

3511

AMOS GARRETT,

COMPLAINANT

VS

UNKNOWN HEIRS OF WINIFRED
TRAINOR KRUMP & CERTAIN
LANDS ET AL

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Comes the complainant in the above styled cause and requests the oral examination of Amos Garrett, Pat Caldwell and Lawrence Dukes, as witnesses for the complainant, who reside in Baldwin County, State of Alabama, and suggest Madeline S. Bryars of the Town of Bay Minette, as a suitable person to act as commissioner to take the deposition of the said witnesses.

Witness my hand this the 30 day of August, 1956.

Beebe & Swearingen

by W. C. Swearingen

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of the motion and application of the complainant for oral examination of the said Amos Garrett, Pat Caldwell and Lawrence Dukes, as witnesses for the complainants, that the motion was spread on the motion book and that notice of said motion was given to the defendants by entry on the order book of the register, said entry having been made on the 30 day of August, 1956.

Alice J. Duck
Register

Nation for Oral
Examination

giltengut 30. 1956
Ausschuss
Fischer

AMOS GARRETT,

COMPLAINANT

VS

UNKNOWN HEIRS OF WINIFRED
TRAINOR KRUMP, DECEASED, &
CERTAIN LANDS, ET AL

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO: The unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and the unknown heirs, devisees, personal representatives and assigns of Winifred Trainor Krump, deceased, and to Wilson Hayes, guardian ad litem for them, and to any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on the following described land, to-wit: Lot or parcel "B" of a re-subdivision of Lot 2 of Oak Riverview, First Addition, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 58; Lot 3 in Block 1, according to a plat of Krump lands in the Thomas Johnson Grant, Section 37, Township 8 South, Range 4 East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book 3, page 120; Lots 113, 114, 115, 116, 126, 127, 128, 129, 130, 131 and 132 of Oak Riverview sub-division as per plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40; Also, that portion of Lot 138 of Oak Riverview sub-division as per plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40, which lies Northwest of Lots 129, 130, 131 and 132 of said subdivision and which would lie Northeastwardly of a line projected between Lots 132, and 133 of said sub-division. Also, all of the right, title and interest of the grantors in and to any lands lying in the streets or alleys in Oak Riverview sub-division as per plat thereof recorded in the office of the Judge of Probate in Map Book 1, page 40, adjacent to any of the Lots herein described and any other lands owned by the grantors in such sub-division whether herein correctly described or not. SAVE AND EXCEPT the following described property which was conveyed by Nic Krump and wife to O. S. Holmes by deed dated November 10, 1931, which said deed is recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 52, page 76. The lands described in and conveyed by said deed being more specifically described as follows: Beginning at a point which is the Southwest corner of Lot 126 of Oak Riverview subdivision as platted and recorded in Map Book 1, page 40 of the records of the Judge of Probate of Baldwin County, Alabama, and running thence Northwest along the Westerly line of said lot 126 a distance of 445 feet to the place of beginning; thence in the same line run northwest 100 feet; thence in a northeasterly direction and at right angles to said last described line 50 feet; thence at right angles to said line and parallel with the first described line run in a southeasterly direction 100 feet; thence in a southwesterly direction 50 feet to the place of beginning; Also the following: Beginning at a point which is the northwest corner of the lot hereinbefore described and run thence North 24° East 97 feet and 7 inches, more or less, to a point in the waters of Emanuel Bayou adjoining the East bank thereof, for a place of beginning. From the point of beginning run in the southeasterly direction parallel with the lines of the lot hereinbefore described a distance of 32 feet; thence and at right angles thereto run in a northeasterly direction 22 feet; thence and at

right angles thereto run in a northwesterly direction 32 feet and thence and at right angles thereto run in a southwesterly direction 22 feet to the place of beginning; said last above described lot being partly within the waters of Emanuel Bayou and being conveyed for boat house purposes;

Notice is hereby given that the complainant in the above styled cause has this day made application for the oral examination of Amos Garrett, Pat Caldwell and Lawrence Dukes, witnesses for the complainant in the above styled cause and has suggested Madeline S. Bryars as a suitable person to act as commissioner in the taking of the deposition of said witnesses.

Witness this the 30 day of August, 1956.

Beebe & Swearingen

by W. C. Beebe
Solicitors for complainant

Alice J. Swearingen
Register.

Notice of Motion of
Real Examination

Dated Aug 30, 1956
Rieschman
Registrar

AMOS GARRETT

COMPLAINANT

VS

UNKNOWN HEIRS OF WINIFRED
TRAINOR KRUMP & CERTAIN
LANDS ET AL

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

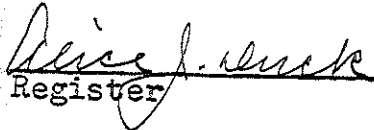
IN EQUITY.

Complainant having on the 30 day of August, 1955, filed his motion and request for oral examination of Amos Garrett, Pat Caldwell and Lawrence Dukes, witnesses for complainant, and due and proper notice thereof having been given as required by law on the order book of this court and to Wilson Hayes, guardian ad litem for the said unknown defendants, and Madeline S. Bryars of the Town of Bay Minette, being a suitable person to act as commissioner to take the deposition of said witnesses;

It is therefore ordered, adjudged and decreed that the said motion for the oral examination of Amos Garrett, Pat Caldwell and Lawrence Dukes, witnesses for complainant, be and is hereby granted.

And that Madeline S. Bryars be and she is hereby appointed as commissioner to take the deposition of said witness.

Witness my hand this the 3rd day of September, 1956.


Register

Order painting
Oral examination

High
Sept

3, 1956

King J. Muck
Regaler

AMOS GARRETT,

COMPLAINANT

VS

UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES AND
ASSIGNS OF THOMAS JOHNSON
AND WINIFRED TRAINOR KRUMP,
BOTH DECEASED, & CERTAIN
LANDS

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO: Unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, Deceased, the unknown heirs, devisees, personal representatives and assigns of Winifred Trainor Krump, deceased, and to Wilson Hayes, guardian ad litem for them.

Notice is hereby given that the testimony of Amos Garrett, Lawrence Dukes and Pat Caldwell, witnesses for the complainant in the above styled cause will be taken orally before Madeline S. Bryars, commissioner heretofore duly appointed, at the office of Beebe & Swearingen, attorneys for complainants, at 10:00 o'clock A.M. on the 6th day of September, 1956.

This the 3rd day of September, 1956.

Madeline S. Bryars
Commissioner

Beebe & Swearingen

by W. C. Beebe
Solicitor for complainant

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, in equity, do hereby certify that the foregoing notice of the time and place of taking deposition of complainant's witnesses was filed and entered on the order book of the Register on the 3rd day of September, 1956.

Alice J. Duck
Register

1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

Notice of time &
place of taking
deposition

Filed Sept 3, 1956
Alice J. Neuman
Registrar

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Madeline S. Bryars

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 Amos Garrett, Pat Caldwell and Lawrence Dukes

as witnesses in behalf of complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Amos Garrett

is, Complainant
and Unknown heirs, devisees, personal representatives & assigns of Thos. Johnson, deceased, and Unknown heirs, devisees, personal representatives & assigns of Winifred Trainor Krump, deceased, & any and all other persons, firms, associations, or corporations claiming any right, title to, interest in, claim, lien or encumbrance on the lands described in the bill of complaint are Respondent

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

Witness 9-11 day of Sept, 1956

David J. Hester
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

vs. Complainant—

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

AMOS GARRETT

COMPLAINANT

VS

UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES
AND ASSIGNS OF THOMAS JOHN-
SON, DECEASED, & CERTAIN
LANDS, ET AL

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

This cause is submitted for final decree upon bill of complaint, service by publication, decree pro confesso, appointment and acceptance of guardian ad litem, answer of guardian ad litem and deposition of Amos Garrett and Lawrence Dukes, witnesses for complainants.

This the 19 day of September, 1956.

Beebe & Swearingen

By W. C. Beebe
Solicitors for complainants

Beck - Swearingen
Register

AMOS GARRETT

COMPLAINANT

VS

UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES
AND ASSIGNS OF THOMAS JOHNSON,
DECEASED & CERTAIN LANDS ET AL

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Testimony having been taken in this cause and the same being ready for final decree, motion is hereby made that the said cause be set down for final decree this the 19 day of September, 1956.

BEEBE & SWEARINGEN

BY

W. C. Barber
Solicitors for complainant

AMOS GARRETT

COMPLAINANT

VS

LOT OR PARCEL "B" OF A RE-SUB-DIVISION OF LOT 2 of OAK RIVERVIEW, FIRST ADDITION, ACCORDING TO A PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 58. LOT 3 OF BLOCK 1, ACCORDING TO A PLAT OF KRUMP LANDS IN THE THOMAS JOHNSON GRANT, SECTION 37, TOWNSHIP 8 SOUTH, RANGE 4 EAST, ACCORDING TO A PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 3, PAGE 120; LOTS 113, 114, 115, 116, 126, 127, 128, 129, 130, 131 and 132 OF OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 40. ALSO, THAT PORTION OF LOT 138 OF OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 40, WHICH LIES NORTHWEST OF LOTS 129, 130, 131 AND 132 OF SAID SUB-DIVISION AND WHICH WOULD LIE NORTHEASTWARDLY OF A LINE PROJECTED BETWEEN LOTS 132 AND 133 OF SAID SUB-DIVISION. ALSO, ALL OF THE RIGHT, TITLE AND INTEREST OF THE GRANTORS IN AND TO ANY LANDS LYING IN THE STREETS OR ALLEYS IN OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE IN MAP BOOK 1, PAGE 40, ADJACENT TO ANY OF THE LOTS HEREIN DESCRIBED AND ANY OTHER LANDS OWNED BY THE GRANTORS IN SUCH SUB-DIVISION WHETHER HEREIN CORRECTLY DESCRIBED OR NOT. SAVE AND EXCEPT, THE FOLLOWING DESCRIBED PROPERTY WHICH WAS CONVEYED BY NIC KRUMP AND WIFE TO O. S. HOLMES BY DEED DATED NOVEMBER 10, 1931, WHICH SAID DEED IS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, in DEED BOOK 52, PAGE 76. THE LANDS DESCRIBED IN AND CONVEYED BY SAID DEED BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS THE SOUTHWEST CORNER OF LOT 126 IN OAK RIVERVIEW SUBDIVISION AS PLATTED AND RECORDED IN MAP BOOK 1, PAGE 40 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, AND RUNNING THENCE

