

3399

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon G. W. Clements to appear within thirty days from the service of this writ in the Circuit Court to be held for said County, Equity Side, at the place of holding same, then and there to answer the Bill of Complaint filed by Mrs. Jennie Presley, as Administratrix of the Estate of S. A. Presley, deceased.

Witness my hand this 6 day of November, 1954.

*Alvina J. Alrick*  
Register.

MRS. JENNIE PRESLEY, Administratrix of the Estate of S. A. PRESLEY, Deceased,	{	IN THE CIRCUIT COURT OF
COMPLAINANT,	{	BALDWIN COUNTY, ALABAMA
VS	{	IN EQUITY.
G. W. CLEMENTS,	{	
RESPONDENT.	{	

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

Comes your Complainant, Mrs. Jennie Presley, as Administratrix of the estate of S. A. Presley, deceased, and presents this bill of complaint against G. W. Clements, and thereupon your Complainant complains and shows unto this Honorable Court and unto Your Honor as follows:

1.

That your Complainant is over the age of 21, and on the \_\_\_ day of March, 1954, was appointed the Administratrix of the estate of S. A. Presley, deceased, and that said estate is yet pending; that the Respondent, G. W. Clements is over the age of 21, and both of the parties to this cause and the deceased being residents of Baldwin County, Alabama.

2.

The said S. A. Presley was at the time of his death the owner of the following described property situated in Baldwin County, Alabama, to-wit:

A parcel of land 125 feet by 145 feet, described as follows: Beginning at the Southwest corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section thirty-two (32) Township seven (7) South, Range four (4) East, thence run East on the section line 660 feet; thence North 1160 feet; thence East 125 feet for the point of beginning; run thence North 145 feet; thence East 125 feet; thence South 145 feet; thence West 125 feet to the point of beginning, containing .416 acres, more or less.

Subject to a reservation concerning spirituous, vinous or malt liquors, and a reservation of all oil, gas and minerals as set

out in the conveyance to the grantors herein from the Magnolia Springs Land Company recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 112, Pages 441-2.

which property the said S. A. Presley, deceased purchased from Scott Harris and Lillie B. Harris by a deed during the year 1951 and that same was filed for record in Deed Book 172, page 480 in the Office of the Judge of Probate of Baldwin County, Alabama.

4.  
On, to-wit, June 11, 1951, the Tax Collector of Baldwin County, Alabama, attempted to sell the above described property for delinquent taxes for the tax year of 1950, assessed to Scott Harris and Lillie B. Harris, and at the attempted sale of said property held on said date said property was sold to G. W. Clements for the sum of Ten and 15/100 (\$10.15) Dollars, which sale is recorded in Sales Book 27, Page 117 Baldwin County Records.

5.  
That the heirs of the said S. A. Presley, deceased, are, H. E. Presley, Opp, Alabama, Hazel Presley Melton, Foley, Alabama, H. L. Presley, Box 424, Florala, Alabama and Milbrey and Presley Eutz, Foley, Alabama, as remaindermen under the will of the said S. A. Presley, deceased, and that your Petitioner is a holder of a life estate in said property.

6.  
That the time of redemption had not expired at the time of the death of the said S. A. Presley, deceased and that the said heirs are entitled under the 1940 Code of Alabama to redeem said property.

7.  
That the said Respondent has not had such possession of the property as will bar the Complainant's right to redeem it from the above described Tax Sale.

Your Complainant offers to do equity and pay the full amount necessary to redeem the said property as provided by the decisions in accordance with Title 51, Section 276 of the 1940 Code of Alabama as amended.

PRAYER FOR PROCESS

Your Complainant prays that the Court will take jurisdiction of the cause made by this Bill of Complaint and that due notice thereof be given to the Respondent, G. W. Clements, in the form and manner provided by law, requiring him to appear and plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

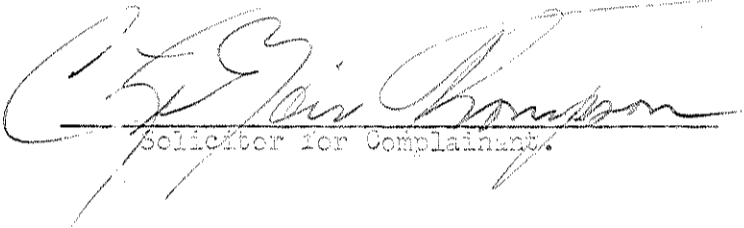
PRAYER FOR RELIEF

Your Complainant prays for the following separate and several relief:

1. That a proper decree be made and entered decreeing that the said heirs of the S. A. Presley, deceased, are entitled to redeem said property from said Tax Sale and that this cause be referred to the Register of this Court, who shall be instructed and directed to hold a Reference to ascertain the amount to which the Respondent is entitled under Title 51, Section 283 of the Code of Alabama, 1940, on redemption of the said property.

2. That on payment by your Complainant of the amount found to be due for redemption of the said property from the said Tax Sale, that all right, title and interest of the Respondent in and to the said property be divested out of him and vested in your Complainant.

3. Your Complainant prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

  
Solicitor for Complainant.

3399 *H. S. S. S.*

IN THE CIRCUIT COURT OF

DADE COUNTY, ALABAMA

IN EQUITY

Received 8 day of Nov 1954  
and on 8 day of Nov 1954

I served a copy of the within  
on Complaint

By service on G. W. Slements

TAYLOR WILKINS, Sheriff

By G. S. Slements

MRS. JENNIE FUSLEY, Administratrix  
of the estate of S. A. FUSLEY,  
deceased,

COMPLAINANT,

VS

G. A. CLARK, JR.,

RESPONDENT.

C. LeBoir Thompson  
Attorney at Law  
Bay Minette, Alabama

**FILED**

NOV 6 1954

ALICE J. DUCK, Register