

E. T. DOHRING

COMPLAINANT

VS

ESTELLE E. MCKIBBON ET AL,

RESPONDENTS

)
IN THE CIRCUIT COURT OF

)
BALDWIN COUNTY, ALABAMA

)
IN EQUITY

)
FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the satisfaction of the court that the Complainant is the owner in fee simple of, is now and was at the time of the filing of the bill of complaint in this cause, in the actual and peaceable possession of the said land, and each and every part and parcel thereof; that the Respondents P. D. Ballard, Hattie M. Ballard, Estelle E. McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Crance, John C. Allen, if living are Non-residents of the State of Alabama, and over twenty-one years of age, and that if dead their heirs, devisees, grantees, personal representatives and assigns are non-residents of the State of Alabama and over twenty-one years of age; that service was perfected upon the Respondents herein by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 2nd day of October, 1952; that service was also perfected by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 2nd day of October, 1952, against the unknown heirs, devisees, grantees, personal representatives and assigns of P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Crance, John C. Allen, and any and all other persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof; that notice of the pendency of said suit was given by the filing of a lis pendens notice in the office of the Probate Judge of Baldwin County, Alabama, and by posting at the court house door in Bay Minette, Alabama; that the Respondents and each of them, having failed

to appear and plead, answer or demur to the bill of complaint, as required by law, a decree pro confesso was entered against them and each of them; That Harry J. Wilters Jr., a practicing attorney at law, in Bay Minette, Baldwin County, Alabama, was appointed as Guardian ad Litem to represent the Respondents whose names were unknown, and duly filed his appearance agreeing to act as Guardian ad Litem, and filed answer denying all the material allegations of the Complaint, and appeared and cross examined the witnesses for the Complainant; that the title of the Complainant has been duly and legally established by legal and competent evidence, the court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the Respondents, P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Grance, John C. Allen, the unknown heirs, devisees, grantees, personal representatives and assigns P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard, McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Grance, John C. Allen, and also any and all persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof, have no right, estate, claim, interest in or encumbrance upon the following described lands or any part or parcel thereof in Baldwin County, Alabama, to-wit:

PARCEL 1: The North Eight (80) feet of Lot or Block "C" of the village of Seacliff a subdivision of the William Patterson Grant Section 8, Township 6 South, Range 2 East, according to plat of same recorded in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 7 NS pages 90-91.

PARCEL 2: In Section 8, Township 6 South, Range 2 East, in Baldwin County, Alabama, described as follows:
Beginning at a point 396 feet East and 170 feet South of a point on the margin of Red Bluff on the Eastern Shore of Mobile Bay 24.66 chains North of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, and running thence South a distance of 160 feet to a point, thence West 396 feet, more or less, to Mobile Bay, thence Northwardly along the meanderings of the Shore line of Mobile Bay 160 feet, more or less, to a point due West of the Point of beginning, thence East 396 feet, more or less, to point of beginning.

PARCEL 3: From a point on the Red Bluff North of Seacliff Subdivision, in the William Patterson Grant, Section 8, Township 6 South, Range 2 East, 24.66 chains North of a line projected due West from the Northwest corner of Section 9, said Township and Range, run South 100 feet for a point of beginning, thence run East 396 feet, more or less, to David Courtney's West line, thence run South 1 degree East 70 feet, along said Courtney's West line, thence run West to the margin of Mobile Bay, thence run Northerly following the meanderings of said Bay, until the Northings amount to 70 feet, thence run East to the point of beginning.

PARCEL 4: Commencing at a point on the margin of Red Bluff at Seacliff, Alabama, on the Eastern Shore of Mobile Bay 24.66 chains, North from the prolongation of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, for a beginning corner, thence South 100 feet for a front for a depth Eastwardly 396 feet, with the same width in rear as in the front.

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

PARCEL 1: The North Eighty (80) feet of Lot or Block "C" of the Village of Seacliff a subdivision of the William Patterson Grant Section 8, Township 6 South, Range 2 East, according to plat of same recorded in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 7 NS pages 90-91.

PARCEL 2: In Section 8, Township 6 South, Range 2 East, in Baldwin County, Alabama, described as follows:
Beginning at a point 396 feet East and 170 feet South of a point on the margin of Red Bluff on the Eastern Shore of Mobile Bay 24.66 chains North of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, and running thence South a distance of 160 feet to a point, thence West 396 feet, more or less, to Mobile Bay, thence Northwardly along the meanderings of the Shore line of Mobile Bay 160 feet, more or less, to a point due West of the point of beginning, thence East 396 feet, more or less, to point of beginning.

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PARCEL 4: Commencing at a point on the margin of Red Bluff at Seacliff, Alabama, on the Eastern Shore of Mobile Bay, 24.66 chains North from the prolongation of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, for a beginning corner, thence South 100 feet for a front for a depth Eastwardly 396 feet, with the same width in rear as in the front.

is vested absolutely in the Complainant, E. T. Doehring.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the names of P. D. Ballard, Mattie M. Ballard, Estelle E. Ballard McKibben, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Crance, John C. Allen, and in the indirect index in the name of E. T. Doehring.

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

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

Dated at Bay Minette, Alabama Baldwin County, this the 22nd day of December, 1952.

Jeffrey J. Marshall
JUDGE

✓
E. T. DOEHRING

COMPLAINANT

VS

ESTELLE E. MCKIBBON, ET AL,

RESPONDENTS

FINAL DECREE

FILED

DEC 22 1952

ALICE J. DUCK, Register

E. T. DOEHRING

COMPLAINANT

VS

ESTELLE E. McKIBBON, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2902

~~MOTION FOR DECREE PRO CONFESSO ON PUBLICATION~~

Now comes the Complainant in the above styled cause and shows unto the Court that an order of publication was made on the 30th day of September, 1952, which was duly published in the Baldwin Times, a newspaper published in Bay Minette, Alabama, in its issues of October 2, October 9, October 16, and October 23, 1952, and was directed to P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, John C. Allen, Henry Hill, Major Smith, J. F. Grance, the unknown heirs, devisees, personal representatives and assigns of them and each of them, and any other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrances upon the following described land situated in Baldwin County, Alabama, to-wit:

PARCEL 1. The North eighty (80) feet of Lot or Block "C" of the Village of Seacliff a subdivision of the William Patterson Grant Section 8, Township 6 South, Range 2 East, according to Plat of same recorded in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 7 NS pages 90-91.

