FRANK J. DUSEK, JR.	ð
COMPLA INANT	IN THE CIRCUIT COURT OF
ÆS	BALDWIN COUNTY, ALABAMA
TERESA KRIVACSY, ET AL,	IN EQUITY
RESPONDENTS	NO. 2914

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 THEREOFRE ORDERED, ADJUDGED AND DECREED, by the court, that C. LeNoir Thompson, 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 C. LeNoir Thompson be notified of his appointment, and of the time fixed to take testimony in the cause.

Dated this the 10 day of January, 1952.

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.

Werce of rench

Dated this the // day of January, 1953.

ALCOROLD.

FRANK J. DUSEK JR.

COMPLA INANT

VS

TERESA KRIVACSY, ET AL,

RESPONDENT

APPOINTMENT OF GUARDIAN AD LITEM AND ACCEPTANCE

23 Wort

ALICE J. DUCK, Register

FRANK J. DUSEK, JR.

COMPLAINANT

VS

PARESA KRIVACSY, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2914

- Rolling - I as limber

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. Decree pro confessorby Registered mail.
- 6. Request for appointment of Jommissioner.
 - 7. Commission to take deposition.
 - S. Notice of time of taking testimony.
 - 9. Appointment of guardian ad liter and acceptance.
- 10. Oral depositions of Frank J. Dusek, Jr., and Paul Haupt Jr.,

with exhibits attached.

Dated this the 16th day of Jamary, 1953.

Solicitor for the Complainant

Mach

FRANK J. DUSEK JR.

COMPLAINANT

VS

TERESA KRIVACSY, ET AL, RESPONDENTS

NOTE OF TESTIMONY

FILED JAN 176, 1953

ALICE J. DUCK, Register

Tam personally acquainted with the lands described in the bill of complaint in this cause. The land is level or practically so and a part is in actual cultivation and there is a house on the property. I have known the property for more than ten years and know of my own personal knowledge that no one other than Frank J. Dusek Jr., and Joseph R. Dusek have been in the possession or enjoying any possession of said property for more than ten years prior to this suit. The parties named as Respondents are all non-residents of the State of Alabama, and so far as I know over twenty-one years of age. I know that none of them are exercised or attempted to exercise anyrights of possession to said property for more than ten years before the commencement of this suit.

Paul Farest Je.

THE STATE OF ALABAMA Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

	Frank J. Dusek Jr.	Complainant
	7 VS.	
e en ween	Teresa Krivacsv. et al	Respondent
er e e e e <u> </u>	eresa norvaesy, et a.	Respondent
I, Evelyn Watts		
as Register and Commissioner		
	e before me <u>Frank J. Dusek</u> .	Ir. and Paul Haupt Jr.
Additional Control of the Control of	<u></u>	
- Commence of the Commence of	The second secon	taria di manana di m
The second secon	parameter and the second of th	
witness named in the Rec	quirement for Oral Examination, or	the li day of January
194 53, at the office of Hub		
,		worn said Witness © to speak the
in	, Alabama, and having first sv	rank J. Dusek Jr. and
truth, the whole truth, and no	othing but the truth, the said	
Paul Haupt Jr.	doth depose and say as follow	rs:
Respondents named in of age, and non-rest addresses are as ging as the owner described in the bill Northwest quarter of Range 6 East. There rights of possession conveyance from Jos R. Dusek, prior to after acquiring tit thereof and have be no person, firm or rights of possession lands adversely to upon the records of	all of complaint in Baldwin of Northeast quarter of Section to said land. I acquired sph R. Dusek and wife Dated the date he executed the declares on the said land I went seen continuously to this time corporation has exercisted on to or any right, title or Joseph R. Dusek and me. The Baldwin County, Alabama, in	all over twenty-one years ama, and their last known to be tual possession of the land bounty, Alabama, and being ion 21, Township 7 South, my title to, interest in or title to the said land by February 12, 1942. Joseph and to me, had been in possession number of years, and immediately into the actual possession a; that during the said time r attempted to exercise any interest in and to the said

therein are Frank J. Dusek Jr., and Teresa Krivacsy.

