)
_____ South, Range Three (3) East, of Meridian St Stephens
_____ in Alabama,

TO HAVE AND TO HOLD the said released premises unto the said O. T. Coelberg,

his heirs and assigns forever; So that neither the party of

the first part heirs or assigns nor any other person in trust for Elmer V. Lovell

or in his 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 party of the first part 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 party of the first part have hereunto set his hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Elmer V. Lovell (SEAL)

(SEAL)

BOOK 108 PAGE 279