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NORTHWEST ALONG THE WESTERLY LINE OF SAID LOT 126 A DISTANCE OF 445 FEET TO THE PLACE OF BEGINNING; THENCE IN THE SAME LINE RUN NORTHWEST 100 FEET; THENCE IN A NORTHEASTERLY DIRECTION AND AT RIGHT ANGLES TO SAID LAST DESCRIBED LINE 50 FEET; THENCE AT RIGHT ANGLES TO SAID LINE AND PARALLEL WITH THE FIRST DESCRIBED LINE RUN IN A SOUTHEASTERLY DIRECTION 100 FEET; THENCE IN A SOUTHWESTERLY DIRECTION 50 FEET TO THE PLACE OF BEGINNING: ALSO THE FOLLOWING; BEGINNING AT A POINT WHICH IS THE NORTHWEST CORNER OF THE LOT HEREBEFORE DESCRIBED AND RUN THENCE NORTH 24 DEGREES EAST 97 FEET AND 7 INCHES, MORE OR LESS, TO A POINT IN THE WATERS OF EMANUEL BAYOU ADJOINING THE EAST BANK THEREOF, FOR A PLACE OF BEGINNING: FROM THE POINT OF BEGINNING RUN IN THE SOUTHEASTERLY DIRECTION PARALLEL WITH THE LINES OF THE LOT HEREBEFORE DESCRIBED A DISTANCE OF 32 FEET; THENCE AND AT RIGHT ANGLES THERETO RUN IN A NORTHEASTERLY DIRECTION 22 FEET: THENCE AND AT RIGHT ANGLES THERETO RUN IN A NORTHWESTERLY DIRECTION 32 FEET AND THENCE AND AT RIGHT ANGLES THERETO RUN IN A SOUTHWESTERLY DIRECTION 22 FEET TO THE PLACE OF BEGINNING; SAID LAST ABOVE DESCRIBED LOT BEING PARTLY WITHIN THE WATERS OF EMANUEL BAYOU AND BEING CONVEYED FOR BOAT HOUSE PURPOSES: AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, AND ASSIGNS OF THOMAS JOHNSON, DECEASED; AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, AND ASSIGNS OF WINIFRED TRAINOR KRUMP, DECEASED; AND AGAINST ANY AND ALL OTHER PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

This cause coming on to be heard is submitted for final decree upon behalf of the complainant upon the original bill of complaint, and upon publication of notice, decree pro confesso, appointment, acceptance and answer of guardian ad litem, pleading and proof as noted by the register; and the same being considered by the court, the court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of the said bill of complaint

against the said lands and the said defendants, the unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and the unknown heirs, devisees, personal representatives and assigns of Winifred Trainor Krump, deceased, and any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof, has been given in the manner required by law, and the complainant is entitled to the relief as prayed for in the bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said complainant, Amos Garrett, who is over the age of twenty one years, at the time of the filing of the said bill of complaint and at the time of the submission of this cause for final decree, the complainant was and is in the actual and peaceable possession, claiming to own the same absolutely, and in fee simple of all that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Lot or Parcel "B" of a re-subdivision of Lot 2 of Oak Riverview, First Addition, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 58.

Lot 3 of Block 1, according to a plat of Krump lands in the Thomas Johnson Grant, Section 37, Township 8 South, Range 4 East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 3, page 120.

Lots 113, 114, 115, 116, 127, 128, 129, 130, 131, and 132 of Oak Riverview sub-division as per plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40.

Also, that portion of Lot 138 of Oak Riverview sub-division as per plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40, which lies Northwest of Lots 129, 130, 131 and 132 of said sub-division and which would lie Northeastwardly of a line projected between Lots 132 and 133 of said sub-division. Also, all of the right, title and interest of the grantors in and to any lands lying in the streets or alleys in Oak Riverview subdivision as per plat thereof recorded in the office of the Judge of Probate in Map Book 1, page 40, adjacent to any of the lots herein described and any other lands owned by the grantors in such sub-division whether herein correctly described or not.

SAVE AND EXCEPT, the following described property which was conveyed by Nic Krump and wife to O. S. Holmes by deed dated November 10, 1931, which said deed is recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 52, page 76. The lands described in and conveyed by said deed being more specifically described as follows: Beginning at a point which is the Southwest corner of Lot 126 in Oak Riverview Subdivision as platted and recorded in Map Book 1, page 40 of the records of the Judge of Probate of Baldwin County, Alabama, and running thence Northwest along the westerly line of said Lot 126 a distance of 445 feet to the place of beginning; thence in the same line run Northwest 100 feet; thence in a northeasterly direction and at right angles to the said last described line 50 feet; thence at right angles to said line and parallel with the first described line run in a southeasterly direction 100 feet; thence in a southwesterly direction 50 feet to the place of beginning.

Also the following: Beginning at a point which is the northwest corner of the lot hereinbefore described and run thence North 24° East 97 feet and 7 inches, more or less to a point in the waters of Emanuel Bayou adjoining the east bank thereof, for a place of beginning; from the point of beginning run in the Southeasterly direction parallel with the lines of the lot hereinbefore described a distance of 32 feet; thence and at right angles thereto run in a northeasterly direction 22 feet; thence and at right angles thereto run in a northwesterly direction 32 feet and thence and at right angles thereto run in a southwesterly direction 22 feet to the place of beginning; said last above described lot being partly within the waters of Emanuel Bayou and being conveyed for boat house purposes;

That the complainant acquired title to the said lands from Matt Krump, unmarried, and Herbert Krump and Elly Krump, his wife, by warranty deed dated March 30, 1955, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 220 at pages 187-89; who acquired the same by mesne conveyances from the United States Government; that complainant further holds title to the said lands by adverse possession of the said lands and each and every parcel thereof continuously for more than ten year next preceding the filing of the bill of complaint; that the title to the said lands and each parcel thereof stands in the name of the complainant upon the records of Baldwin County, Alabama; that for more than ten years next preceding the filing of said bill of complaint no person other than those through whom the claims title to the said lands or any part thereof has assessed or paid taxes thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Amos Garrett, at the time of the filing of the bill of complaint in this cause and at this time had and has the fee simple title to the above described lands, and to each and every part and parcel thereto, that neither of the defendants, the unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, the unknown heirs, devisees, personal representatives and assigns of Winifred Trainor Krump, deceased, nor any and all other persons, firms, associations or corporations have any title to, interest in, claim, lien or encumbrance on said lands or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title hereby quieted and established in and declared to be in the said Amos Garrett, shall inure to the benefit of all persons deriving title to said lands or any part thereof, from or through the said Amos Garrett, and the said title so quieted and established in him shall be treated and considered as established in favor of the said Amos Garrett and all persons deriving title through them.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be, by the register of this court, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in which county the said land lies, within thirty days from the date of this decree, and that the cost thereof be taxed as a part of the cost in this proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Amos Garrett be and he is hereby taxed with the cost of this proceeding for which let execution issue.

Done at Bay Minette, Alabama, this the 20 day of September, 1956.

Hubert M. Hall
Judge

STATE OF ALABAMA, BALDWIN COUNTY

Filed 4-20-55 10:30 A. M.

Recorded 4-20-55 book 4 page 177-80

MR. Stuart
Judge of Probate 5

BOOK 004 PAGE 177

AMOS GARRETT,

COMPLAINANT

VS

THE LANDS DESCRIBED BELOW:
AND THE UNKNOWN HEIRS, DEVI-
SEES, PERSONAL REPRESENT-
ATIVES, AND ASSIGNS OF THOM-
AS JOHNSON, DECEASED, AND THE
UNKNOWN HEIRS, DEVISEES, PER-
SONAL REPRESENTATIVES, AND
ASSIGNS OF WINIFRED TRAINER
KRUMP, DECEASED: AND AGAINST
ANY AND ALL OTHER PERSONS, FIRMS,
ASSOCIATIONS OR CORPORATIONS,
CLAIMING ANY TITLE TO, INTEREST
IN, CLAIM, LIEN OR ENCUMBRANCE
ON SAID LANDS OR ANY PART OR PAR-
CEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Notice is hereby given to the unknown heirs, devisees and personal representatives of Thomas Johnson, deceased, and to the unknown heirs, devisees and personal representatives of Winifred Trainer Krump, deceased, and to any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the following described lands; Lot or Parcel "B" of a re-subdivision of Lot 2 of Oak Riverview, First Addition, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 58. Lot 3 of Block 1, according to a plat of Krump lands in the Thomas Johnson Grant, Section 37, Township 8 South, Range 4 East, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 3, page 120. Lots 113, 114, 115, 116, 126, 127, 128, 129, 130, 131, and 132 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40. ALSO, that portion of Lot 138 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40, which lies Northwest of Lots 129, 130, 131 and 132 of said sub-division and which would lie Northeastwardly of a line projected between Lots 132 and 133 of said sub-division. ALSO, all of the right, title and interest of the Grantors in and to any lands lying in the streets or alleys in Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate in Map Book 1, page 40, adjacent to any of the Lots herein described and any other lands owned by the Grantors in such sub-division whether herein correctly described or not. SAVE AND EXCEPT, the following described property which was conveyed by Nic Krump and wife to O. S. Holmes by deed dated November 10, 1931, which said deed is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 52, page 76. The lands described in and conveyed by said deed being more specifically described as follows: Beginning at a point which is the Southwest corner of Lot 126 in Oak Riverview Subdivision as platted and recorded in Map Book One page 40 of the records of the Judge of Probate of Baldwin County, Alabama, and running thence Northwest along

the Westerly line of said Lot 126 a distance of 445 feet to the place of beginning; thence in the same line run northwest 100 feet; thence in a northeasterly direction and at right angles to said last described line 50 feet; thence at right angles to said line and parallel with the first described line run in a southeasterly direction 100 feet; thence in a southwesterly direction 50 feet to the place of beginning. Also the following: Beginning at a point which is the northwest corner of the lot hereinbefore described and run thence north 24 degrees east 97 feet and 7 inches, more or less to a point in the waters of Emanuel Bayou adjoining the east bank thereof, for a place of beginning. From the point of beginning run in the southeasterly direction parallel with the lines of the lot hereinbefore described a distance of 32 feet; thence and at right angles thereto run in a northeasterly direction 22 feet; thence and at right angles thereto run in a northwesterly direction 32 feet and thence and at right angles thereto run in a southwesterly direction 22 feet to the place of beginning; said last above described lot being partly within the waters of Emanuel Bayou and being conveyed for boat house purposes; in Baldwin County, Alabama.