If have made and caused to be made a diligent search and inquiry to find out the addresses of the parties named as Respondents, inquiring of parties in and around lillian, the vicinity in which said land is located, and examining the tax and land books and probate records of Baldwin County at Bay Minette, Alabama; that from and as a result of said search and inquiry the names of the Respondents are as given in the bill of complaint; that all are over twenty-che years of age and non-residents of the State of Alabama, if living and if dead their heirs are all non-residents of the State of Alabama.

-Gross examination by guardian ad litem:

All or a greater part of the land is under fence and in cultivation, and a house thereon. I have together with Joseph R. Dusek from whom I purchased the land, been in possession of the said land, cultivating the same since acquiring title thereto and that prior to that time, for a number of years Joseph R. Dusek was in possession of the said property. I have had occasion to see the land most every day or at least once or twice each week and no person has claimed any rights or possession or any right, title, or interest in said land for more than ten years next preceding to the filing of the bill of complaint in this cause.

Fronk I Shepek fr

I, Evelyn Watts	, as Register and Commissioner hereby certify that
the foregoing deposition on Oral Examination	was taken down by me in writing in the words
of the witness es and read over to them myself and Hubert M. Hall	and they signed the same in the presence of
	have personal knowledge of personal identity of the identity of said witness es; that I am not of
counsel or of kin to any of the parties to said of I enclose the said Oral Examination in an e	ause, or any manner interested in the result thereof
Given under my hand and seal, this	Euclys Walts (L. S.)
	. 0

, Register.	Filed, 194 F F D Register. Ald Recorded in Re	Oral Deposition	vs. Complainant Teresa Krivacsy, et al	Frank J. Dusek Jr.	IN CIRCUIT COURT, IN EQUITY.	THE STATE OF ALABAMA BALDWIN COUNTY	NOPAGE
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THE STATE OF ALABAMA, Baldwin County.

CIRCUIT COURT

TO: Evelyn Watts	
The state of the s	
KNOW YE: that we, having full faith in yo	our prudence and competency, have appointed you
Commissioner, and by these presents do authori	
to call before you and examine Frank J. D	
as witnesses in behalf ofComplainant	in a cause pending in our
Circuit Court in Baldwin County, of said State, wl	herein Frank J. Dusek Jr.
	, Complainant
and Teresa Krivacsy, et al	,
on ooth to be by your administration.	Respondent_
on oath, to be by you administered, uponFrar	
to take and certify the deposition S of the witnes	ses and return the same to our Court, with all
convenient speed, under your hand.	
Witness 5 day of Jan	. 105 D
	Jese Almoke Register.
_	Merch almost
	Register.
Commissioner's Fee, \$	
Witness' Fees \$	

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	TATE OF <i>F</i> Baldwin Co		I
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Frank	J. Dusek Jr		·····
:			
		Complain	ant-
	vs.	i i	
Teres	a Krivacsy, e	et al.	
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		Defenda	ant-
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FRANK J. DUSEK, JR.

COMPLA INANT

VS

VS

TERRESA KYIVACSY, ET AL,

RESPONDENTS

Q

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NC. 2914

NOTICE OF TIME OF TAKING TESTIMONY

TO: TERESA KRIVACSY, JOHN KRIVACSY, BEHTHA KREVACH, WILLIAM KREVACH, CHARLES KREVACH,

Notice is hereby given that the Complainant will on the Lossian of January, 1953, before Evelyn Watto, as special commissioner take the testimeny of the following witnesses:

Frank J. Dusek, Jr.

Lillian, Alabama

Paul Haupt Jr.

Elberta, Alabama

Deted this the _3 day of January, 1953.

Solicitor for the Complainant

Eurly Watto

FRANK J. DUSEK JR.

COMPLA INANT

VS

TERESA KRIVACSY, ET AL,

RESPONDENTS

NOTICE OF TIME OF TAKING TESTIMONY

Fred 1-5-53 Michrench

FRANK J. DUSEK, JR.	Ů.
COMPLATIVANT	IN THE CIRCUIT COURT OF
VS	BALDUEN COUNTY, ALAFAMA,
	IN EQUITY
TERMSA KRIVROSY, ET 41,	NO. 2914
RES PONDENTS	V

ALVIST FOR APPOINTING OF COMUSSIONER

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:

Frank J. Dusek Jr.,

Lillian, Alabama

Paul Haupt Jr.

