

3397

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

WE COMMAND YOU, that you summon Harold Bishop, whose address is Fairhope, Alabama to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery jurisdiction, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a bill of complaint lately exhibited by Levin Gray Terrell and Nora Lee Terrell, against the said Harold Bishop, and further to do and perform what said Judge shall order and direct in that behalf and this the defendant shall in no wise omit under penalty of the law; and we further command that you return this writ, with your endorsement thereof, to our said court immediately upon the execution thereof.

WITNESS, Alice J. Duck, Register of said Circuit Court, this the 4 day of November, 1954.

Alice J. Duck
Register

LEVIN GRAY TERRELL and NORA
LEE TERRELL,
COMPLAINANTS,

VS

HAROLD BISHOP,
DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Come Levin Gray Terrell and Nora Lee Terrell, and humbly complaining against Harold Bishop, respectfully show unto your Honor as follows:

FIRST: That your complainants are each over the age of twenty-one years and that they each reside in Fairhope, Alabama; that the defendant is over the age of twenty-one years and his residence is Fairhope, Alabama.

SECOND: That your complainants are the owners of and are in the peaceable possession of the following described lands situated in the County of Baldwin, State of Alabama, to-wit:

Beginning at the Southeast corner of the Southeast quarter of the Southwest quarter of Section 22, Township 4 South, Range 2 East, and run North along the half section line 420 feet, more or less, to the Northeast corner of the lot formerly belonging to the School; thence from this point, which is the point of beginning, continue North 240 feet, thence due West 210 feet, thence South 240 feet, thence due East 210 feet to the place of beginning, being a portion of the South half of the Southeast quarter of the Southwest quarter of Section 22, lying North of the School lot in Section 22, Township 4 South, Range 2 East, containing 2 acres.

THIRD: That the said Harold Bishop claims or is reputed to claim some right, title, claim or interest in, lien or encumbrance upon the above described lands, or some part or parcel thereof, and the complainants call upon him to set forth and specify his right, title, claim or interest in, lien or encumbrance upon the said lands, or any part or parcel thereof, and to show how and by what instrument or instruments the same is derived or created.

FOURTH: That there is no suit pending to enforce or test the validity of the complainants' title to the said lands, or to enforce or test the validity of the defendant's right, title, claim or interest in, lien or encumbrance upon the said lands, or any part or parcel thereof.

FIFTH: The complainants further say that they are informed and believe and upon such information and belief allege that the said defendant claims a right, title, claim or interest in, lien or encumbrance upon the aforesaid lands, or some part or parcel thereof, by virtue of a tax deed issued to Harold Bishop by the Probate Judge of Baldwin County, Alabama on June 21, 1954, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 209, page 530; that said deed purports to have been executed under a sale of the said lands on June 11, 1951, for 1950 taxes under an assessment, which was erroneous, against Carlos and Lillie Davis, and these

complainants allege that at the time of the said sale, said complainants, Levin Gray Terrell and Nora Lee Terrell, were the owners of the said lands and in possession of the same; that your complainants were the owners of the said lands and in possession thereof at the time of the sale to the State of Alabama, and at the time of the conveyance of the same by the Judge of Probate of Baldwin County, Alabama to the said Harold Bishop, by tax deed dated June 21, 1954, recorded in Deed Book 209, page 530, and that they have been in continuous possession of the said lands from the date of the aforesaid sale to the State of Alabama to this date, and your complainants are now in possession of the said lands and each and every part or parcel of the same and are the owners thereof.

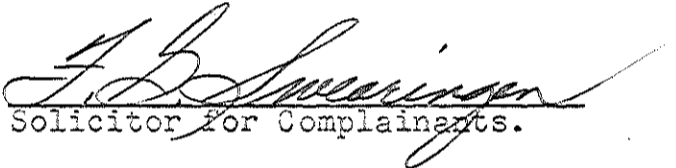
SIXTH: Complainants further say that they are informed and believe and upon such information and belief allege that the said tax title of the said Harold Bishop is void.

WHEREFORE, your complainants pray that this Honorable Court take jurisdiction of the cause made by this bill of complaint and make the said Harold Bishop party defendant hereto, and by appropriate process require him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainants further pray that upon a final hearing of this cause this Honorable Court will make and enter an order and decree adjudging and decreeing that the said defendant, Harold Bishop, has no right, title, claim or interest in, lien or encumbrance upon the said lands, or any part or parcel thereof, and that the title to the said lands be quieted and established in these complainants as against the said defendant; and that the said defendant be forever enjoined from asserting or attempting to assert, or from claiming or attempting to claim any right, title, claim or interest in, lien or encumbrance upon the said lands, or any part or parcel thereof.

Complainants further pray that if they shall be mistaken in the relief prayed for, that this Honorable Court will ascertain the amount of taxes and costs for which the said lands were sold, and interest thereon, and the taxes and interest thereon paid subsequent to the said sale, and that these complainants be permitted to redeem the said lands from the aforesaid tax sale as they have a right to do under the laws of the State of Alabama; and these complainants pray for such other, further or different relief as in equity they shall be entitled to receive in the premises.

BEEBE & SWEARINGEN

By 
Solicitor for Complainants.

LEVIN GRAY TERRELL and NORA
LEE TERRELL,
COMPLAINANTS,

VS

HAROLD BISHOP,
DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

No. 3397

BOOK 004 PAGE 133

TO WHOM IT MAY CONCERN:

Notice is hereby given that the complainants in this cause have on this day filed in the Circuit Court of Baldwin County, Alabama, Equity side, against the defendant, a suit to quiet complainants' title to the property hereinafter described, and to clear up all doubts and disputes concerning same.

The complainants allege in their said bill of complaint that they claim to own and are in actual, peaceable possession of the property described in the said suit, namely:

Beginning at the Southeast corner of the Southeast quarter of the Southwest quarter of Section 22, Township 4 South, Range 2 East, and run North along the half section line 420 feet, more or less, to the Northeast corner of the lot formerly belonging to the School; thence from this point, which is the point of beginning, continue North 240 feet, thence due West 210 feet, thence South 240 feet, thence due East 210 feet to the place of beginning, being a portion of the South half of the Southeast quarter of the Southwest quarter of Section 22, lying North of the School lot in Section 22, Township 4 South, Range 2 East, containing 2 acres.

and that no suit is pending to enforce or test the title to the said lands.

The said complainants pray for a decree quieting their title to the said property against the said defendant, for redemption of said lands from the tax title of the defendant, and for their general relief.

All persons are warned against purchasing the said property, except subject to the rights of the said complainants in this suit.

Dated this the 4th day of November, 1954.

BEEBE & SWEARINGEN

By J. B. Swearingen
Solicitor for Complainants.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 11-4-54 3P M
Recorded his Ord book 4 page 133
W. P. Stuart
Judge of Probate
ES

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11-4-54

Kevin Gray Terrell
Nora Lee 21

ds:

Harold Bishop
19

4-133

P. 75
Mrs Duck

FILED
NOV 4 1954
ALICE J. DUCK, Register

NOV 4 1954

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LEE TERRELL,
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Dated this the 4th day of November, 1954.

BEEBE & SWEARINGEN

By A. B. Swearingen
Solicitor for Complainants.

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FILED
NOV 11 1954

WITNESSES
JAMES T. BROWN, Clerk