PARCEL 2. In Section 8, Township 6 South, Range 2 East, in Baldwin County, Alabama, described as follows: Beginning at a point 396 feet East and 170 feet South of a point on the margin of Red Bluff on the Eastern Shore of Mobile Bay 24.66 chains North of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, and running thence South a distance of 160 feet to a point, thence West 396 feet, more or less, to Mobile Bay, thence Northwardly along the meanderings of the shore line of Mobile Bay 160 feet, more or less to a point due West of the point of beginning thence East 396 feet, more or less, to point of beginning.

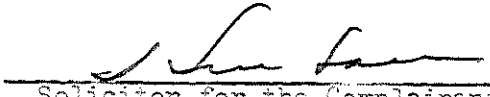
PARCEL 3. From a point on the RedBluff North of Seacliff Subdivision, in the William Patterson Grant, Section 8, Township 6 South, Range 2 East, 24.66 chains North of a line projected due West from the Northwest corner of Section 9, said township and range, run South 100 feet for a point of beginning, thence run East 396 feet, more or less, to David Courtney's West line, thence run South 1 degree East 70 feet, along said Courtney's West line, thence run West to the margin of Mobile Bay, thence run Northerly following the meanderings of said Bay, until the Northings amount to 70 feet, thence run East to the point of beginning.

PARCEL 4. Commencing at a point on the margin of Red Bluff at Seacliff, Alabama, on the Eastern Shore of Mobile Bay 24.66 chains North from the prolongation of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, for a beginning corner, thence South 100 feet for a front, for a depth Eastwardly 396 feet, with the same width in rear as in the front.

As Respondents, which required the said Respondents to answer or demur to the bill of complaint within thirty days after the 3rd day of November, 1952, which said respondents have to this day failed to do.

WHEREFORE, the Complainant moves the court to grant a decree pro confesso against the said respondents.

Dated this the 5 day of December, 1952.


Solicitor for the Complainant

RECORDED

E. T. DOERING

COMPLAINANT

VS

ESTELLE E. MCKIBBON, ET AL,

RESPONDENTS

MOTION FOR DECREE PRO CONFESSO
ON PUBLICATION

Filed 12-5-52

Alice J. French

Register

E. T. DOERING

COMPLAINANT

VS

ESTELLE E. McKIBBON, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2902

DECREE PRO CONFESSO ON PUBLICATION

In this cause it appearing to the court that the order of publication heretofore made in this cause was published four consecutive weeks commencing on the 2nd day of October, 1952, in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama; that a copy of said order was posted at the Court House door in Baldwin County, Alabama, on the 2nd day of October, 1952, and it now further appearing to the court that the said P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, John C. Allen, Henry Hill, Major Smith, J. F. Crance, the unknown heirs, devisees, grantees, personal representatives, and assigns of P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard, McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, John C. Allen, Henry Hill, Major Smith, J. F. Crance, respondents have to date hereof failed to plead, answer or demur to this bill of complaint in this cause.

It is therefore on motion of the Complainant, ordered and decreed, by the court, that the said bill of complaint be and it is hereby, in all things, taken as confessed against the Respondents named in this cause.

Witness my hand this the 8 day of December, 1952.

W. J. R. R. R.
Register

RECORDED

E. T. DOEHRING

COMPLAINANT

VS

ESTELLE E. MCKIBBON, ET AL,

RESPONDENTS

DECREE PRO CONFESSO
ON PUBLICATION

Filed 12-8-52

*Wm. J. French
Register*

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

E. T. Doehring Complainant

VS.

Estelle B. McKibbin, et al, Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Hazel Council and A. C. Council Jr.

witnesses named in the Requirement for Oral Examination, on the 16 day of December 1945, at the office of Hubert M. Hall in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Hazel Council and A. C. Council Jr. doth depose and say as follows:

Hazel Council, a witness for the Complainant being duly sworn, deposes and says: My name is Hazel Council. I live at Daphne, in Baldwin County, Alabama, I am personally acquainted with and have known the Complainant, E. T. Doehring, a resident of Baldwin County, Alabama, for the past 30 years. I know that he is over twenty-one years of age. I am a real estate broker and have for the past 12 years represented Dr. E. T. Doehring in all of his Baldwin County land transactions. I also represented the Mo-Baldwin Development Company of which Dr. Doehring was president and the principal stock holder and owner. I represented Dr. Doehring in the possession of the lands described in the bill of complaint in this cause and it was through my recommendation and report of the nature and type and possession of the said property that Dr. Doehring bought it. I, before perfecting a purchase by Dr. Doehring made a personal inspection of the properties in this suit and I am fully acquainted with all of them.

I also, as Agent for Dr. Doehring, made a full, complete and thorough investigation and inquiry as to any parties that might have a claim to said property including a search of the records at Bay Minette, Alabama. I also arranged with Hubert Hall, an attorney at Bay Minette, Alabama, to make a record search as to said property and to determine as to any claimants. The parties named in the bill of complaint as respondents are the only ones found that might have any claims against the said property, and any claim that any of the named respondents might have had has long since been barred by estoppel and possession on the part of Dr. Doehring and those through whom he claims. The addresses of the Respondents as given in the original bill of complaint are true from all information obtainable.

It was determined after a full inquiry that none of the Respondents were presently residents of the State of Alabama, but non-residents of the State of Alabama, and their addresses could not be ascertained. It was also impossible to ascertain as to which of the non-residents were dead, however, so far as information is available none of the heirs are residents of the State of Alabama.