Elberta, 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 _____day of January, 1953.

Solicitor for the Complainant

FRANK J. DUSEK JR.

COMPLAINANT

VS

TERESA KRIVACSY, ET AL,

RESPONDENTS

REQUEST FOR APPOINTMENT OF COMMISSIONER

Filed 1-5-53

Acros L. rench
Register

FRANK J. DUSEK JR	Š.
COMPLA ENANT	ÎN THE CIRCUIT COURT CE Ş
Come by Engine	BALDWIN COUNTY, ADABAM
VS	IN EQUITY
TERESA KRIVACSY, ET AL,	A Section of the sect
RES PONDENTS	¥ 19

LIS PENDENS NOTICE

It having been made to appear in the above styled cause by proper affidavit that Toresa Krivacsy is over twenty-one years of age and a non-resident of the State of Alabama, her last known address being 1400 East 16th Street, New York City, New York; that John Krivacsy is over twenty-one years of age and a non-resident of the State of Alabama, his address being Valendorf Bohemina, Germany: that Bertha Krevach, William Krevach and Charles Krevach are over twenty-one years of age and non-residents of the State of Alabama, their address being 662 Coleman Avenue, Johnstown, Pennsylvania; that Frank J. Dusek, Jr., is over twenty-one years of age, and a resident of Baldwin-County, Alabama, and the owner in fee simple and in the actual possession of the following described land situated in Baldwin County, Alabama, to-wit:

Northwest quarter of Northeast quarter of Section 21, Township 7 South, Range 6 East.

That your Complainant acquired title to the said land by conveyance from Joseph R. Dusek and Julie Dusek, husband and wife, dated February 12, 1942.

That no person is known to have paid any taxes on said land or to have had any possession thereof within ten years next preceding the filing of the complaint except Frank J. Lusek, Jr., and Teresa Krivacsy.

TT IS, THEREFORE, ORDERED and motice is hereby given that the said

Teresa Krivacsy, John Krivacsy, Fertha Krevach, William Krevach, Charles

Krevach, the unknown heirs, devisees, grantees, personal representatives,
successors and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy,

Bertha Krevach, William Krevach, Charles Krevach, and any other persons,
firms or corporation claiming any title to, interest in, lien or encumbrance
upon said land, or any part thereof, to appear in the Circuit Court of Baldwin

County, Alabama, in Equity, and plead, answer or demur to this bill of
complaint on or before the Aday of Movember, 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.

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have bereunto set my hand and seel of office on this the 9.5^{0} day of October, 1952.

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 Eay Minette, Alabama, Paldwin County, in the cause of Frank J. Dusek Jr., Complainant vs Teresa Krivacsy, et al, Respondent, and filed for record in the office of the Judge of Probate of Baldwin County, Alabama, the county in which said land lies, in accordance with the 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 25 eay of October, 1952.

STATE OF ALABAMA, BALDWIN COUNTY

FREE . 10-27-52. 14:30 A.M. Reserved Lieuwelle book. 2. page 4/8-19

FRANK J. DUSEK JR.

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COMPLAIMANT

VS

TERESA KRIVACSY, ET AI, ... 404~ Charles Krevach RESPONDENTS

William AS

2-418-19

LIS FENDENS NOTICE

R-1,25 Mrs. Duck

OCL SE 1025

alledone

STATE OF ALABAMA BALDMIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon TERESA KRIVACSY, JOHN KRIVACSY, BERTHA KREVACH, WILLIAM KREVACH, CHARLES KREVACH, the unknown heirs, devisees, grantees, personal representatives and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach to appear and plead, answer or demir within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by FRANK J. DUSEK JR., as Complainant and against Teresa Krivacsy, John Krivacsy, Betha Krevach, William Krevach, Charles Krevach, the unknown heirs, devisees, grantees, personal representatives and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, as Respondents.

WITNESS my hand this the 1904 day of October, 1952.

