

BILL OF COMPLAINT

FRANK J. TARVIN, MARLAN TARVIN
WEAVER AND FRANK PARROTT TARVIN,

COMPLAINANTS

VS.

ANDREW TARVIN, JOE TARVIN, DAVE
TARVIN, JEFF TARVIN, JR., FELIX
TARVIN, L. B. TARVIN, ELIJAH
TARVIN, ANNIE TARVIN, LUCILLE
TARVIN DAVIS, AND WILLIE MAE
RAYWORTH,

RESPONDENTS.

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

TO THE HONORABLE TELFAIR J. MASONRY, JUDGE OF THE TWENTY-EIGHTH
JUDICIAL CIRCUIT OF THE STATE OF ALABAMA, IN EQUITY SITTING:

Comes now your complainants in the above styled
cause humbly complaining of the said respondents and represents
and shows unto your Honor as follows:

F I R S T

That all the parties hereto, both complainants
and respondents are over the age of twenty-one years, that all
of the complainants are bona fide resident citizens of Blacksher,
Baldwin County, Alabama.

S E C O N D

That the respondents hereto are residents of the
cities and states hereinafter set out, to-wit:

<u>NAME</u>	<u>CITY</u>	<u>STATE</u>
Andrew Tarvin	Blacksher	Alabama
Joe Tarvin	Mobile	Alabama
Dave Tarvin	Prichard	Alabama
Jeff Tarvin, Jr.,	Prichard	Alabama
Felix Tarvin	Selma	Alabama
L. B. Tarvin	Annie Tarvin Hattiesburg, Miss.	Mississippi
Elijah Tarvin	Detroit	Michigan
Annie Tarvin	Blacksher ↓ Detroit	Alabama Michigan
Lucille Tarvin Davis	Detroit	Michigan
Willie Mae Rayworth	Youngstown	Ohio

THIRD

That the complainants and respondents to this suit are the joint owners and tenants in common of the following described land located in Baldwin County, Alabama, to-wit:

The East Half of the Southeast Quarter of Section 5, and the Northwest Quarter of the Southwest Quarter and West Half of the Northeast Quarter of the Southwest Quarter, Section 7, Township 3 North, Range 3 East.

FOURTH

That Pearl Parrott Tarvin owns a life estate in and to the above described property and agrees her to be sold for partition and division upon payment to her of her due portion of the proceeds. That each of the other complainants and each of the respondents own an undivided One-twelfth (1/12) interest in the remainder of this property.

FIFTH

The complainants allege that the nature of the land is such that the same cannot be equitably divided; some of the land being suitable for cultivation and some being covered in timber, that the complainants are desirous of a termination of their tenancy in common and that a sale of the land would be to the best interest of all of the joint owners and tenants in common heretofore named.

PRAYER FOR PROCESS

Premises considered the complainants pray that the said Andrew Tarvin, Joe Tarvin, Dave Tarvin, Jeff Tarvin, Jr., Felix Tarvin, L. B. Tarvin, Elijah Tarvin, Annie Tarvin, Lucille Tarvin Davis, and Willie Mae Rayworth be made parties respondent to this bill of complaint by the appropriate process of this court and that they be required to plead, answer or demur to this bill of complaint within the time provided by law and the rules of this Honorable Court and that in default thereof the said bill of complaint be taken as forever confessed.

PRAYER FOR RELIEF

The premises considered the complainants pray that this Honorable Court will render a decree ordering a sale of said land for division of this property and the proceeds therefrom distributed to the joint owners and tenants in common thereof.

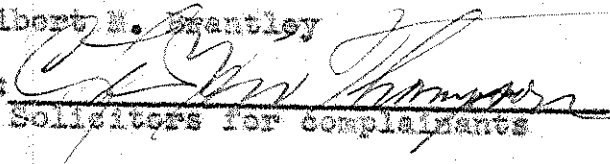
The complainants pray for such other, further, different and general relief as in equity and good conscience they may be entitled to receive.

Complainants offer to do equity.

C. LeMoir Thompson

Tolbert M. Bantley

By:


Solicitors for complainants

STATE OF ALABAMA

DADE COUNTY

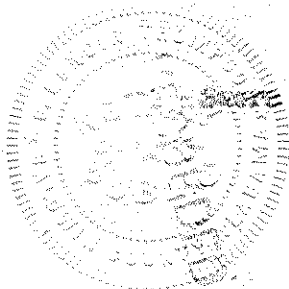
Marion Terrell Weaver, being duly sworn, deposes and says that the facts stated in the above petition are true according to the best of her knowledge, information and belief.

Marion Terrell Weaver

Seeks to and subscribed before me, this 18 day of March, 1952.

W. J. Thompson

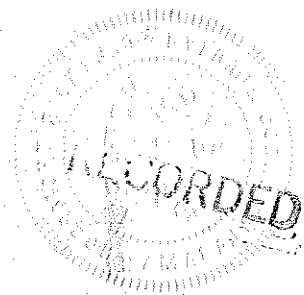
Notary Public



Handwritten notes:
W. J. Thompson
Notary Public
State of Alabama
Commission Expires March 1953

Handwritten notes:
W. J. Thompson
Notary Public
State of Alabama
Commission Expires March 1953

2804



Frank J. Jarvin et al

vs

Ondrej Jarvin et al

Amio Title

5-1-52

RECEIVED
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FRANK J. TARVIN, MARIAH TARVIN
WEAVER AND PERRL PARROTT TARVIN,

COMPLAINANTS

VS

ANDREW TARVIN, JOE TARVIN, DAVE
TARVIN, JEFF TARVIN, JR., FELIX TARVIN
L. B. TARVIN, ELIJAH TARVIN, ANNIE
TARVIN, LUCILLE TARVIN DAVIS, AND WILLIE
MAE HAYWORTH,

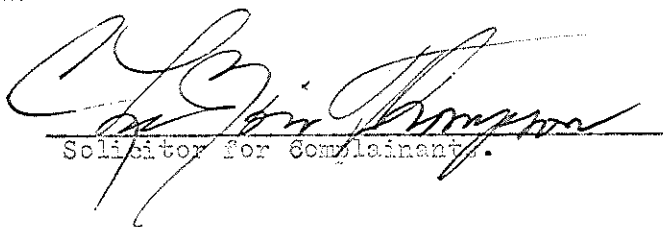
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO.

RESPONDENTS.

Comes now the Complainants by their attorney of record and moves to
dismiss the petition filed in this cause.


Solicitor for Complainant.

2804

RECORDED

Filed 10-17-53
Airtel. memo.
Reynolds

J. TERRY REYNOLDS, JR.
ATTORNEY AT LAW
605 FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA
TELEPHONE 3-3661

October 6, 1953

Mrs. Alice J. Duck
Clerk of the Circuit Court
of Baldwin County
Bay Minette, Alabama

Dear Mrs. Duck:

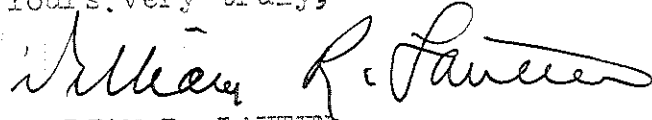
Please find enclosed herewith Equity file No. 2804, styled
Frank Tarvin, et al v. Andrew Tarvin, et al.

Please return this file to its proper place and tear up
the receipt card for me.

Also I would appreciate your entering our appearance as
attorneys for Pearl Tarvin in this matter and keep us advised
as to the dates of the settings of this case.

Thanking you, I am

Yours very truly,


WILLIAM R. LAUTEN

WRL:bw

Encl. 1 - Equity File No. 2804, Baldwin County