That Amos Garrett has filed his bill of complaint on the 20 day of April, 1955, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own that certain land, lying and being situated in the County of Baldwin, State of Alabama, above described; complainant alleges in his bill of complaint that he acquired title to the said lands by warranty deed from Matt Krump, unmarried, and Herbert Krump and Elly Krump, his wife, dated March 30, 1955, recorded in Deed Book 220, pages 187-89, in the Office of the Judge of Probate of Baldwin County, Alabama; who acquired title by mesne conveyances from the United States Government; that the complainant immediately upon his acquisition of the said lands went into possession of the same, claiming to own the same and that he and those through whom he claims title have continuously for more than twenty years next preceding the filing of the bill of complaint been in possession of the said lands under color of title, consisting of the erection of buildings, appurtenances and fences on the said lands, and the occupation and use of the same including all lands and each parcel, lot and part thereof herein described, as well as other acts of actual possession of the same adverse to the whole world; that Thomas Johnson is dead, that Winifred Trainer Krump is dead, that the unknown heirs, devisees, personal representatives, and assigns of the said Thomas Johnson, deceased, and that the

unknown heirs, devisees, personal representatives, and assigns of the said Winifred Trainer Krump, deceased, claim or are reputed to claim some title to, interest in, claim, lien or encumbrance upon the lands described above, or some part or parcel thereof.

Complainant further alleges that he and those through whom he claims have for more than ten years next preceding the filing of the said bill of complaint have been in the actual peaceable possession of the said lands and have annually assessed and paid taxes thereon and that during such period no other person has been in possession of the said lands or any part thereof or assessed or paid taxes on said lands or any part thereof, and that the bill of complaint is filed for the purpose of establishing his title to and interest in the said lands and clearing up doubts and disputes concerning the same.

And it appearing from said bill of complaint, the same being duly verified, that the names, ages and places of residence and post office addresses of the said defendants are unknown and cannot be ascertained upon diligent inquiry, and proof being made that diligent inquiry was made and the names, ages and places of residence and post office addresses cannot be ascertained, but that he is informed and believes and upon such information and belief alleges that they are over the age of twenty-one years and are non-residents of the State of Alabama.

And an order having been made and entered that notice of the pendency of said suit be given publication once a week for four consecutive weeks in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama;

It is therefore ordered that the said unknown heirs, devisees and personal representatives of Thomas Johnson, deceased, and the said unknown heirs, devisees and personal representatives of Winifred Trainer Krump, deceased, and any and all other persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the lands described above, appear and plead, answer or demur to the said bill of complaint within sixty days after

the first publication of this notice, namely the 21 day of April, 1955, at which time the said cause shall stand at issue.

Witness my hand this the 20 day of April, 1955.

Alvin L. Duncanson
Register, Circuit Court, Baldwin
County, Alabama, in equity.

BOOK 004
PAGE 180

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in equity, wherein Amos Garrett, who is over the age of twenty-one years, is complainant and the Unknown Heirs, devisees and personal representatives of Thomas Johnson, deceased, and the Unknown Heirs, devisees and personal representatives of Winifred Trainer Krump, deceased, and the lands described in the foregoing notice, and any and all persons, firms, associations or corporations claiming any title to, interest in, claim lien or encumbrance upon the said lands in Baldwin County, Alabama, are defendants as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper, published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 20th day of April, 1955.

Alice J. Duck
Register

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)Amos Garrett

Complainant

VS.

Unknown heirs of Winifred Trainor Krump

& certain lands et al

Respondent

I, Madeline S. Bryarsas ~~Register~~ and Commissioner heretofore appointedhave called and caused to come before me Amos Garrettwitness named in the Requirement for Oral Examination, on the 6th day of September 1956, at the office of Beebe & Swearingenin Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Amos Garrettdoth depose and say as follows:

My name is Amos Garrett. I am complainant in that certain cause pending in the Circuit Court of Baldwin County, in equity, wherein Amos Garrett is complainant and the unknown heirs, devisees, personal representatives and assigns of Thomas Johnson and Winifred Trainor Krump, both deceased, and certain lands are defendants, number 3511 on the docket of the said division of said court. I am the owner of the lands described in the complaint. I purchased the same from Herbert Krump and Matt Krump on March 30, 1955. The title to the said property stands on the records of Baldwin County in my name. There is no suit pending to try or test the validity of my title to, interest in, claim on the said lands or any part thereof. My grantors acquired the same as the heirs of Nic Krump, deceased. I am in actual possession of the said lands occupying and using the houses and other improvements thereon and was in such possession and using the said improvements on the date of the filing of the bill of complaint in this cause. At the time of my purchase Matt Krump and Herbert Krump were in the actual possession of the said lands claiming to own the same. That for more than 10 years prior to the time they acquired the same from Nic Krump, the said Nic Krump was in possession of the lands described in the bill of complaint and of each part and parcel thereof claiming to own the same, and annually assessed and paid the taxes on the same for more than ten years prior to his death. Upon his death Matt Krump and Herbert Krump went into possession of the same and remained in continuous possession until they sold the same to me. That for more than ten years next preceding the filing of the bill of complaint I and those through whom I claim title to the said lands were in the continuous, actual, hostile, open, notorious, peaceable possession of the said lands and each part and parcel thereof claiming to own the same, and annually assessed and paid taxes thereon. During the whole of said period no person was in possession of the said lands, or paid taxes thereon or claimed any right or title to the said lands. That prior to the filing of the suit I made diligent search to ascertain the names, ages and places of residence of the heirs, devisees, personal representatives and assigns of Thomas Johnson and Winifred Trainor Krump, both deceased. I caused others to make such inquiry. In my effort to locate them I inquired of numerous persons who lived near the lands and who have lived near the same for more than twenty years. I caused diligent search to be made of the records in the office of the Judge of Probate and in the Tax Assessor's office and Tax Collector's office in Baldwin County and I was unable to ascertain the heirs, devisees, personal representatives and assigns and those assisting me in making the search were unable to ascertain the same, but I am informed and believe and upon such information and belief testify that the heirs, devisees, personal representatives and assigns of the said Thomas Johnson and Winifred Trainor Krump, both deceased, are non-residents of the state of Alabama and over the age of twenty one years and their names, ages and places of residence and post office addresses cannot be ascertained.

Cross examination of Amos Garrett by Wilson Hayes, guardian
ad litem:

ORAL EXAMINATION.

I, Madeline S. Bryars, 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 _____ and read over to him and he signed the same in the presence of myself Wilson Hayes and W. C. Beebe _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness _____ or had proom made before me of the identity of said witness _____; that I am not of counsel or 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 6th day of September, 1956.

Madeline S. Bryars (L. S.)

NO. _____	PAGE _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
vs.	Complainant
Respondent.	
Oral Deposition	
Filed <u>Sept 6</u> , 195 <u>6</u>	Recorded in _____
<u>W. C. Beebe</u> , Register.	Vol. _____ Page _____
	Register

I have made diligent search for the names, and addresses of any of the unknown heirs of Thomas Johnson and Winifred Trainor Krump, both deceased, and have been unable to find any. I inquired in and around the community where the property is located for that information. I know that it has been under fence by the Krumps up until the time that I took possession and that I have held the lands openly, notoriously, and peaceably since that time. I have made repairs on the houses. I have held it out for rent and have rented the houses since I have been in possession. I have kept up the fences and have had a tenant on the property continuously since I purchased the property.

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Amos Garrett

Complainant

VS.

Unknown heirs of Winifred Trainor
Krump et al Respondent

I, Madeline S. Bryars

as Register and Commissioner

have called and caused to come before me Lawrence Dukes

witness named in the Requirement for Oral Examination, on the ____ day of ____
195____, at the office of Beebe & Swearingen
in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said Lawrence Dukes
doth depose and say as follows:

My name is Lawrence Dukes. I am 53 years of age. I live near
Foley about four miles from the lands described in the bill of complaint
and have seen the lands frequently over a period of 20 years and more.
The lands are known as the Nic Krump lands and he was in possession of
them during the whole of the time that I have known the lands. The
lands have a very large house on it as well as a fence. Dr. Garrett
bought the property in 1955 and immediately went into possession and
has continued in possession to this date.

On cross examination by Wilson Hayes, guardian ad litem :

I pass the land frequently and have seen it for the past several
years about once a week. I am in and out by the land all of the time.
I have never heard of any person other than Mr. Krump or Dr. Garrett
owning the lands. It is under fence.

Lawrence Dukes

ORAL EXAMINATION.

I, Madeline S. Bryars, 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 he and read over to him and he signed the same in the presence of myself, W. C. Beebe & Wilson Hayes

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proom made before me of the identity of said witness; that I am not of counsel or 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 6 day of Sept, 1956.

Madeline S. Bryars (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent.

Oral Deposition

Filed Sept 6, 1956

W. C. Beebe Register.
Recorded in

Record

Vol. _____ Page _____

Register

AMOS GARRETT,

COMPLAINANT

VS

UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES AND
ASSIGNS OF THOMAS JOHNSON
AND WINIFRED TRAINOR KRUMP,
BOTH DECEASED, & CERTAIN
LANDS

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO: Unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, Deceased, the unknown heirs, devisees, personal representatives and assigns of Winifred Trainor Krump, deceased, and to Wilson Hayes, guardian ad litem for them.

Notice is hereby given that the testimony of Amos Garrett, Lawrence Dukes and Pat Caldwell, witnesses for the complainant in the above styled cause will be taken orally before Madeline S. Bryars, commissioner heretofore duly appointed, at the office of Beebe & Swearingen, attorneys for complainants, at 10:00 o'clock A.M. on the 6th day of September, 1956.

This the 3rd day of September, 1956.