FRANK J. DUSEK JR.,

COMPLAINANT

IN THE CIRCUIT COURT OF

73

BALDWIN COUNTY, ALABAMA,

IN RQUITY

TERRSA KRIVACSY, BT AL,

RES PONDENTS

TO HONORABLE TELEVIR J. MASHBURN JF., JUDGE OF THE CIRCUIT COURT OF BALDVIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Frank J. Dusek, Jr., humbly complaining against the following described lands situated in Baldwin County, Alabama, to-wit:

Northwest quarter of Northeast quarter of Section 21, Township 7 South, Range 6 East,

and also against Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, and also against the unknown heirs, devisees, grantees, successors, personal representatives and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, and any and all other persons, firms or corporations claiming any title to, right, interest in, Hen or encumbrance upon the said lands or any part or parcel thereofy and respectfully represents and shows unto your Honor and this Honorable Court as follows:

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

That Teresa Krivacsy is over twenty-one years of age, and a non-resident of the state of Alabama, her last krown address being hhO East loth Street, New York City, New York; that John Krivacsy is over twenty-one years of age and a non-resident of the State of Alabama, his address being Valendorf Bohemina, Germany; That Bertha Krevach, William Krevach, and Charles Krevach are over twenty-one years of age and non-residents of the State of Alabama, their address being 662 Coleman Averue, Johnstown, Pennsylvania.

Ç.,

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

Northwest quarter of Mortheast quarter of Section 21, Township 7 South, Range 5 East.

. .

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 encumbrances they have in and to said lands or any part thereof, and by what instrument or instruments the same is derived and/or created.

5.

That Your Complainant acquired title to the said land by conveyance from Joseph R. Dusek and Julie Dusek, husband and wife, dated February 12, 1942.

6.

That the title to said lands claimed by your Complainant stands upon the records of the Probate Court of Baldwin County, Alabama, in the names Frank J. Dusek Jr.

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 land other than Frank J. Dusek Jr., and Teresa Krevacsy.

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 Frank J. Dusek Jr., and Teresa Krivacsy.

Ģ,

That Your Complainant has made and caused to be made a diligent search and inquiry, inquiring of parties in the vicibity of hilbiam and alberta and also having the records at Bay Minette, Baldwin County, Alabama, searched and an abstract made to ascertain and determine the names of any and all persons claiming any interest in or to the said lands and also as to any one exercising any rights of possession, or assessing and paying the taxes on said land for the past ten years, and as a result of said inquiry and search the parties respondent are as herein named.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Teresa Krivacsy, John Krivacsy, Bertha Krevach, filliam Krevach, Charles Krevach, and the unknown heirs, devisees, personal representatives, grantees and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, 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:

Northwest quarter of Northeast quarter of Section 21, Township 7 South, Range 6 East,

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 andenter 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, Frank J. DusekkJr., and that neither Teresa Krivacsy, John Krivacsy, Bertha, Krevach, William Krevach, Charles Krevach, the unknown heirs, devisees, personal representatives, grantees and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, nor any other persons, firms or corporations has any right, title to, interest in or encumbrances 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.

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

> Muster the Complainant

STATE OF ALABAMA

Refore 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
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
that of complaint are true and correct. bill of complaint are true and correct. Hrutele

Sworn to and subscribed before me on this the <u>45</u> day of October, 1952.



2914

FRANK J. DUSEK, JR.

COMPLAIMANT

VŞ

TERRESA KRIVACSY, ET AL,

RESPONDANTS

BILL OF COMPLAINT

FILED OCT 25 1952

ALICE J. DUCK, Clork

TRANK J. DUSER JR.

COMPLAINANT

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TERESA KRIVACSY, BT AL,

RES PONDENTS

IN THE CIRCUIT OCURT OF BALDWIN COUNTY, ALARAMA,

IN EQUITY

NO. 2914

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 30th day of October, 1952, in the Baldwin Times, a newspaper published in Fay Minette, in Faldwin County, Alabama; that a copy of said orderwas posted at the Court House door in Baldwin County, Alabama, on the 30th day of October, 1952, and it now further appearing to the court that the said Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, the unknown heirs, deviseus, grantees, personal representatives and assigns of Teresa Krivacsy, Nohm Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, respondents have to this 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 5 lay of

7050

a he

FRANK J. DUSEK JR.