The Complainant is the owner in fee simple and in the actual possession of the land described in this bill of complaint having acquired the same by conveyances from Mo-Baldwin Development Company Inc; that said deeds as described in the bill of complaint are hereto attached and are to be taken as a part of my testimony as though they were herein fully set out.

I know of my own personal knowledge that there is no suit pending to test the Complainant's title to, interest in, or rights of possession to said lands.

The title to the said lands, involved in this suit stands upon the records of the Probate Court of Baldwin County, Alabama, in the name of E. D. Doehring and no one has at any time within ten years next preceding the filing of the bill of complaint in this cause paid any taxes upon or had any possession of said lands or any part thereof other than the Complainant, E. T. Doehring and those through whom he claims by mesne conveyances. Practically all if not all the lands involved in this suit are now under fence and have been for more than 10 years. I know that during the said time no one has claimed or attempted to exercise any claims or rights of possession to said lands other than E. T. Doehring and those through whom he claims.

ORAL EXAMINATION.

I, Evelyn Watts, as Register and Commissioner hereby certify that the foregoing deposition^s on Oral Examination was taken down by me in writing in the words of the witness^{es} and read over to them and they signed the same in the presence of myself and Hubert M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness^{es} or had proom made before me of the identity of said witness^{es}; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

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

Given under my hand and seal, this 16 day of December, 1945

Evelyn Watts (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

E. T. Doehring

vs. Complainant

Estelle E. McKibbon, et al.

Respondent.

Oral Deposition

Filed _____, 1945

FILED

DEC 24 1952

Recorded Register

APR 1 1953

Record

Vol. _____ Page _____

Register.

Cross Examination by guardian ad litem:

I having represented Dr. Doehring in the purchase of his lands and I am much better acquainted therewith than he is personally. I have had the responsibility of looking after his holdings for the past 12 years and he has during that time depended upon me to look after all his lands in Baldwin County, Alabama. I have known Dr. Doehring since 1921.

Hazel Council

A. C. Council Jr., a witness for the Complainant being first duly sworn, deposes and says:

My name is A. C. Council Jr., I live at Daphne in Baldwin County, Alabama. I am now and have been for the past five years a real estate salesman working under Miss Hazel Council. I am personally acquainted with Dr. E. T. Doehring the Complainant in this case and also know and have known for the past 17 years and more the lands described in the bill of complaint in this cause. I have, working with Miss Council, made diligent inquiries and searches to ascertain the addresses of the parties named as respondents in this cause, however, have not been able to ascertain them. I know that they do not live anywhere within the vicinity of the land and from all information obtainable they are if living non-residents of the State of Alabama. This property is located at what is called Seacliff between Daphne and Fairhope and I have been along by or near the property several times weekly for the past 10 years or more. I have also been on the property repeatedly checking it and its boundaries and know that no one has for the past 10 years exercised any rights of possession or attempted to exercise any title to the said land adversely to the Complainant and those through whom he claims.

Miss Council and I have represented the Complainant for many years and he has relied upon us to take care of his properties and we are in much better position to testify than Dr. Doehring himself.

Cross Examination by guardian ad litem:

I know that a greater part if not all of the lands involved in this suit is now and has been for the past 10 years under fence and that the Complainant and those through whom he claims have exercised full and complete possession of said property under claims of ownership. Just recently the Complainant deeded to Baldwin County and to the Town of Fairhope rights of ways for roads through the properties involved in this suit.

A. C. Council Jr.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Evelyn Watts

KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Hazel Council and
R. C. Council Jr.

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein E. J. Lockring

Complainant
and Estelle E. McRibben et al

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

Witness 16th day of Dec, 1952

Derick French
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

E. J. Leohring

Complainant—

vs.

Estelle M^c Gibbon
et al.

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Evelyn Watts

WITNESSES:

Harold Council
W. Council Jr.

JIMMY FAULKNER
EDITOR AND PUBLISHER

LIS-PENDENS NOTICE

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

E. T. DOEHRING, Complainant
vs.
ESTELLE E. MCKIBBON ET AL,
Respondents

It having been made to appear, in the above styled cause by proper affidavit, that P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, John C. Allen, Henry Hill, Major Smith, J. F. Crance, are non-residents of the State of Alabama and over twenty-one years of age, or if dead, their heirs, devisees, grantees, personal representatives and assigns are unknown, and cannot be ascertained after a diligent search and inquiry, and who are, from all information obtainable, non-residents of the State of Alabama, and over twenty-one years of age; that E. T. Doehring is over twenty-one years of age and a resident of Baldwin County, Alabama, and the owner in fee simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

PARCEL 1. The North eighty (80) feet of Lot or Block "C" of the Village of Seaclyff a subdivision of the William Patterson Grant Section 8, Township 6 South, Range 2 East, according to plat of same recorded in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 7 NS pages 90-91.

PARCEL 2. In Section 8, Township 6 South, Range 2 East in Baldwin County, Alabama, described as follows: Beginning at a point 396 feet East and 170 feet South of a point on the margin of Red Bluff on the Eastern Shore of Mobile Bay 24.66 chains North of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, and running thence South a distance of 160 feet to a point, thence West 396 feet, more or less, to Mobile Bay, thence Northwardly along the meanderings of the shore line of Mobile Bay 160 feet, more or less, to a point due West of the point of beginning, thence East 396 feet, more or less, to point of beginning.

PARCEL 3. From a point on the Red Bluff North of Seaclyff Subdivision, in the William Patterson Grant, Section 8, Township 6 South, Range 2 East, 24.66 chains North of a line projected due West from the Northwest corner of Section 9, said Township and range, run South 100 feet for a point of beginning, thence run East 396 feet, more or less, to David Courney's West Line, thence run South 1 degree East 70 feet, along said Courney's West line, thence run West to the margin of Mobile Bay, thence run Northerly following the meanderings of said Bay, until the Northings amount to 70 feet, thence run East to the point of beginning.