Madeline S. Bryars
Commissioner

Beebe & Swearingen

by W. K. Beebe
Solicitor for complainant

AMOS GARRETT,

COMPLAINANT

VS

UNKNOWN HEIRS OF WINIFRED
TRAINOR KRUMP, DECEASED, &
CERTAIN LANDS, ET AL

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO: The unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and the unknown heirs, devisees, personal representatives and assigns of Winifred Trainor Krump, deceased, and to Wilson Hayes, guardian ad litem for them, and to any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on the following described land, to-wit: Lot or parcel "B" of a re-subdivision of Lot 2 of Oak Riverview, First Addition, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 58; Lot 3 in Block 1, according to a plat of Krump lands in the Thomas Johnson Grant, Section 37, Township 8 South, Range 4 East, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama in Map Book 3, page 120; Lots 113, 114, 115, 116, 126, 127, 128, 129, 130, 131 and 132 of Oak Riverview sub-division as per plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40; Also, that portion of Lot 138 of Oak Riverview sub-division as per plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40, which lies Northwest of Lots 129, 130, 131 and 132 of said subdivision and which would lie Northeastwardly of a line projected between Lots 132, and 133 of said sub-division. Also, all of the right, title and interest of the grantors in and to any lands lying in the streets or alleys in Oak Riverview sub-division as per plat thereof recorded in the office of the Judge of Probate in Map Book 1, page 40, adjacent to any of the Lots herein described and any other lands owned by the grantors in such sub-division whether herein correctly described or not. SAVE AND EXCEPT the following described property which was conveyed by Nic Krump and wife to O. S. Holmes by deed dated November 10, 1931, which said deed is recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 52, page 76. The lands described in and conveyed by said deed being more specifically described as follows: Beginning at a point which is the Southwest corner of Lot 126 of Oak Riverview subdivision as platted and recorded in Map Book 1, page 40 of the records of the Judge of Probate of Baldwin County, Alabama, and running thence Northwest along the Westerly line of said lot 126 a distance of 44.5 feet to the place of beginning; thence in the same line run northwest 100 feet; thence in a northeasterly direction and at right angles to said last described line 50 feet; thence at right angles to said line and parallel with the first described line run in a southeasterly direction 100 feet; thence in a southwesterly direction 50 feet to the place of beginning; Also the following: Beginning at a point which is the northwest corner of the lot hereinbefore described and run thence North 24° East 97 feet and 7 inches, more or less, to a point in the waters of Emanuel Bayou adjoining the East bank thereof, for a place of beginning. From the point of beginning run in the southeasterly direction parallel with the lines of the lot hereinbefore described a distance of 32 feet; thence and at right angles thereto run in a northeasterly direction 22 feet; thence and at

right angles thereto run in a northwesterly direction 32 feet and thence and at right angles thereto run in a southwesterly direction 22 feet to the place of beginning; said last above described lot being partly within the waters of Emanuel Bayou and being conveyed for boat house purposes;

Notice is hereby given that the complainant in the above styled cause has this day made application for the oral examination of Amos Garrett, Pat Caldwell and Lawrence Dukes, witnesses for the complainant in the above styled cause and has suggested Madeline S. Bryars as a suitable person to act as commissioner in the taking of the deposition of said witnesses.

Witness this the 22 day of August, 1956.

Beebe & Swearingen

by Ed C. Beebe
Solicitors for complainant

Register.

AMOS GARRETT,

COMPLAINANT

VS

THE LANDS DESCRIBED BELOW:
AND THE UNKNOWN HEIRS, DEVI-
SEES, PERSONAL REPRESENT-
ATIVES, AND ASSIGNS OF THOM-
AS JOHNSON, DECEASED, AND THE
UNKNOWN HEIRS, DEVISEES, PER-
SONAL REPRESENTATIVES, AND
ASSIGNS OF WINIFRED TRAINER
KRUMP, DECEASED: AND AGAINST
ANY AND ALL OTHER PERSONS, FIRMS,
ASSOCIATIONS OR CORPORATIONS,
CLAIMING ANY TITLE TO, INTEREST
IN, CLAIM, LIEN OR ENCUMBRANCE
ON SAID LANDS OR ANY PART OR PAR-
CEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Notice is hereby given to the unknown heirs, devisees and personal representatives of Thomas Johnson, deceased, and to the unknown heirs, devisees and personal representatives of Winifred Trainer Krump, deceased, and to any and all persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the following described lands; Lot or Parcel "B" of a re-subdivision of Lot 2 of Oak Riverview, First Addition, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 58. Lot 3 of Block 1, according to a plat of Krump lands in the Thomas Johnson Grant, Section 37, Township 8 South, Range 4 East, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 3, page 120. Lots 113, 114, 115, 116, 126, 127, 128, 129, 130, 131, and 132 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40. ALSO, that portion of Lot 138 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40, which lies Northwest of Lots 129, 130, 131 and 132 of said sub-division and which would lie Northeastwardly of a line projected between Lots 132 and 133 of said sub-division. ALSO, all of the right, title and interest of the Grantors in and to any lands lying in the streets or alleys in Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate in Map Book 1, page 40, adjacent to any of the Lots herein described and any other lands owned by the Grantors in such sub-division whether herein correctly described or not. SAVE AND EXCEPT, the following described property which was conveyed by Nic Krump and wife to O. S. Holmes by deed dated November 10, 1931, which said deed is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 52, page 76. The lands described in and conveyed by said deed being more specifically described as follows: Beginning at a point which is the Southwest corner of Lot 126 in Oak Riverview Subdivision as platted and recorded in Map Book One page 40 of the records of the Judge of Probate of Baldwin County, Alabama, and running thence Northwest along

the Westerly line of said Lot 126 a distance of 445 feet to the place of beginning; thence in the same line run northwest 100 feet; thence in a northeasterly direction and at right angles to said last described line 50 feet; thence at right angles to said line and parallel with the first described line run in a southeasterly direction 100 feet; thence in a southwesterly direction 50 feet to the place of beginning. Also the following: Beginning at a point which is the northwest corner of the lot hereinbefore described and run thence north 24 degrees east 97 feet and 7 inches, more or less to a point in the waters of Emanuel Bayou adjoining the east bank thereof, for a place of beginning. From the point of beginning run in the southeasterly direction parallel with the lines of the lot hereinbefore described a distance of 32 feet; thence and at right angles thereto run in a northeasterly direction 22 feet; thence and at right angles thereto run in a northwesterly direction 32 feet and thence and at right angles thereto run in a southwesterly direction 22 feet to the place of beginning; said last above described lot being partly within the waters of Emanuel Bayou and being conveyed for boat house purposes; in Baldwin County, Alabama.

That Amos Garrett has filed his bill of complaint on the 20 day of April, 1955, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own that certain land, lying and being situated in the County of Baldwin, State of Alabama, above described; complainant alleges in his bill of complaint that he acquired title to the said lands by warranty deed from Matt Krump, unmarried, and Herbert Krump and Elly Krump, his wife, dated March 30, 1955, recorded in Deed Book 220, pages 187-89, in the Office of the Judge of Probate of Baldwin County, Alabama; who acquired title by mesne conveyances from the United States Government; that the complainant immediately upon his acquisition of the said lands went into possession of the same, claiming to own the same and that he and those through whom he claims title have continuously for more than twenty years next preceding the filing of the bill of complaint been in possession of the said lands under color of title, consisting of the erection of buildings, appurtenances and fences on the said lands, and the occupation and use of the same including all lands and each parcel, lot and part thereof herein described, as well as other acts of actual possession of the same adverse to the whole world; that Thomas Johnson is dead, that Winifred Trainer Krump is dead, that the unknown heirs, devisees, personal representatives, and assigns of the said Thomas Johnson, deceased, and that the

unknown heirs, devisees, personal representatives, and assigns of the said Winifred Trainer Krump, deceased, claim or are reputed to claim some title to, interest in, claim, lien or encumbrance upon the lands described above, or some part or parcel thereof.

Complainant further alleges that he and those through whom he claims have for more than ten years next preceding the filing of the said bill of complaint have been in the actual peaceable possession of the said lands and have annually assessed and paid taxes thereon and that during such period no other person has been in possession of the said lands or any part thereof or assessed or paid taxes on said lands or any part thereof, and that the bill of complaint is filed for the purpose of establishing his title to and interest in the said lands and clearing up doubts and disputes concerning the same.

And it appearing from said bill of complaint, the same being duly verified, that the names, ages and places of residence and post office addresses of the said defendants are unknown and cannot be ascertained upon diligent inquiry, and proof being made that diligent inquiry was made and the names, ages and places of residence and post office addresses cannot be ascertained, but that he is informed and believes and upon such information and belief alleges that they are over the age of twenty-one years and are non-residents of the State of Alabama.

And an order having been made and entered that notice of the pendency of said suit be given publication once a week for four consecutive weeks in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama;

It is therefore ordered that the said unknown heirs, devisees and personal representatives of Thomas Johnson, deceased, and the said unknown heirs, devisees and personal representatives of Winifred Trainer Krump, deceased, and any and all other persons, firms, associations or corporations claiming any title to, interest in, claim, lien or encumbrance upon the lands described above, appear and plead, answer or demur to the said bill of complaint within sixty days after

the first publication of this notice, namely the 21 day of
April, 1955, at which time the said cause shall
stand at issue.

Witness my hand this the 20 day of April,
1955.

Reid Hunt
Register, Circuit Court, Baldwin
County, Alabama, in equity.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in equity, wherein Amos Garrett, who is over the age of twenty-one years, is complainant and the Unknown Heirs, devisees and personal representatives of Thomas Johnson, deceased, and the Unknown Heirs, devisees and personal representatives of Winifred Trainer Krump, deceased, and the lands described in the foregoing notice, and any and all persons, firms, associations or corporations claiming any title to, interest in, claim lien or encumbrance upon the said lands in Baldwin County, Alabama, are defendants as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper, published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 20th day of April, 1955.

Alice J. Duck
Register

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in Equity, wherein Amos Garrett, is complainant and the unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and the unknown heirs, devisees, personal representatives and assigns of Winifred Trainer Krump, deceased, and the lands described in the foregoing notice, and any and all persons, firms, corporations or associations claiming any title to, interest in, claim, lien or encumbrance on the said land are defendants, as the same was drawn by me and caused to be published in the Baldwin Times, a newspaper published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 20 day of April, 1955, and I do further certify that the same was published in the Baldwin Times, the newspaper designated therein in its issues of April 21, 1955, April 28, 1955, May 5, 1955 and May 12, 1955, and posted at the front door of the Court House of Baldwin County, Alabama, for thirty days commencing April 20, 1955.