COMPLAINANT

TERESA KRIVACSY, ET AL,

RESPONDENTS

DECREE PRO CONFESSO ON PUBLICATION

Fera 1-5-53

Frank J. Dusek Jr.	
	CIRCUIT COURT OF
Vs. Teresa Krivacsy, et al	Baldwin County.
In this cause it being made to appear to the Reg day of	IN EQUITY
sent to Charles Krevach, Pertha Krivach,	of the Bill of Complaint filed in this cause was
Defendant, by registered mail, postage prepaid, mar addressed," and return receipt demanded addressed	to the Register of this Court, and it
And it further appearing to the Register that the or demur to the said Bill to the date hereof, it is now, adjudged and decreed by the Register that the said Bill taken as confessed against the said <u>Charles Krevac</u>	therefore, on motion of Complainant, ordered, of Complaint be, and it hereby is in all things
This the 5 day of June	Defendant
The state of the s	negister.

RECORDED

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C	IRCUIT COURT OF BALDWIN COUNTY, ALABAMA In Equity.	
	Frank J. Dusek, Jr.	
The state of the s	Vs.	
Weekler of the control of the contro	Teresa Krivacsy, et al	
DE	CREE PRO CONFESSO AFTER	
	office this day of	
Little Committee	Jan, 1953	<u>3</u>
	in O. B. Page	
Th Carried E	e Baldwin Times, Bay Minette, Alabama	:

8600 -	Motion fo	r Decree	Pro Confesso	After	Servic	e hv	Regis	tered M	ail ·	¥ 4 1	n N B	T. 1-47-2	Ωń
	A 72	Francis E Stephen				~ ~ _				11		:	00
	ıe State	(prof.	* ') }	No.				2CIIIT	COIT	ST IN	EQUIT	
	Baldwi	n Cour	ity.		2101	5-8 3-8 3-5	ن نوز ان نوز		LOGII	000.	, 114	LCOII.	

and a	Tage May May and a Second of the second of	 Frank J.	. Dusek		The state of the s	Complainant
According to the second	Section 2 Control of the Control of	Teresa K	Vs. rivacsy	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		Defendant

Krevach, and William Krevach

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant....., and that said summons was duly served by Registered Mail, according to law, and that said Defendant...... ha...... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This day of 19

Motion is hereby made for a Decree Pro Confesso against Charles Krevach, Bertha

***************************************	Solicitor.

No.	RECORDED
T	HE STATE OF ALABAMA Baldwin County
CIR	CUIT COURT, IN EQUITY
	Frank J. Dusek Jr.
	Vs. Teresa Krivacsy, et al
<u></u>	
	ON FOR DECREE PRO CONFESSO R NOTICE BY REGISTERED MAIL
Filed	Dec 31, 1952
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FRANK J. DUSEK JR.

COMPLAINANT

SALDWIN COUNTY, ALAEAWA,

TERESA KRIVAGSY, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF

EALDWIN COUNTY, ALAEAWA,

NO. 2914

MODIO: TOR EXCRET PROJOCHERSO ON TURLICARION

Comes the Complainant in the above styled cause and shows unto the Court that an order of publication was made on the 25th day of October, 1952, which was duly published in the Baldwin Times, a newspaper published in Bay Kinette, Alabama, in its issues of October 30, November 6, November 13, and November 20, 1952, and was directed Teresa Krivacsy, John Krivacsy, Bertha Krevach, William and Charles Krevach, the unknown heirs, devisees, personal representatives and assigns of Tehesa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, and Charles Krevach, and any other persons, firms or comporations claiming any title to, right, interest in, lien or encumbrances upon the following described lands situated in Baldwin County, Alabama, to-wit:

Morthwest quarter of Northeast quarter of Section 21, Township 7 South, Range 6 East.

As Respondents, which required the said Respondents to answer or demur to the Bill of Complaint within thirty days after the 28th day of November, 1952, which said respondents have to this day failed to do.

WHEREFORE, the Complainant moves the court to grant a decree procentesso against the said Respondents.

Dated this the 31 day of december, 1952.

Solicitor for the Complainant

FRANK J. DUSEK, BR.