PARCEL 4. Commencing at a point on the margin of Red Bluff at Seaclyff, Alabama, on the Eastern Shore of Mobile Bay 24.66 chains North from the prolongation of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, a beginning corner, thence South 100 feet for a front, for a depth East-100 feet 396 feet, with the same width wherever as in the front.

at your Complainant acquired title to the said lands as follows: Parcel No. 1, to the conveyance from Mobaldwin Development Company, Inc., a corporation, dated December 4, 1951, and of record in the Deeds of the Probate Judge of Baldwin County, Alabama, in Deed Book 172 NS, Pages 418-9; Parcel No. 2, by conveyance from Mobaldwin Development Company, Inc., a corporation, dated December 4, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 172 NS, pages 418-9; Parcel No. 3, by deed from Mobaldwin Development Company, Inc., a corporation, dated December 4, 1951, and of record in the office of the Probate

and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 172 NS pages 422-3; that no person is known to have paid any taxes on said land or to have been in possession thereof, within ten years next preceding the filing of the bill of complaint excepting E. T. Doehring.

It is therefore ordered and notice is hereby given that the said P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, John C. Allen, Henry Hill, Major Smith, J. F. Crance, the unknown heirs, devisees, personal representatives and assigns of them and each of them, and any other persons, firms, or corporations claiming any title to, interest in, lien or encumbrance upon said lands, or any part thereof, to appear in the Circuit Court of Baldwin County, Alabama, in Equity, and plead, 1952, or or demur to the bill or complaint so, or before the 3rd day of November, from or upon their having failed to do so, shall be the expiration of thirty days this cause date, a decree pro confesso IT IS FURTHER ordered against them, and that notice shall be at issue.

Time, BY ORDER that this order be published in the Baldwin County, Alabama, five weeks, Minette, Baldwin County, IN WITNESS a week for four consecutive weeks.

ALICE J. DUCK, Register.
H. M. Hall, Solicitor for the Complainant. 37-4c.

BALDWIN TIMES

BEST NEWSPAPER

ALABAMA

AFFIDAVIT OF PUBLICATION

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

E. T. Doehring

vs. Estelle E. McKibbon

COST STATEMENT

1035 WORDS @ $6\frac{1}{2}$ cents --- \$ 67²⁷
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. 2, 1952 Vol. 63 No. 37

Date of 2nd publication Oct. 9, 1952 Vol. 63 No. 38

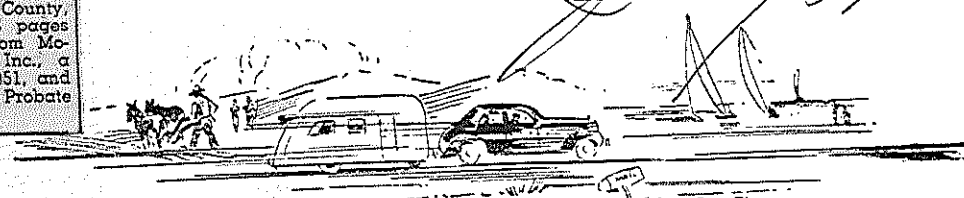
Date of 3rd publication Oct. 16, 1952 Vol. 63 No. 39

Date of 4th publication Oct. 23, 1952 Vol. 63 No. 40

Subscribed and sworn before the undersigned this 25 day of Oct, 1952

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



E. T. DOHRING

COMPLAINANT

VS

ESTELLE E. McKIBBON, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2902

NOTICE OF TIME OF TAKING TESTIMONY

TO: P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, John C. Allen, Majoy Smith, J. F. Crance:

Notice is hereby given the the Complainant will on the 16 day of December, 1952, before Evelyn Watts, as Special Commissioner take the testimony of the following witnesses:

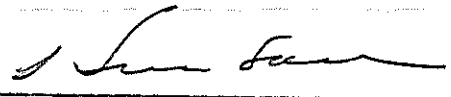
Hazel Council

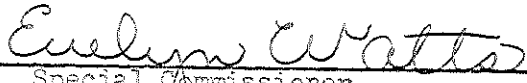
Daphne, Alabama.

A. C. Council Jr.

Daphne, Alabama.

Dated this the 9 day of December, 1952.


Solicitor for the Complainant


Special Commissioner

E. T. DOHRING

COMPLAINANT

VS

ESTELLE E. MCKIBBON, ET AL,

RESPONDENTS

NOTICE OF TIME OF TAKING TESTIMONY

*Filed 12-9-52
King-Jennings
Register*

E. T. DOEHRING

COMPLAINANT

VS

ESTELLE E. McKIBBON, ET AL,

RESPONDENTS

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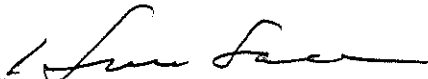
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2902


NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainant upon the following:

1. Original summons and complaint.
2. Lis Pendens filed for record in the Probate Office.
3. Proof of publication of notice in the Baldwin Times.
4. Decree pro confesso by publication.
5. Request for appointment of Commissioner.
6. Commission to take deposition.
7. Notice of time of taking testimony.
8. Appointment of Guardian ad Litem and acceptance.
9. Oral depositions of

Dated this the 19th day of dec, 1952.


Solicitor for the Complainant


Register

E. T. DOEHRING

COMPLAINANT

VS

ESTELLE E. MCKIBBON, ET AL,

RESPONDENT

NOTE OF TESTIMONY

FILED

DEC 10 1952

ALICE J. DUCK, Register

E. T. DOEHRING

COMPLAINANT

VS

ESTELLE E. MCKIBBON ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decree pro confesso and proof as noted by the Register, and it appearing to the satisfaction of the court that the Complainant is the owner in fee simple of, is now and was at the time of the filing of the bill of complaint in this cause, in the actual and peaceable possession of the said land, and each and every part and parcel thereof; that the Respondents P. D. Ballard, Hattie M. Ballard, Estelle E. McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Crance, John C. Allen, if living are Non-residents of the State of Alabama, and over twenty-one years of age, and that if dead their heirs, devisees, grantees, personal representatives and assigns are non-residents of the State of Alabama and over twenty-one years of age; that service was perfected upon the Respondents herein by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 2nd day of October, 1952; that service was also perfected by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 2nd day of October, 1952, against the unknown heirs, devisees, grantees, personal representatives and assigns of P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Crance, John C. Allen, and any and all other persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof; that notice of the pendency of said suit was given by the filing of a lis pendens notice in the office of the Probate Judge of Baldwin County, Alabama, and by posting at the court house door in Bay Minette, Alabama; that the Respondents and each of them, having failed