And I do further certify that the foregoing notice was filed by me for record in the office of the Judge of Probate of Baldwin County, Alabama, recorded by the said Judge of Probate in Lis Pendens 4, page 177-80 on the 20th day of April, 1955.

Witness my hand this the 12 day of May, 1955.

Register

3511

Notice

Amos Barrett,
Complainant

vs

Unknown Heirs of
Thomas Johnson, Decd, et
al, and Certain Lands,
Defendants

FILED

APR 20 1955

ALICE J. DUCK, Register

AMOS GARRETT,

COMPLAINANT

VS

THE LANDS DESCRIBED BELOW:
 AND THE UNKNOWN HEIRS, DEVI-
 SEES, PERSONAL REPRESENT-
 ATIVES, AND ASSIGNS OF THOM-
 AS JOHNSON, DECEASED, AND THE
 UNKNOWN HEIRS, DEVISEES, PER-
 SONAL REPRESENTATIVES, AND
 ASSIGNS OF WINIFRED TRAINER
 KRUMP, DECEASED: AND AGAINST
 ANY AND ALL OTHER PERSONS, FIRMS,
 ASSOCIATIONS OR CORPORATIONS,
 CLAIMING ANY TITLE TO, INTEREST
 IN, CLAIM, LIEN OR ENCUMBRANCE
 ON SAID LANDS OR ANY PART OR PAR-
 CEL THEREOF,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Whereas Amos Garrett, who is over the age of twenty-one years and a resident of Robertsedale, Alabama, has filed in this court on the equity side, claiming to be in actual peaceable possession, owning and claiming to own those certain lands, lying and being situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Lot or Parcel "B" of a re-subdivision of Lot 2 of Oak Riverview, First Addition, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 58.

Lot 3 of Block 1, according to a plat of Krump lands in the Thomas Johnson Grant, Section 37, Township 8 South, Range 4 East, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 3, page 120.

Lots 113, 114, 115, 116, 126, 127, 128, 129, 130, 131, and 132 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40.

ALSO, that portion of Lot 138 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40, which lies Northwest of Lots 129, 130, 131 and 132 of said sub-division and which would lie Northeastwardly of a line projected between Lots 132 and 133 of said sub-division. ALSO, all of the right, title and interest of the Grantors in and to any lands lying in the streets or alleys in Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate in Map Book 1, page 40, adjacent

to any of the Lots herein described and any other lands owned by the Grantors in such sub-division whether herein correctly described or not.

SAVE AND EXCEPT, the following described property which was conveyed by Nic Krump and wife to O. S. Holmes by deed dated November 10, 1931, which said deed is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 52, page 76. The lands described in and conveyed by said deed being more specifically described as follows: Beginning at a point which is the Southwest corner of Lot 126 in Oak Riverview Subdivision as platted and recorded in Map Book One page 40 of the records of the Judge of Probate of Baldwin County, Alabama, and running thence Northwest along the Westerly line of said Lot 126 a distance of 445 feet to the place of beginning; thence in the same line run northwest 100 feet; thence in a northeasterly direction and at right angles to said last described line 50 feet; thence at right angles to said line and parallel with the first described line run in a southeasterly direction 100 feet; thence in a southwesterly direction 50 feet to the place of beginning.

Also the following: Beginning at a point which is the northwest corner of the lot hereinbefore described and run thence north 24 degrees east 97 feet and 7 inches, more or less to a point in the waters of Emanuel Bayou adjoining the east bank thereof, for a place of beginning. From the point of beginning run in the southeasterly direction parallel with the lines of the lot hereinbefore described a distance of 32 feet; thence and at right angles thereto run in a northeasterly direction 22 feet; thence and at right angles thereto run in a northwesterly direction 32 feet and thence and at right angles thereto run in a southwesterly direction 22 feet to the place of beginning; said last above described lot being partly within the waters of Emanuel Bayou and being conveyed for boat house purposes.

Complainant alleges in his bill of complaint that the complainant holds title to the aforesaid lands by warranty deed from Matt Krump, unmarried, and Herbert Krump and Elly Krump, his wife, dated March 30, 1955, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 220 at pages 187-89; who acquired title by mesne conveyances from the United States Government; that the complainant immediately upon his acquisition of the said lands went into possession of the same, claiming to own the same and that she and those through whom she claims title have continuously for more than twenty years next preceding the filing of the bill of complaint been in possession of the said lands under color of title erecting buildings, appurtenances and fences on the said lands, and occupying and using the same, including all lands and each parcel, lot and part thereof herein described, as well as other acts of actual

possession of the same adverse to the whole world; that Thomas Johnson is dead, that Winifred Trainer Krump is dead, that the unknown heirs, devisees, personal representatives, and assigns of the said Thomas Johnson, deceased, and the unknown heirs, devisees, personal representatives, and assigns of the said Winifred Trainer Krump, deceased, claim or are reputed to claim some title to, interest in, claim, lien or encumbrance upon the above described lands in Baldwin County, Alabama, or some part or parcel thereof.

Complainant further alleges that he and those through whom he claims have, for more than ten years next preceding the filing of the said bill of complaint, been in the actual peaceable possession of the said lands and have annually assessed and paid taxes thereon and that during such period no other person has been in possession of the said lands or any part thereof or assessed or paid taxes on said lands or any part thereof, and that the bill of complaint is filed for the purpose of establishing her title to and interest in the said lands and clearing up doubts and disputes concerning the same.

And it appearing from said bill of complaint, the same being duly verified, that the names, ages and places of residence and post office addresses of the said defendants are unknown and cannot be ascertained upon diligent inquiry, and proof being made that diligent inquiry was made and the names, ages and places of residence and post office addresses cannot be ascertained.

It is therefore ordered, adjudged and decreed that notice of the pendency of said suit be given by publication once a week for four weeks consecutively in the Baldwin Times, a newspaper published in Bay Minette, in Baldwin County, Alabama.

WITNESS my hand and seal this the 20 day of April, 1955.

Reverend J. H. Smith
Register.

No 3571

Order

Amos Garrett,
Complainant

vs

Unknown Heirs of Thomas
Johnson, Decd., et al,
and Certain Lands,
Defendants

FILED

APR 20 1955

ALICE J. DUCK, Register

AMOS GARRETT

COMPLAINANT

VS

UNKNOWN HEIRS OF WINIFRED
TRAINOR KRUMP, & LANDS DE-
SCRIBED IN THE COMPLAINT,
ET AL.,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

It appearing in the above styled cause that the unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and the unknown heirs, devisees, personal representatives and assigns of Winifred Trainor Krump, deceased, are parties defendant and that due and proper notice of the pendency of the said action has been given in the manner and for the time required by law and that decree pro confesso has been taken against them and it is necessary and proper that guardian ad litem be appointed to represent the said unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and the unknown heirs, devisees, personal representatives and assigns of Winifred Trainor Krump, deceased;

NOW THEREFORE, it is ordered, adjudged and decreed that Wilson Haves, esquire, who is learned in the law and a practicing lawyer at this bar, be and he is hereby appointed as guardian ad litem for and to represent the unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and the unknown heirs, devisees, personal representatives and assigns of Winifred Trainor Krump, deceased, in the said cause.

Done this the 29 day of August, 1956.

Hubert M. Hall
Judge

Amos Barrett
Complainant

VS

Unknown Heirs of
Lies. Johnson Decedent
of certain lands etc

Appointment of Guardian
ad litem

Filed August 29, 1956

Alfred J. Duck
Registrar

AMOS GARRETT

COMPLAINANT

VS

UNKNOWN HEIRS OF WINIFRED
TRAINOR KRUMP & LANDS DE-
SCRIBED IN THE COMPLAINT,
ET AL.

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO Wilson Hayes, ESQUIRE.

Under and by virtue of an order of the Honorable H. M. Hall,
Judge of the Circuit Court of Baldwin County, rendered in the above
styled cause on the 29 day of August, 1956, you are hereby appoint-
ed as guardian ad litem for and to represent the unknown heirs, devisees,
personal representatives and assigns of Thomas Johnson, deceased, and
the unknown heirs, devisees, personal representatives and assigns of
Winifred Trainor Krump, deceased, defendants in the above styled cause.

WITNESS, this the 29 day of August, 1956.

Reice J. Rouse
Register

I hereby accept the foregoing appointment as guardian ad litem
for the unknown heirs, devisees, personal representatives and assigns
of Thomas Johnson, deceased, and the unknown heirs, devisees, personal
representatives and assigns of Winifred Trainor Krump, deceased, and
do hereby file this denial of the allegations made in the bill of com-
plaint in the said cause and demand strict proof of the same.

This the 29 day of August, 1956.

Wilson Hayes
Guardian ad litem

Duties, acceptance
Answer of question
ad libitum

Filed 8-29-56
Annie French
Rey

8601. Motion For Decree Pro Confesso on Publication.

B.T.-10-46-200

THE STATE OF ALABAMA, }

Baldwin County }

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Amos Garrett,

Complainant

Vs.

Unknown heirs of Winifred Trainer Krump & Lands described
in the complaint, et al.,

Defendant

Motion is hereby made for a Decree Pro Confesso against Unknown heirs, devisees,
personal representatives and assigns of Thomas Johnson, deceased, and the
unknown heirs, devisees, personal representatives and assigns of Winifred
Trainer Krump, deceased, Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfec-
 tion of publication was made under the order of this Court; and it having been shown by due proof to
 the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer,
 plead or demur to the Bill in this cause, to the date hereof.

This

27th day of August, 1956.

746 Code

Solicitor.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Complainant _____

Vs.

Defendant _____

Motion for Decree Pro Confesso
On Publication

Filed 8-29, 1956

Deirdre H. H. H.
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

AMOS GARRETT,

complainant

vs

UNKNOWN HEIRS OF WINIFRED TRAINOR
KRUMP & LANDS DESCRIBED IN THE
COMPLAINT, ET AL.,

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

In this cause it appears to the Register Alice J. Duck, that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 21st day of April, 1955, in the Baldwin Times, a newspaper published in Baldwin County, Alabama, that a copy of said order was posted at the Courthouse door in Baldwin County, on the 20th day of April, 1955, and recorded in Lis Pendens Book 4, page 177-80 in the office of the Judge of Probate of Baldwin County, Alabama.