COMPLAINANT

THRESA KRIVACSY, ET AL,

RESPONDENTS

MOTION FOR DECREE PRO CONFESSO ON PUBLICATION

Freed 12-31-52 Aughrench

MBAL/DWI

ALABAMA'S BEST COUNTY'S-

BEST NEWSPAPER

Legal Notice

Lis Pendens Notice

In The Circuit Court of Baldwin County, Alabama, in Equity
FRANK I, DUSEK, IR., Complainant
V. R., Complainant
TERESA KRIVACSY, ET AL Respondents
It having made to appear in the above styled cause by proper affidavit their Teresa Krivacsy; is over twenty-one years of age and a non-resident of the State of Alabama, her last known address being 440 East 16th Street, New York City, New York; that John Krivacsy is over twenty-one years of age and a non-resident of the State of Alabama, his address being Valendori Bohemina, Germany; that Bertha Krevach, William Krevach and Charles Krevach are over twenty-one years of age and non-residents of the State of Alabama, their address being 662 Coleman Avenue, Johnstown, Pennsylvania; that Frank I. Dusek, Ir., is over twenty-one years of age, and a resident of Baldwin County, Alabama, and the awner in fee simple and in the actual possession of the following described land situated in Baldwin County, Alabama, and the owner in fee simple and in the actual possession of the following described land situated in Baldwin County, Alabama, to Northwest quarter of Northeast quarter of Section 21, Township 7 South, Range 6 East.

That your Complainant acquired title to the said land by conveyance from

Range 6 East.

That your Complainant acquired title to the said land by conveyance from Joseph R. Dusek and Julie Dusek, husband and wife, dated February 12, 1942.

That no person is known to have paid any taxes on said land or to have had any possession thereof within ten years next proceding the filling of the complaint except Frank J. Dusek, Jr., and Teresa Krivacsy.

Krivacsy.

IT IS, THEREFORE, ORDERED and notice is hereby given that the said Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, the unknown heirs, devisees, grantees, personal representatives, successors and assigns of Rudol h Krivacsy, Bertha Krevach, William Krevach, Charles revach, and any other persons, firms or corporation claiming any title to, interest in, lien or encumbrance upon said land, or any part thereof, to appear in the Circuit Court of Eddwin County, Alabama, in Equity, and plead, answer or demur to this bill of complaint on or before the 28 day of November, 1952, or upon their having failed to de so upon the expiration of thirty days from said date, a decree proconiesse shall be taken against them, and that this cause shall be at issue.

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.

IN WITNESS WHEREOF, I, Alice I, Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 25th day of October, 1952.

ALICE J. DUCK Register.

W. Mall

H. M. Hall Solicitor for the Complainant

BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION
STATE OF ALABAMA, BALDWIN COUNTY.
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
- Frank J. Busk Jr. Va.
Kinaca
I hereby certify this is correct, due and unpaid (paid). Publisher.
Was published in said newspaper for consecutive weeks in the following issues:
Date of 1st publication 6 2 . 36 , 195 2 Vol. 63 No. 4
Date of 2nd publication No. 42 No. 42
Date of 3rd publication No. 23 , 1952 Vol. 63 No. 43
Date of 4th publication No. 44
Subscribed and sworn before the undersigned this 2 day of May, 1952
Notary Public, Baldwin County. Publisher.

FRANK J. DUSEK JR.,

COMPLAINANT

VS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

RESPONDENTS

NO. 2914

FINAL DECREE

This cause coming on to be heard was submitted for final decree upon the pleadings, decrees 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 service was perfected by registered mail upon Charles Krevach, Bertha Krevach, and William Krevach; that service was perfected upon all the Respondents herein by publication in the BaldwinTimes, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks commencing on the 30th day of October, 1952; that service was perfected by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for four consecutive weeks beginning with its issues of October 30, 1952, against the unknown heirs, devisees, grantees, personal representatives and assigns of the Respondents herein, and each of them, andy 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 confessowas entered against them and each of them; that C. LeNoir Thompson, 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 evidences, 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, Teresa Krivacsy, John Krivacsy, Bettha Krevach, William Krevach, Charles Krevach, the unknown heirs, devisees, grantees, personal representatives and assigns of Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, 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 encumbranceupon the following described lands or any part or parcel thereof inBaldwin County, Alabama, to-wit:

Northwest quarter of Northeast quarter of Section 21, Township 7 South, Range 6 East;

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

Northwest quarter of Northeast quarter of Section 21, Township 7 South, Range 6 East,

is vested absolutely in the Complainant Frank J. Dusek, Jr.