BOOK 190 PAGE 832

to appear and plead, answer or demur to the bill of complaint, as required by law, a decree pro confesso was entered against them and each of them; That Harry J. Wilters Jr., a practicing attorney at law, in Bay Minette, Baldwin County, Alabama, was appointed as Guardian ad Litem to represent the Respondents whose names were unknown, and duly filed his appearance agreeing to act as Guardian ad Litem, and filed answer denying all the material allegations of the Complaint, and appeared and cross examined the witnesses for the Complainant; that the title of the Complainant has been duly and legally established by legal and competent evidence, the court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the Respondents, P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Crance, John C. Allen, the unknown heirs, devisees, grantees, personal representatives and assigns P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard, McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Crance, John C. Allen, and also any and all persons, firms or corporations claiming any right, title to, interest in, lien or encumbrance upon the said land, or any part or parcel thereof, have no right, estate, claim, interest in or encumbrance upon the following described lands or any part or parcel thereof in Baldwin County, Alabama, to-wit:

PARCEL 1: The North Eight (80) feet of Lot or Block "C" of the village of Seacliff a subdivision of the William Patterson Grant Section 8, Township 6 South, Range 2 East, according to plat of same recorded in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 7 NS pages 90-91.

PARCEL 2: In Section 8, Township 6 South, Range 2 East, in Baldwin County, Alabama, described as follows: Beginning at a point 396 feet East and 170 feet South of a point on the margin of Red Bluff on the Eastern Shore of Mobile Bay 24.66 chains North of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, and running thence South a distance of 160 feet to a point, thence West 396 feet, more or less, to Mobile Bay, thence Northwardly along the meanderings of the Shore line of Mobile Bay 160 feet, more or less, to a point due West of the Point of beginning, thence East 396 feet, more or less, to point of beginning.

PARCEL 3: From a point on the Red Bluff North of Seacliff Subdivision, in the William Patterson Grant, Section 8, Township 6 South, Range 2 East, 24.66 chains North of a line projected due West from the Northwest corner of Section 9, said Township and Range, run South 100 feet for a point of beginning, thence run East 396 feet, more or less, to David Courtney's West line, thence run South 1 degree East 70 feet, along said Courtney's West line, thence run West to the margin of Mobile Bay, thence run Northerly following the meanderings of said Bay, until the Northings amount to 70 feet, thence run East to the point of beginning.

PARCEL 4: Commencing at a point on the margin of Red Bluff at Seacliff, Alabama, on the Eastern Shore of Mobile Bay 24.66 chains, North from the prolongation of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, for a beginning corner, thence South 100 feet for a front for a depth Eastwardly 396 feet, with the same width in rear as in the front.

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

PARCEL 1: The North Eighty (80) feet of Lot or Block "C" of the Village of Seacliff a subdivision of the William Patterson Grant Section 8, Township 6 South, Range 2 East, according to plat of same recorded in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 7 NS pages 90-91.

PARCEL 2: In Section 8, Township 6 South, Range 2 East, in Baldwin County, Alabama, described as follows: Beginning at a point 396 feet East and 170 feet South of a point on the margin of Red Bluff on the Eastern Shore of Mobile Bay 24.66 chains North of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, and running thence South a distance of 160 feet to a point, thence West 396 feet, more or less, to Mobile Bay, thence Northwardly along the meanderings of the Shore line of Mobile Bay 160 feet, more or less, to a point due West of the point of beginning, thence East 396 feet, more or less, to point of beginning.

PARCEL 3: From a point on the Red Bluff North of Seacliff Subdivision in the William Patterson Grant, Section 8, Township 6 South, Range 2 East, 24.66 chains North of a line projected due West from the Northwest corner of Section 9, said Township and range, run South 100 feet for a point of beginning, thence run East 396 feet, more or less, to David Courtney's West line, thence run South 1 degree East 70 feet, along said Courtney's West line, thence run West to the margin of Mobile Bay, thence run Northerly following the meanderings of said Bay, until the Northings amount to 70 feet, thence run East to the point of beginning.

PARCEL 4: Commencing at a point on the margin of Red Bluff at Seacliff, Alabama, on the Eastern Shore of Mobile Bay, 24.66 chains North from the prolongation of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, for a beginning corner, thence South 100 feet for a front for a depth Eastwardly 396 feet, with the same width in rear as in the front.

is vested absolutely in the Complainant, E. T. Doehring.

BOOK 190 PAGE 331

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that a certified copy of this decree be recorded in the office of the Probate Judge of Baldwin County, Alabama, in the direct index in the names of P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Crance, John C. Allen, and in the indirect index in the name of E. T. Doehring.

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

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

Dated at Bay Minette, Alabama Baldwin County, this the 22nd day of December, 1952.

Telfair J. Mashburn, Jr
JUDGE

STATE OF ALABAMA
BALDWIN COUNTY

I, ALICE J. DUCK, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing and attached is a full, true correct and complete copy of the final decree in the matter of E. T. Doehring, Complainant vs Estelle E. McKibbon, et al, Respondents, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the 22nd day of December, 1952.

Alice J. Duck
Register

STATE OF ALABAMA, BALDWIN COUNTY

Filed 12-30-52 3 P. M.
Recorded led ..book... 190 page 331-4

M. S. Stewart
Judge of Probate 6

E. T. DOEHRING

COMPLAINANT

VS

ESTELLE E. McKIBBON, ET AL,

RESPONDENTS

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2902

REQUEST FOR APPOINTMENT OF COMMISSIONER

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

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

Hazel Council

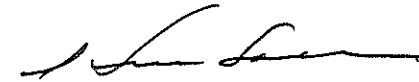
Daphne, Alabama

A. C. Council Jr.

Daphne, Alabama.