And it now further appearing to the Register, Alice J. Duck, that the said unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and the unknown heirs, devisees, personal representatives and assigns of Winifred Trainor Krump, deceased, and any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on the lands described in the bill of complaint having, to the date hereof, failed to demur, plead to, or answer the bill of complaint in this cause, it is now, therefore, on motion of complainant ordered and decreed by the Register Alice J. Duck, that the bill of complaint in this cause be, and it hereby is in all things, taken as confessed against the said unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and the unknown heirs, devisees, personal representatives and assigns of Winifred Trainor Krump, deceased, and any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands.

This 29 day of August, 1956.

Alice J. Duck
Register

Amos Garrett
Complainant

vs

Unknown heirs of
Thomas Johnson
Certain lands
et al.

Decree pro Confesso

Filed 8-29-56
Alice Henck
Recy.

AMOS GARRETT

COMPLAINANT

VS

BOOK 020 PAGE 26

LOT OR PARCEL "B" OF A RE-SUB-DIVISION OF LOT 2 OF OAK RIVERVIEW, FIRST ADDITION, ACCORDING TO A PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 58. LOT 3 OF BLOCK 1, ACCORDING TO A PLAT OF KRUMP LANDS IN THE THOMAS JOHNSON GRANT, SECTION 37, TOWNSHIP 8 SOUTH, RANGE 4 EAST, ACCORDING TO A PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 3, PAGE 120. LOTS 113, 114, 115, 116, 126, 127, 128, 129, 130, 131, AND 132 OF OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 40. ALSO, THAT PORTION OF LOT 138 OF OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 40, WHICH LIES NORTHWEST OF LOTS 129, 130, 131 AND 132 OF SAID SUB-DIVISION AND WHICH WOULD LIE NORTHEASTWARDLY OF A LINE PROJECTED BETWEEN LOTS 132 AND 133 OF SAID SUB-DIVISION. ALSO, ALL OF THE RIGHT, TITLE AND INTEREST OF THE GRANTORS IN AND TO ANY LANDS LYING IN THE STREETS OR ALLEYS IN OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE IN MAP BOOK 1, PAGE 40, ADJACENT TO ANY OF THE LOTS HEREIN DESCRIBED AND ANY OTHER LANDS OWNED BY THE GRANTORS IN SUCH SUB-DIVISION WHETHER HEREIN CORRECTLY DESCRIBED OR NOT. SAVE AND EXCEPT, THE FOLLOWING DESCRIBED PROPERTY WHICH WAS CONVEYED BY NIC KRUMP AND WIFE TO O. S. HOLMES BY DEED DATED NOVEMBER 10, 1931, WHICH SAID DEED IS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN DEED BOOK 52, PAGE 76. THE LANDS DESCRIBED IN AND CONVEYED BY SAID DEED BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS THE SOUTHWEST CORNER OF LOT 126 IN OAK RIVERVIEW SUBDIVISION AS PLATTED AND RECORDED IN MAP BOOK ONE PAGE 40 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, AND RUNNING THENCE

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NORTHWEST ALONG THE WESTERLY LINE OF SAID LOT 126 A DISTANCE OF 445 FEET TO THE PLACE OF BEGINNING; THENCE IN THE SAME LINE RUN NORTHWEST 100 FEET; THENCE IN A NORTHEASTERLY DIRECTION AND AT RIGHT ANGLES TO SAID LAST DESCRIBED LINE 50 FEET; THENCE AT RIGHT ANGLES TO SAID LINE AND PARALLEL WITH THE FIRST DESCRIBED LINE RUN IN A SOUTHEASTERLY DIRECTION 100 FEET; THENCE IN A SOUTHWESTERLY DIRECTION 50 FEET TO THE PLACE OF BEGINNING. ALSO THE FOLLOWING: BEGINNING AT A POINT WHICH IS THE NORTHWEST CORNER OF THE LOT HEREBEFORE DESCRIBED AND RUN THENCE NORTH 24 DEGREES EAST 97 FEET AND 7 INCHES, MORE OR LESS TO A POINT IN THE WATERS OF EMANUEL BAYOU ADJOINING THE EAST BANK THEREOF, FOR A PLACE OF BEGINNING. FROM THE POINT OF BEGINNING RUN IN THE SOUTHEASTERLY DIRECTION PARALLEL WITH THE LINES OF THE LOT HEREBEFORE DESCRIBED A DISTANCE OF 32 FEET; THENCE AND AT RIGHT ANGLES THERETO RUN IN A NORTHEASTERLY DIRECTION 22 FEET; THENCE AND AT RIGHT ANGLES THERETO RUN IN A NORTHWESTERLY DIRECTION 32 FEET AND THENCE AND AT RIGHT ANGLES THERETO RUN IN A SOUTHWESTERLY DIRECTION 22 FEET TO THE PLACE OF BEGINNING; SAID LAST ABOVE DESCRIBED LOT BEING PARTLY WITHIN THE WATERS OF EMANUEL BAYOU AND BEING CONVEYED FOR BOAT HOUSE PURPOSES: AND THE UNKNOWN HEIRS DEVISEES, PERSONAL REPRESENTATIVES, AND ASSIGNS OF THOMAS JOHNSON, DECEASED; AND THE UNKNOWN HEIRS DEVISEES, PERSONAL REPRESENTATIVES, AND ASSIGNS OF WINIFRED TRAINER KRUMP, DECEASED; AND AGAINST ANY AND ALL OTHER PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

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

Comes your complainant, Amos Garrett, and presents this, his bill of complaint against the following described lands in Baldwin County, Alabama, to-wit:

Lot or Parcel "B" of a re-subdivision of Lot 2 of

Oak Riverview, First Addition, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 58.

Lot 3 of Block 1, according to a plat of Krump lands in the Thomas Johnson Grant, Section 37, Township 8 South, Range 4 East, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 3, page 120.

Lots 113, 114, 115, 116, 126, 127, 128, 129, 130, 131, and 132 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40.

ALSO, that portion of Lot 138 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40, which lies Northwest of Lots 129, 130, 131 and 132 of said sub-division and which would lie Northeastwardly of a line projected between Lots 132 and 133 of said sub-division. ALSO, all of the right, title and interest of the Grantors in and to any lands lying in the streets or alleys in Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate in Map Book 1, page 40, adjacent to any of the Lots herein described and any other lands owned by the Grantors in such sub-division whether herein correctly described or not.

SAVE AND EXCEPT, the following described property which was conveyed by Nic Krump and wife to O. S. Holmes by deed dated November 10, 1931, which said deed is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 52, page 76. The lands described in and conveyed by said deed being more specifically described as follows: Beginning at a point which is the Southwest corner of Lot 126 in Oak Riverview Subdivision as platted and recorded in Map Book One page 40 of the records of the Judge of Probate of Baldwin County, Alabama, and running thence Northwest along the Westerly line of said Lot 126 a distance of 445 feet to the place of beginning; thence in the same line run northwest 100 feet; thence in a northeasterly direction and at right angles to said last described line 50 feet; thence at right angles to said line and parallel with the first described line run in a southeasterly direction 100 feet; thence in a southwesterly direction 50 feet to the place of beginning.

Also the following: Beginning at a point which is the northwest corner of the lot hereinbefore described and run thence north 24 degrees east 97 feet and 7 inches, more or less to a point in the waters of Emanuel Bayou adjoining the east bank thereof, for a place of beginning. From the point of beginning run in the southeasterly direction parallel with the lines of the lot hereinbefore described a distance of 32 feet; thence and at right angles thereto run in a northeasterly direction 22 feet; thence and at

right angles thereto run in a northwesterly direction 32 feet and thence and at right angles thereto run in a southwesterly direction 22 feet to the place of beginning; said last above described lot being partly within the waters of Emanuel Bayou and being conveyed for boat house purposes;

and against the unknown heirs, devisees, personal representatives, and assigns of Thomas Johnson, deceased, and Winifred Trainer Krump, deceased, and against any and all persons, firms, corporations or associations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part or parcel thereof and respects unto your Honor:

FIRST: That complainant is over the age of twenty-one years and a resident of Robertsdale, Alabama; that Thomas Johnson is dead; that Winifred Trainer Krump is dead; that complainant has made diligent search to ascertain the names and places of residence of the heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and of Winifred Trainer Krump, deceased; that he has inquired of numerous persons in the vicinity in which such land is located, and has searched the records of Baldwin County, and upon such inquiry has been unable to ascertain their names, ages and post office addresses, but is informed and believes and upon such information and belief alleges that the heirs, devisees and personal representatives and assigns of the said Thomas Johnson, deceased, and Winifred Trainer Krump, deceased, are over the age of twenty-one years and are non-residents of the State of Alabama, their place of residence being unknown to complainant, and cannot be ascertained.

SECOND: That your complainant is the owner of in fee simple and in the actual possession of the said lands in Baldwin County, Alabama, described as follows, to-wit:

Lot or Parcel "B" of a re-subdivision of Lot 2 of Oak Riverview, First Addition, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 58.

Lot 3 of Block 1, according to a plat of Krump lands in the Thomas Johnson Grant, Section 37, Township 8

South, Range 4 East, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 3, page 120.

Lots 113, 114, 115, 116, 126, 127, 128, 129, 130, 131, and 132 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40.

ALSO, that portion of Lot 138 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40, which lies Northwest of Lots 129, 130, 131 and 132 of said sub-division and which would lie Northeastwardly of a line projected between Lots 132 and 133 of said sub-division. ALSO, all of the right, title and interest of the Grantors in and to any lands lying in the streets or alleys in Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate in Map Book 1, page 40, adjacent to any of the Lots herein described and any other lands owned by the Grantors in such sub-division whether herein correctly described or not.

SAVE AND EXCEPT, the following described property which was conveyed by Nic Krump and wife to O. S. Holmes by deed dated November 10, 1931, which said deed is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 52, page 76. The lands described in and conveyed by said deed being more specifically described as follows: Beginning at a point which is the Southwest corner of Lot 126 in Oak Riverview Subdivision as platted and recorded in Map Book One page 40 of the records of the Judge of Probate of Baldwin County, Alabama, and running thence Northwest along the Westerly line of said Lot 126 a distance of 445 feet to the place of beginning; thence in the same line run northwest 100 feet; thence in a northeasterly direction and at right angles to said last described line 50 feet; thence at right angles to said line and parallel with the first described line run in a southeasterly direction 100 feet; thence in a southwesterly direction 50 feet to the place of beginning.