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 Teresa Krivacsy John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, and in the indirect index in the name of Frank J. Dusek Jr.

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, Baldwin County, Alabama, this the // day of January, 1953.

Boon 191 pg 128-30

Telfair J. Masleberry Jr.



FRANK J. DUSEK JR.

COMPLAINANT

VS

TERESA KRIMACYS, ET AL,

RESPONDENTS

FINAL DECREE

FILED, 1452 JAN 19, 1452 ALISE I. DUCK, Rogister

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STATE OF ALABAMA BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon TERESA KRIVACSY, JOHN KRIVACSY, BERTHA KREVACH, WILLIAM KREVACH, CHARLES KREVACH, the unknown heirs, devisees, grantees, personal representatives and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach 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 FRANK J. DUSEK JR., as Complainant and against Teresa Krivacsy, John Krivacsy, Betha Krevach, William Krevach, Charles Krevach, the unknown heirs, devisees, grantees, personal representatives and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, as Respondents. WITNESS my hand this the 25 day of October, 1952.

FRANK J. DUSEK JR., IN THE CIRCUIT COURT OF COMPLAINANT BALDWIN COUNTY, ALABAMA, VS IN EQUITY TERESA KRIVACSY, ET AL. RESPONDENTS

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

Your Complainant, Frank J. Dusek, Jr., humbly complaining against the following described lands situated in Baldwin County, Alabama, to-wit:

Northwest quarter of Northeast quarter of Section 21, Township 7 South, Range 6 East,

and also against Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, and also against the unknown heirs, devisees, grantees, successors, personal representatives and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, and any and all other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrance upon the said lands or any part or parcel thereoff, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

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

That Teresa Krivacsy is over twenty-one years of age, and a non-resident of the state of Alabama, her last known address being hhO East 16th Street, New York City, New York; that John Krivacsy is over twenty-one years of age and a non-resident of the State of Alabama, his address being Valendorf Bohemina, Germany; That Bertha Krevach, William Krevach, and Charles Krevach are over twenty-one years of age and non-residents of the State of Alabama, their address being 662 Coleman Avenue, Johnstown, Pennsylvania.

3.

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

Northwest quarter of Northeast quarter of Section 21, Township 7 South, Range 5 East.

L.

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 encumbrances they have in and tosaid lands or any part thereof, and by what instrument or instruments the same is derived and/or created.

5.

That Your Complainant acquired title to the said land by conveyance from Joseph R. Dusek and Julie Dusek, husband and wife, dated February 12, 1942.

6.

That the title to said lands claimed by your Complainant stands upon the records of the Probate Court of Baldwin County, Alabama, in the names Frank J. Dusek Jr.

7.

That no one has at any time within ten years mext preceding the filing of the bill of complaint in this cause, paid any taxes upon said land other than Frank J. Dusek Jr., and Teresa Kravacsy.

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 Frank

J. Dusek Jr., and Teresa Krivacsy.

Q.,

That Your Complainant has made and caused to be made a diligent search and inquiry, inquiring of parties in the vicibity of Lilliam and Elberta and also having the records at Bay Minette, Baldwin County, Alabama, searched and an abstract made to ascertain and determine the names of any and all persons claiming any interest in or to the said lands and also as to any one exercising any rights of possession, or assessing and paying the taxes on said land for the past ten years, and as a result of said inquiry and search the parties respondent are as herein named.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Teresa Krivacsy, John Krivacsy, Bertha Krevach, illiam Krevach, Charles Krevach, and the unknown heirs, devisees, personal representatives, grantees and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, 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:

Northwest quarter of Northeast quarter of Section 21, Township 7 South, Range 6 Bast,

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 andenter 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, Frank J. DusekkJr., and that neither Teresa Krivacsy, John Krivacsy, Bertha, Krevach, William Krevach, Charles Krevach, the unknown heirs, devisees, personal representatives, grantees and assigns of Rudolph Krivacsy, Terese Krivacsy, John Krivacsy, Bertha Krevach, William Krevack, Charles Krevach, nor any other persons, firms or corporations has any right, title to, interest in or encumbrances 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.