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

Dated this the 9 day of December, 1952.



Solicitor for the Complainant

E. T. DOHRING

COMPLAINANT

VS

ESTELLE E. MCKIBBON ET AL,

RESPONDENTS

REQUEST FOR APPOINTMENT
OF COMMISSIONER

Filed 12-9-52

*Wm J. Veneta
Register*

STATE OF ALABAMA
BALDWIN COUNTY

TOANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon P. D. BALLARD, HATTIE M. BALLARD, ESTELLE E. BALLARD MCKIBBON, ISABELLE V. ROBERTSON, J. BESTOR ROBERTSON, ESTHER BANNING, A. J. PATTERSON, RANDOLPH GARRE, LOUISA GARRE, ELLEN HILL, ETHEL HOYLE, HENRY HILL, MAJOR SMITH, J. F. CRANCE, JOHN C. ALLEN, the unknown heirs, devisees, grantees, personal representatives and assigns of them and each of them, to appear and plead, answer or demur, within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by E. T. DOHRING, as Complainant and against Estelle E. McKibbons, et al, as Respondents.

WITNESS my hand this the 30 day of September, 1952.

David J. ...
Register

E. T. DOHRING

COMPLAINANT

VS

ESTELLE E. MCKIBBON, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

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

Now comes your Complainant, E. T. Doehring, and presents this his bill of complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

PARCEL 1: The North Eighty (80) feet of Lot or Block "C" of the Village of Seacliff a subdivision of the William Patterson Grant Section 8, Township 6 South, Range 2 East, according to plat of same recorded in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 7 NS pages 90-91.

PARCEL 2: In Section 8, Township 6 South, Range 2 East, in Baldwin County, Alabama, described as follows:
Beginning at a point 396 feet East and 170 feet South of a point on the margin of Red Bluff on the Eastern Shore of Mobile Bay 24.66 chains North of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, and running thence South a distance of 160 feet to a point, thence West 396 feet, more or less, to Mobile Bay, thence Northwardly along the meanderings of the Shore line of Mobile Bay 160 feet, more or less, to a point due West of the Point of beginning, thence East 396 feet, more or less, to point of beginning.

PARCEL 3: From a point on the Red Bluff North of Seacliff Subdivision, in the William Patterson Grant, Section 8, Township 6 South, Range 2 East, 24.66 chains North of a line projected due West from the Northwest corner of Section 9, said Township and range, run South 100 feet for a point of beginning, thence run East 396 feet, more or less, to David Courtney's West line, thence run South 1 degree East 70 feet, along said Courtney's West line, thence run West to the margin of Mobile Bay, thence run Northerly following the meanderings of said Bay, until the Northings amount to 70 feet, thence run East to the point of beginning.

PARCEL 4: Commencing at a point on the margin of Red Bluff at Seacliff, Alabama, on the Eastern Shore of Mobile Bay, 24.66 chains North from the prolongation of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, for a beginning corner, thence South 100 feet for a front for a depth Eastwardly 396 feet, with the same width in rear as in the front,

and also against P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibben Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, John C. Allen, Major Smith, J. F. Crance, if they be living and if dead against their and each of their heirs, devisees, grantees, administrators, assigns and personal representatives and also against any other person, firms or corporations claiming any right, title to, interest in, or encumbrance upon or against the said lands or any part or parcel thereof and respectfully represents and shows unto your Honor as Follows:

1.

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

2.

That all of the Respondents herein named if living are non-residents of the State of Alabama, and over twenty-one years of age, or if dead their heirs, devisees, grantees, and assigns are non-residents of the State of Alabama, and their addresses cannot be ascertained after a diligent search and inquiry.

3.

That your Complainant is the owner in fee simple and in the actual possession unto lands herein described in Baldwin County, Alabama, and being as follows:

PARCEL 1. The North eighty (80) feet of Lot or Block "C" of the Village of Seacliff a subdivision of the William Patterson Grant Section 8, Township 6 South, Range 2 East, according to plat of same recorded in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 7 NS pages 90-91.

PARCEL 2: In Section 8, Township 6 South, Range 2 East, in Baldwin County, Alabama, described as follows: Beginning at a point 396 feet East and 170 feet South of a point on the margin of Red Bluff on the Eastern Shore of Mobile Bay 24.66 chains North of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, and running thence South a distance of 160 feet to a point, thence West 396 feet, more or less, to Mobile Bay, thence Northwardly along the meanderings of the shore line of Mobile Bay 160 feet, more or less, to a point due West of the point of beginning, thence East 396 feet, more or less, to point of beginning.

PARCEL 3: From a point on the Red Bluff North of Seacliff Subdivision, in the William Patterson Grant, Section 8, Township 6 South, Range 2 East, 24.66 chains North of a line projected due West from the Northwest corner of Section 9, said Township and range, run South 100 feet for a point of beginning, thence run East 396 feet, more or less, to David Courtney's West line, thence run South 1 degree East 70 feet, along said Courtney's West line, thence run West to the margin of Mobile Bay, thence run Northerly following the meanderings of said Bay, until the Northings amount to 70 feet, thence run East to the point of beginning.

PARCEL 4: Commencing at a point on the margin of Red Bluff at Seacliff, Alabama, on the Eastern Shore of Mobile Bay, 24.66 chains North from the prolongation of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, for a beginning corner, thence South 100 feet for a front, for a depth Eastwardly 396 feet, with the same width in rear as in the front.

4.

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

5.