Also the following: Beginning at a point which is the northwest corner of the lot hereinbefore described and run thence north 24 degrees east 97 feet and 7 inches, more or less to a point in the waters of Emanuel Bayou adjoining the east bank thereof, for a place of beginning. From the point of beginning run in the southeasterly direction parallel with the lines of the lot hereinbefore described a distance of 32 feet; thence and at right angles thereto run in a northeasterly direction 22 feet; thence and at right angles thereto run in a northwesterly direction 32 feet and thence and at right angles thereto run in a southwesterly direction 22 feet to the place of beginning; said last above described lot being partly within the waters of Emanuel Bayou and being conveyed for boat house purposes;

that he and those through whom he claims have been in the continuous, peaceable adverse possession of the said lands for more than ten

years next preceding the filing of this complaint, under color of title, claiming to own the same and that such possession has consisted of the erection of buildings, appurtenances and fences on the said lands, and the occupation and use of the same including all lands and each parcel, lot and part thereof herein described, and as well as other acts of actual possession of the same adverse to the whole world, and that he and those through whom he claims title to the said lands have for more than ten years next preceding the filing of this bill of complaint annually assessed and paid the taxes on the said lands and that during such period of time no other person has assessed the said lands for taxes or paid taxes thereon, and that no other person for such period has had, or attempted to exercise any possession over the said land or claimed any right to possession thereof or any title to, or interest in, claim, lien or encumbrance thereon, or to any part or parcel of the same.

THIRD: That no suit is pending to test complainant's title to, interest in, claim, lien or encumbrance on, or right of possession of said land.

FOURTH: That the title to the said lands stands on the records of Baldwin County, Alabama, in the name of your complainant; that he obtained title from Matt Krump, unmarried, and Herbert Krump and Elly Krump, his wife, by warranty deed dated March 30, 1955, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 220 at pages 187-89; who acquired the same by mesne conveyances from the United States Government; that for more than ten years next preceding the filing of this bill of complaint no person other than those through whom he claims title to the said lands or any portion thereof, have assessed or paid taxes thereon and that he and those through whom he claims title as aforesaid, have been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same, under color of title claiming to own the same for more than ten years next preceding the filing of this bill of complaint, and that he and those through whom he claims have erected buildings, appurtenances and fences on the said lands, and occupied and used the same, including all lands and each parcel, lot and part thereof herein described, as well as other acts of actual possession of the same adverse to the whole world; that the unknown heirs, devi-

sees, personal representatives and assigns of Thomas Johnson, deceased, and the unknown heirs, devisees, personal representatives and assigns of Winifred Trainer Krump, deceased, claim or are reputed to claim some title to, interest in, lien or encumbrance upon the lands, or some part or parcel thereof.

WHEREFORE, your complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint and by appropriate process make the said unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and Winifred Trainer Krump, deceased, and all other persons, firms, associations or corporations claiming any title to, or interest in, claim, lien or encumbrance upon the said lands, to-wit: Lot or Parcel "B" of a re-subdivision of Lot 2 of Oak Riverview, First Addition, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 58. Lot 3 of Block 1, according to a plat of Krump lands in the Tomas Johnson Grant, Section 37, Township 7 South, Range 4 East, according to a plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 3, page 120. Lots 113, 114, 115, 116, 126, 127, 128, 129, 130, 131, and 132 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40. ALSO, that portion of Lot 138 of Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 40, which lies Northwest of Lots 129, 130, 131 and 132 of said sub-division and which would lie Northeastwardly of a line projected between Lots 132 and 133 of said sub-division. ALSO, all of the right, title and interest of the Grantors in and to any lands lying in the streets or alleys in Oak Riverview sub-division as per plat thereof recorded in the Office of the Judge of Probate in Map Book 1, page 40, adjacent to any of the Lots herein described and any other lands owned by the Grantors in such sub-division whether herein correctly described or not. SAVE AND EXCEPT, the following described property which was conveyed by Nic Krump and wife to O. S. Holmes by

deed dated November 10, 1931, which said deed is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 52, page 76. The lands described in and conveyed by said deed being more specifically described as follows: Beginning at a point which is the Southwest corner of Lot 126 in Oak Riverview Subdivision as platted and recorded in Map Book One page 40 of the records of the Judge of Probate of Baldwin County, Alabama, and running thence Northwest along the Westerly line of said Lot 126 a distance of 445 feet to the place of beginning; thence in the same line run northwest 100 feet; thence in a northeasterly direction and at right angles to said last described line 50 feet; thence at right angles to said line and parallel with the first described line run in a southeasterly direction 100 feet; thence in a southwesterly direction 50 feet to the place of beginning. Also the following: Beginning at a point which is the northwest corner of the lot hereinbefore described and run thence north 24 degrees east 97 feet and 7 inches, more or less to a point in the waters of Emanuel Bayou adjoining the east bank thereof, for a place of beginning. From the point of beginning run in the southeasterly direction parallel with the lines of the lot hereinbefore described a distance of 32 feet; thence and at right angles thereto run in a northeasterly direction 22 feet; thence and at right angles thereto run in a northwesterly direction 32 feet and thence and at right angles thereto run in a southwesterly direction 22 feet to the place of beginning; said last above described lot being partly within the waters of Emanuel Bayou and being conveyed for boat house purposes, in Baldwin County, Alabama, or any part or parcel thereof, be made parties defendant to this bill of complaint and by appropriate process require them and each of them separately and severally 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.

Your complainant further prays that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of liens, claims and encumbrances to the said lands and each part and parcel thereof, is vested in your complainant, Amos Garrett, as against the unknown heirs, devisees, personal representatives and assigns of Thomas Johnson, deceased, and Winifred Trainer Krump, deceased, and as against any and all persons, firms, associations, or corporations, claiming any title to, interest in, claim, lien or encumbrance upon said lands or any part thereof, and that any and all doubts and disputes concerning the same be cleared up, and your complainant prays for such other, further, different or general relief as in equity and good conscience shall seem meet and proper.

Beebe & Swearingen
J. G. Swearingen
 Solicitor for Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said County and State, personally appeared F. G. Swearingen, who is known to me, and who, having been by me duly sworn, deposes and says that he is solicitor for the complainant in the above styled cause, and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true, and from such information obtained he verily believes, and so states, the same to be true.

F. G. Swearingen

Sworn to and subscribed before me this the 20 day of

April, 1955.

Madeline L. Byars
 Notary Public, Baldwin County, Alabama



COMPLAINANT

VS.

LOT OF PARCEL "B" OF A RE-SUB-DIVISION OF LOT 2 OF OAK RIVERVIEW, FIRST ADDITION, ACCORDING TO A PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN MAP BOOK 1, PAGE 58. LOT 3 OF BLOCK 1, ACCORDING TO A PLAT OF KRUMP LANDS IN THE THOMAS JOHNSON GRANT, SECTION 37, TOWNSHIP 8 SOUTH, RANGE 4 EAST, ACCORDING TO A PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 3, PAGE 120. LOTS 113, 114, 115, 116, 126, 127, 128, 129, 130, 131, and 132 OF OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA; IN MAP BOOK 1, PAGE 40. ALSO, THAT PORTION OF LOT 138 OF OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 40, WHICH LIES NORTHWEST OF LOTS 129, 130, 131, and 132 OF SAID SUB-DIVISION AND WHICH WOULD LIE NORTHEASTWARDLY OF A LINE PROJECTED BETWEEN LOTS 132 and 133 OF SAID SUB-DIVISION. ALSO, ALL OF THE RIGHT, TITLE AND INTEREST OF THE GRANTORS IN AND TO ANY LANDS LYING IN THE STREETS OR ALLEYS IN OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE IN MAP BOOK 1, PAGE 40, ADJACENT TO ANY OF THE LOTS HEREIN DESCRIBED AND ANY OTHER LANDS OWNED BY THE GRANTORS IN SUCH SUB-DIVISION WHETHER HEREIN CORRECTLY DESCRIBED OR NOT. SAVE AND EXCEPT, THE FOLLOWING DESCRIBED PROPERTY WHICH WAS CONVEYED BY NICKKRUMP AND WIFE TO O. S. HOLMES BY DEED DATED NOVEMBER 10, 1931, WHICH SAID DEED IS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN DEED BOOK 52, PAGE 76. THE LANDS DESCRIBED IN AND CONVEYED BY SAID DEED BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS THE SOUTHWEST CORNER OF LOT 126 IN OAK RIVERVIEW SUB-DIVISION AS PLATTED AND RECORDED IN MAP BOOK ONE PAGE 40 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, AND RUNNING THENCE

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NORTHWEST ALONG THE WESTERLY LINE
 OF SAID LOT 126 A DISTANCE OF 445
 FEET TO THE PLACE OF BEGINNING;
 THENCE IN THE SAME LINE RUN NORTH-
 WEST 100 FEET; THENCE IN A NORTH-
 EASTERLY DIRECTION AND AT RIGHT
 ANGLES TO SAID LAST DESCRIBED LINE
 50 FEET; THENCE AT RIGHT ANGLES
 TO SAID LINE AND PARALLEL WITH THE
 FIRST DESCRIBED LINE RUN IN A
 SOUTHEASTERLY DIRECTION 100 FEET;
 THENCE IN A SOUTHWESTERLY DIRECTION
 50 FEET TO THE PLACE OF BEGINNING.
 ALSO THE FOLLOWING; BEGINNING AT A
 POINT WHICH IS THE NORTHWEST CORNER
 OF THE LOT HEREINBEFORE DESCRIBED
 AND RUN THENCE NORTH 24 DEGREES
 EAST 97 FEET AND 7 INCHES, MORE OR
 LESS TO A POINT IN THE WATERS OF
 EMANUEL BAYOU ADJOINING THE EAST
 BANK THEREOF, FOR A PLACE OF BE-
 GINNING. FROM THE POINT OF BEGIN-
 NING RUN IN THE SOUTHEASTERLY
 DIRECTION PARALLEL WITH THE LINES
 OF THE LOT HEREINBEFORE DESCRIBED
 A DISTANCE OF 32 FEET; THENCE AND
 AT RIGHT ANGLES THERETO RUN IN A
 NORTHEASTERLY DIRECTION 22 FEET;
 THENCE AND AT RIGHT ANGLES THERE*
 TO RUN IN A NORTHWESTERLY DIREC-
 TION 32 FEET AND THENCE AND AT
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 SOUTHWESTERLY DIRECTION 22 FEET
 TO THE PLACE OF BEGINNING; SAID
 LAST ABOVE DESCRIBED LOT BEING
 PARTLY WITHIN THE WATERS OF
 EMANUEL BAYOU AND BEING CON*
 VEYED FOR BOAT HOUSE PURPOSES:
 AND THE UNKNOWN HEIRS DEVISEES,
 PERSONAL REPRESENTATIVES, AND
 ASSIGNS OF THOMAS JOHNSON, DE-
 CEASED: AND THE UNKNOWN HEIRS DEVI-
 SEES, PERSONAL REPRESENTATIVES,
 AND ASSIGNS OF WINIFRED TRAINOR
 KRUMP, DECEASED: AND AGAINST ANY
 AND ALL OTHER PERSONS, FIRMS, ASSO-
 CIATIONS OR CORPORATIONS, CLAIMING
 ANY TITLE TO, INTEREST IN, CLAIM,
 LIEN OR ENCUMBRANCE ON SAID LANDS
 OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