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

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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 Z6 day of October, 1952.

Notary Curico, Battowin County, Alabama

GEART J. DESEK JR. TERESA MATIVACSY, ET AT,

STATE OF ALABAMA BALDWIN COUNTY

TO ANY SHERIPY OF THE STATE OF ALABAMA:

Lucy Londo

TRANK J. DUSKK JR.,

IN THE CIRCUIT COURT OF

COMPLAINANT

PALDVIN COUNTY, ALABAMA,

VS

IN EQUITY

TERESA KRIVACSI, ET AL.

TO HOMBRELL TELFAIR J. MASHEURN JR., JUDGE OF THE CIRCUIT COURT OF PALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Frank J. Dusek, Jr., humbly complaining against the following described lands situated in Baldwin County, Alabama, to-wit:

Northwest quarter of Mortheast quarter of Section 21, Township 7 South, Range 6 Rast,

and also against Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, and also against the unknown beirs, devisees, grantees, successors, personal representatives and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, and any and all other persons, firms or corporations claiming any title to, right, interest in, lien or encumbrance upon the said lands or any part or parcel thereofy and respectfully represents and shows unto your Honor and this Honorable Court as follows:

-

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

That Teresa Krivacsy is over twenty-one years of age, and a non-resident of the state of Alabama, her last known address being blo East 16th Street, New York City, New York; that John Krivacsy is over twenty-one years of age and a non-resident of the State of Alabama, his address being Valendorf Bohemina, Germany; That Pertha Krevach, William Krevach, and Charles Krevach are over twenty-one years of age and non-residents of the State of Alabama, their address being 662 Coleman Avenue, Johnstown, Pennsylvania.

3

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

Northwest quarter of Northeast quarter of Section 21, Township 7 South, Range & East.

Ž4.

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 encumbrances they have in and to mid lands or any part thereof, and by what instrument or instruments the same is derived and/or created.

That Your Complainant acquired title to the said land by conveyance from Joseph R. Dusek and Julie Dusek, husband and wife, dated February 12, 1962.

.

That the title to said lands claimed by your Complainant stands upon the records of the Probate Court of Baldwin County, Alabama, in the names Frank J. Dusek Jr.

* •

That no one has at any time within ten years next preceding the filing of the bill of complaint in this cause, paid any taxes upon said land other than Frank J. Dusek Jr., and Teresa Kravacsy.

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 Frank J. Dusek Jr., and Teresa Krivacsy.

٩.

That Your Complainant has made and caused to be made a diligent search and inquiry, inquiring of parties in the vicibity of Milliam and Elberta and also having the records at Bay Minette, Baldwin County, Alabama, searched and an abstract made to ascertain and determine the names of any and all persons claiming any interest in or to the said lands and also as to any one exercising any rights of possession, or assessing and paying the taxes on said land for the past ten years, and as a result of said inquiry and search the parties respondent are as herein named.

Honor will by proper process make the said Teresa Krivacsy, John Krivacsy, Bertha Krevach, illiam Krevach, Charles Krevach, and the unknown heirs, devisees, personal representatives, grantees and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bertha Krevach, William Krevach, Charles Krevach, 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:

Northwest quarter of Northeast quarter of Section 21, Township 7 South, Range 6 East,

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 Monor will make andenter 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, Frank J. BusekkJr., and that neither Teresa Krivacsy, John Krivacsy, Bertha, Krevach, William Krevach, Charles Krevach, the unknown heirs, devisees, personal representatives, grantees and assigns of Rudolph Krivacsy, Teresa Krivacsy, John Krivacsy, Bortha Krevach, William Krevach, Charles Krevach, nor any other persons, firms or corporations has any right, title to, interest in or encumbrances 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.

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

Solidator for the Complainant

STATE OF ALLERIA PALLWIN COUNTY

Refore me, the undersigned authority, in and for said County, in said State, personally appeared M. M. Hall, who is known to me, and who having been by me first duly sworn, deposes and easy 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 25 day of October, 1952.

Horar Ville, Ball at buye

TRANK & DUSEK, UR.

V3 VALSA RELVACSY, ET AL, RESPONDENTS

RESPONDENTS