That your Complainant acquired title to the said lands as follows: Parcel 1, by conveyance from Mobaldwin Development Company, Inc., a corporation, dated December 4, 1951, and of record in the office of the probate judge of Baldwin County, Alabama, in Deed Book 172 NS pages 418-9; Parcel 2, by conveyance from Mobaldwin Development Company, Inc., a corporation, dated December 4, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 172 NS pages 414-5; Parce No. 3, by deed from Mobaldwin Development Company Inc., a corporation, dated December 4, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 172 NS pages 416-7; Parcel No. 4, by deed from Mobaldwin Development Company, Inc., a corporation, dated December 4, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 172 NS pages 422-3.

6.

That the title to said land claimed by Your Complainant stands upon the Records of the Probate Court of the Baldwin County, Alabama, in the name of E. T. Doehring.

7.

That no one has at any time within ten years next preceding the filing of the bill of complaint in this cause paid any taxes upon said lands other than your Complainant and those through whom he holds by mesme conveyances.

8.

That the only persons shown by the records of Baldwin County, Alabama, to claim said land or any part thereof or any interest therein are your Complainant and P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Crance, John C. Allen.

9.

That your Complainant has made and caused to be made abstracts of record to the several parcels of land to ascertain and determine who had any claim thereto; that a diligent search and inquiry has been made of the records in the Court House at Bay Minette, in Baldwin County, Alabama, and from various parties in the vicinity of said land, and inquiries made of various parties that might be able to furnish information as to the respective respondents, and from all information obtainable they are all, if living, non-residents of the State of Alabama, and over twenty-one years of age, and if dead their heirs are non-residents of the State of Alabama, and over twenty-one years of age.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, Henry Hill, Major Smith, J. F. Crance, John C. Allen, the unknown heirs, devisees, grantees, personal representatives and assigns of them and each of them, and any other persons, firms or corporations, claiming any right, title to, interest in or encumbrance upon the said land in Baldwin County, Alabama, to-wit:

PARCEL 1: The North eighty (80) feet of Lot or Block "C" of the Village of Seacliff a subdivision of the William Patterson Grant Section 8, Township 6 South, Range 2 East, according to plat of same recorded in the office of the Probate Judge of Baldwin County, Alabama, in DeedBook 7 NS pages 90-91.

PARCEL 2: In Section 8, Township 6 South, Range 2 East, in Baldwin County, Alabama, described as follows: Beginning at a point 396 feet East and 170 feet South of a point on the margin of Red Bluff on the Eastern Shore of Mobile Bay 24.66 chains North of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, and running thence South a distance of 160 feet to a point, thence West 396 feet, more or less, to Mobile Bay, thence Northwardly along the meanderings of the shore line of Mobile Bay 160 feet, more or less, to a point due West of the point of beginning, thence East 396 feet, more or less, to point of beginning.

PARCEL 3: From a point on the Red Bluff North of Seacliff Subdivision, in the William Patterson Grant, Section 8, Township 6 South, Range 2 East, 24.66 chains North of a line projected due West from the Northwest corner of Section 9, said Township and range, run South 100 feet for a point of beginning, thence run East 396 feet, more or less, to David Courtney's West line, thence run South 1 degree East 70 feet, along said Courtney's West line, thence run West to the margin of Mobile Bay, thence run Northerly following the meanderings of said Bay, until the Northings amount to 70 feet, thence run East to the point of beginning.

PARCEL 4: Commencing at a point on the margin of Red Bluff at Seacliff, Alabama, on the Eastern Shore of Mobile Bay, 24.66 chains North from the prolongation of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, for a beginning corner, thence South 100 feet for a front, for a depth Eastwardly 396 feet, with the same width in rear as in the front.

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

Complainant further prays that upon a final hearing hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances to the lands herein described, and to each and every part and parcel thereof, is vested in your Complainant, E. T. Doehring; and that neither P. D. Ballard, Mattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, John C. Allen, Henry Hill, Major Smith, J. F. Grance, the unknown heirs, devisees, personal representatives, grantees, and assigns of the Respondents and each of them, nor any other persons, firms or corporations has any right, title to, interest in, or encumbrance upon the said land, or any part or parcel thereof, and that any and all doubts and disputes concerning the said land be cleared up.

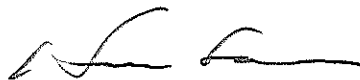
Your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.



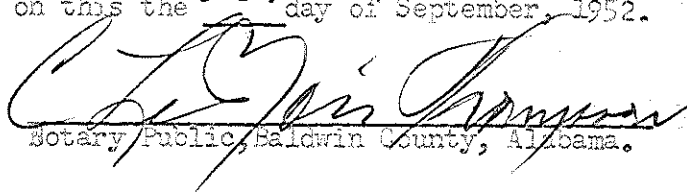
Solicitor for the Complainant.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, in and for said County, in said State, personally appeared H. M. Hall, who is known to me, and who having been by me first duly sworn, deposes and says that he is Solicitor for the Complainant in the above styled cause, is authorized to make this affidavit; that from all information obtainable the facts contained in the foregoing bill of complaint are true and correct.



Sworn to and subscribed before me on this the ^{30.} day of September, 1952.



Notary Public, Baldwin County, Alabama.

✓
RECORDED

2902

E. T. DOHRING

COMPLAINANT

VS

ESTELLE E. MCKIBBON, ET AL,

RESPONDENTS

BILL OF COMPLAINT

FILED

SEP 29 1952

ALICE J. DUCK, Register

E. T. DOEHRING	∅	IN THE CIRCUIT COURT OF
COMPLAINANT	∅	BALDWIN COUNTY, ALABAMA,
VS	∅	IN EQUITY 2902
ESTELLE E. MCKIBBON ET AL,	∅	
RESPONDENTS	∅	

LIS PENDENS NOTICE

It having been made to appear, in the above styled cause by proper affidavit, that P. D. Ballard, Hattie M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill, Ethel Hoyle, John C. Allen, Henry Hill, Major Smith, J. F. Crance, are non-residents of the State of Alabama and over twenty-one years of age, or if dead, their heirs, devisees, grantees, personal representatives and assigns are unknown, and cannot be ascertained after a diligent search and inquiry, and who are, from all information obtainable, non-residents of the State of Alabama, and over twenty-one years of age; that E. T. Doehring is over twenty-one years of age and a resident of Baldwin County, Alabama, and the owner in fee simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

PARCEL 1. The North eighty (80) feet of Lot or Block "C" of the Village of Seacliff a subdivision of the William Patterson Grant Section 8, Township 6 South, Range 2 East, according to plat of same recorded in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 7 NS pages 90-91.