DEMURRERS

Now come Jessie Mae Ramseyer, Robert Arthur Nichols, and Gene Michael Nichols, a minor, by his next friend, Mrs. Esther Nichols, the respondents in this cause, and demur to the bill of complaint, and as grounds for demurrer assigns separately each of the following:

I

1. There is no equity in the bill.
2. Said bill fails to call upon the respondent to set forth his title.

3. Said bill does not state specifically what interest to said lands complainant claims to have.
4. Said bill does not state specifically what title in and to said lands complainant claims to have.
5. Said bill does not state specifically from whom or how said interest or title so claimed in or to said land was obtained by the complainant.
6. That the allegations of the complaint are but the conclusions of the pleader.

II

Now come the respondents, Jessie Mae Nichols Ramseyer, Robert Arthur Nichols, and Gene Michael Nichols, a minor, by his next friend, Mrs. Esther Nichols, and demur to the allegations of Paragraph 2 of said bill of complaint, and assigns as separate and several grounds therefor each of the grounds of demurrer from 1 to 6, both inclusive, hereinabove separately and severally assigned to the bill of complaint as a whole, just as if each of the said grounds of demurrer were specifically re-written here.

III

Now come the respondents, Jessie Mae Nichols Ramseyer, Robert Arthur Nichols, and Gene Michael Nichols, a minor, by his next friend, Mrs. Esther Nichols, and demur to the allegations of Paragraph 3 of said bill of complaint, and assigns as separate and several grounds therefor each of the grounds of demurrer from 1 to 6, both inclusive, hereinabove separately and severally assigned to the bill of complaint as a whole, just as if each of the said grounds of demurrer were specifically re-written here.

IV

Now come the respondents, Jessie Mae Nichols Ramseyer, Robert Arthur Nichols, and Gene Michael Nichols, a minor, by his next friend, Mrs. Esther Nichols, and demur to the allegation of Paragraph 4 of said bill of complaint, and assigns as separate and several grounds therefor each of the grounds of demurrer from 1 to 6, both inclusive, hereinabove separately and severally assigned to the bill of complaint as a whole, just as if each of the said grounds of demurrer were specifically re-written here.

James H. H. H. H.
SOLICITOR FOR RESPONDENTS

BOOK 020 PAGE 38

J. B. Blackburn
SOLICITOR FOR RESPONDENTS

COMPLAINANT

VS.

LOT OR PARCEL "B" OF A RE-SUB-DIVISION OF LOT 2 OF OAK RIVERVIEW, FIRST ADDITION, ACCORDING TO A PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 58. LOT 3 OF BLOCK 1, ACCORDING TO A PLAT OF KRUMP LANDS IN THE THOMAS JOHNSON GRANT, SECTION 37, TOWNSHIP 8 SOUTH, RANGE 4 EAST, ACCORDING TO A PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 3, PAGE 120. LOTS 113, 114, 115, 116, 126, 127, 128, 129, 130, 131, and 132 OF OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 40. ALSO, THAT PORTION OF LOT 138 OF OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 40, WHICH LIES NORTHWEST OF LOTS 129, 130, 131, and 132 OF SAID SUB-DIVISION AND WHICH WOULD LIE NORTHEASTWARDLY OF A LINE PROJECTED BETWEEN LOTS 132 and 133 OF SAID SUB-DIVISION. ALSO, ALL OF THE RIGHT, TITLE AND INTEREST OF THE GRANTORS IN AND TO ANY LANDS LYING IN THE STREETS OR ALLEYS IN OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE IN MAP BOOK 1, PAGE 40, ADJACENT TO ANY OF THE LOTS HEREIN DESCRIBED AND ANY OTHER LANDS OWNED BY THE GRANTORS IN SUCH SUB-DIVISION WHETHER HEREIN CORRECTLY DESCRIBED OR NOT. SAVE AND EXCEPT, THE FOLLOWING DESCRIBED PROPERTY WHICH WAS CONVEYED BY NIC KRUMP AND WIFE TO O. S. HOLMES BY DEED DATED NOVEMBER 10, 1931, WHICH SAID DEED IS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN DEED BOOK 52, PAGE 76. THE LANDS DESCRIBED IN AND CONVEYED BY SAID DEED BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS THE SOUTHWEST CORNER OF LOT 126 IN OAK RIVERVIEW SUB-DIVISION AS PLATTED AND RECORDED IN MAP BOOK ONE PAGE 40 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, AND RUNNING THENCE

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

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 SEES, PERSONAL REPRESENTATIVES,
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 KRUMP, DECEASED; AND AGAINST ANY
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 ANY TITLE TO, INTEREST IN, CLAIM,
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 OR ANY PART OR PARCEL THEREOF,

DEFENDANTS

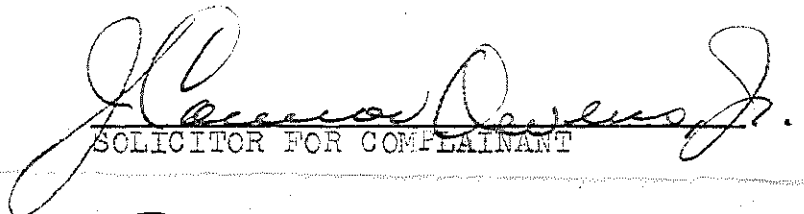
TO THE HON. HUBERT M. HALL, JUDGE OF CIRCUIT COURT OF BALDWIN
 COUNTY, ALABAMA:


Now comes Jessie Mae Nichols Ramseyer, Robert Arthur Nichols,
 and Gene Michael Nichols, a minor, by his next friend, Mrs. Esther
 Nichols, and respectfully represents unto this Honorable Court as follows:
 1. That the Complainants in the above styled cause have filed a
 petition to quiet title against certain property in said suit and

have joined as parties respondent, the unknown heirs or devisees of Winifred Trainor Krump.

2. That Jessie Mae Nichols Ramseyer is a half-sister of the Winifred Trainor Krump; that Robert Arthur Nichols is a nephew of Winifred Trainor Krump; that Gene Michael Nichols, a minor, is a nephew of Winifred Trainor Krump and that the said parties are all of the heirs of the said Winifred Trainor Krump.

WHEREFORE, the premises considered, the petitioners herein, pray that this Honorable Court will allow Jessie Mae Nichols Ramseyer, Robert Arthur Nichols, and Gene Michael Nichols, a minor, by his next friend, Mrs. Esther Nichols, to intervene as parties respondent in the above styled cause, and that they be allowed to defend the complaint filed in the above styled cause pursuant to Title 7, Section 1128 of the Code of Alabama of 1940, and further pray for all other and general relief to which they may be entitled.


SOLICITOR FOR COMPLAINANT


SOLICITOR FOR COMPLAINANT

AMOS GARRETT

COMPLAINANT

VS

LOT OR PARCEL "B" OF A RE-SUB-DIVISION OF LOT 2 of OAK RIVERVIEW, FIRST ADDITION, ACCORDING TO A PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 58. LOT 3 OF BLOCK 1, ACCORDING TO A PLAT OF KRUMP LANDS IN THE THOMAS JOHNSON GRANT, SECTION 37, TOWNSHIP 8 SOUTH, RANGE 4 EAST, ACCORDING TO A PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 3, PAGE 120; LOTS 113, 114, 115, 116, 126, 127, 128, 129, 130, 131 and 132 OF OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 40. ALSO, THAT PORTION OF LOT 138 OF OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 1, PAGE 40, WHICH LIES NORTHWEST OF LOTS 129, 130, 131 AND 132 OF SAID SUB-DIVISION AND WHICH WOULD LIE NORTHEASTWARDLY OF A LINE PROJECTED BETWEEN LOTS 132 AND 133 OF SAID SUB-DIVISION. ALSO, ALL OF THE RIGHT, TITLE AND INTEREST OF THE GRANTORS IN AND TO ANY LANDS LYING IN THE STREETS OR ALLEYS IN OAK RIVERVIEW SUB-DIVISION AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE IN MAP BOOK 1, PAGE 40, ADJACENT TO ANY OF THE LOTS HEREIN DESCRIBED AND ANY OTHER LANDS OWNED BY THE GRANTORS IN SUCH SUB-DIVISION WHETHER HEREIN CORRECTLY DESCRIBED OR NOT. SAVE AND EXCEPT, THE FOLLOWING DESCRIBED PROPERTY WHICH WAS CONVEYED BY NIC KRUMP AND WIFE TO O. S. HOLMES BY DEED DATED NOVEMBER 10, 1931, WHICH SAID DEED IS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN DEED BOOK 52, PAGE 76. THE LANDS DESCRIBED IN AND CONVEYED BY SAID DEED BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS THE SOUTHWEST CORNER OF LOT 126 IN OAK RIVERVIEW SUBDIVISION AS PLATTED AND RECORDED IN MAP BOOK 1, PAGE 40 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, AND RUNNING THENCE

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

STATE OF ALABAMA, BALDWIN COUNTY
Filed 10-24-56 4 P. M.
Recorded book 244 page 389-93
Judge of Probate

BOOK 244 PAGE 389