PARCEL 2. In Section 8, Township 6 South, Range 2 East, in Baldwin County, Alabama, described as follows: Beginning at a point 396 feet East and 170 feet South of a point on the margin of Red Bluff on the Eastern Shore of Mobile Bay 24.66 chains North of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, and running thence South a distance of 160 feet to a point, thence West 396 feet, more or less, to Mobile Bay, thence Northwardly along the meanderings of the shore line of Mobile Bay 160 feet, more or less, to a point due West of the point of beginning, thence East 396 feet, more or less, to point of beginning.

PARCEL 3. From a point on the Red Bluff North of Seacliff Subdivision, in the William Patterson Grant, Section 8, Township 6 South, Range 2 East, 24.66 chains North of a line projected due West from the Northwest corner of Section 9, said Township and range, run South 100 feet for a point of beginning, thence run East 396 feet, more or less, to David Courtney's West line, thence run South 1 degree East 70 feet, along said Courtney's West line, thence run West to the margin of Mobile Bay, thence run Northerly following the meanderings of said Bay, until the Northings amount to 70 feet, thence run East to the point of beginning.

BOOK 002 PAGE 114

PARCEL 4: Commencing at a point on the margin of Red Bluff at Seacliff, Alabama, on the Eastern Shore of Mobile Bay 24.66 chains North from the prolongation of a line due West from the Northwest corner of Section 9, Township 6 South, Range 2 East, for a beginning corner, thence South 100 feet for a front, for a depth Eastwardly 396 feet, with the same width in rear as in the front.

That your Complainant acquired title to the said lands as follows:

Parcel No. 1, by conveyance from Mobaldwin Development Company, Inc., a corporation, dated December 4, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 172 NS pages 418-9; Parcel No. 2, by conveyance from Mobaldwin Development Company, Inc., a corporation, dated December 4, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 172 NS pages 414-5; Parcel No. 3, by deed from Mobaldwin Development Company Inc., a corporation, dated December 4, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 172 NS pages 416-7; Parcel No. 4 by deed from Mobaldwin Development Company, Inc., a corporation, dated December 4, 1951, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 172 NS pages 422-3; that no person is known to have paid any taxes on said land or to have been in possession thereof, within ten years next preceding the filing of the bill of complaint excepting E. T. Doehring.

It is therefore ordered and notice is hereby given that the said P. D. Ballard, Hattie, M. Ballard, Estelle E. Ballard McKibbon, Isabelle V. Robertson, J. Bestor Robertson, Esther Banning, A. J. Patterson, Randolph Garbe, Louisa Garbe, Ellen Hill Ethel Hoyle, John C. Allen, Henry Hill, Major Smith, J. F. Crance, the unknown heirs, devisees, personal representatives and assigns of them and each of them, and any other persons, firms, or corporations claiming any title to, interest in, lien or encumbrance upon said lands, or any part thereof, to appear in the Circuit Court of Baldwin County, Alabama, in Equity, and plead, answer or demur to the bill of complaint on or before the 3 day of Nov., 1952, or upon their having failed to do so, upon the expiration of thirty days from said date, a decree pro confesso shall be taken against them, and that this cause shall be at issue.

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

BOOK 002 PAGE 415

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 30 day of September, 1952.

Alice J. Duck
Register

H. M. Hall
Solicitor for the Complainant

STATE OF ALABAMA
BALDWIN COUNTY

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing is a full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper published in BayMinette, Baldwin County, Alabama, in the cause of E. T. Doehring, Complainant vs Estelle E. McKibbon, et al, Respondents, and filed for record in the office of the Judge of Probate of Baldwin County, Alabama, the county in which said lands lie, in accordance with the provisions of the laws of the State of Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the 30 day of September, 1952.

Alice J. Duck
Register

STATE OF ALABAMA, BALDWIN COUNTY

Filed 10-1-52 30 M

Recorded W. R. Stewart book 2 page 413-15

W. R. Stewart
Judge of Probate
2

2902

E. T. DOEHRING

COMPLAINANT

VS

ESTELLE E. MCKIBBON ET AL,

RESPONDENTS

LIS PENDENS NOTICE

*R.O.O.
Mrs. Duck*

FILED

SEP 29 1952

ALICE J. DUCK, Registrar

E. T. DOEHRING

COMPLAINANT

VS

ESTELLE E. MCKIBBON, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2902

It appearing to the court that some of the Respondents in the above styled cause are unknown, and that their names and addresses cannot be ascertained after a diligent search and inquiry.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the court, that Harry J. Wilters Jr., a practicing attorney at Bay Minette, Baldwin County, Alabama, be and he is hereby appointed guardian ad litem to represent and protect the interest of the Respondents, in the above styled cause, whose names and addresses are unknown, and cannot be ascertained after a diligent search and inquiry.

IT IS FURTHER ORDERED that the said Harry J. Wilters Jr., be notified of his appointment, and of the time fixed to take testimony in the cause.

Dated this the 19th day of Dec, 1952.

Alice J. Russell

I hereby consent to act as guardian ad litem in the above styled cause for all parties whose names and addresses are unknown and cannot be ascertained after a diligent search and inquiry. I, as guardian ad litem for the unknown respondents deny all the material allegations contained in the bill of complaint and demands strict proof of the same.

Dated this 19 day of Nov, 1952.

Harry J. Wilters Jr.

✓
RECORDED

L. T. DOERING

COMPLAINANT

VS

ESTELLE E. MCKIBBON, ET AL,

RESPONDENTS

2902

APPOINTMENT OF GUARDIAN
AD LITEM AND ACCEPTANCE

*Filed
11-19-42
Accepted
J. J. [unclear]*