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CAROLYN LONG, ROBERT R. LONG and ELIZABETH L. COBBS, Complainants,	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY
VS.	)	
ARTHUR HARVILLE, Respondent.	)	

FINAL DECREE

In this cause it being made to appear to the court that this case has been settled between the parties, it is, therefore, ORDERED, ADJUDGED AND DECREED that this cause be and it is hereby dismissed without prejudice and the complainants taxed with the costs.

ORDERED, ADJUDGED AND DECREED on this the 22 day of June, 1955.

Hubert M Hall
Judge

FINAL DECREE

CAROLYN LONG, ROBERT R. LONG and ELIZABETH L. COBBS,

Complainants,

VS.

ARTHUR HARVILLE,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

JUN 28 1955

ALICE J. DUCK, Register

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Arthur Harville to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding same and plead, answer or demur to the Bill of Complaint of Carolyn Long, Robert R. Long and Elizabeth L. Cobbs.

WITNESS my hand this 3rd day of May, 1955.

Reis French
Register of the Circuit Court of Baldwin County, Alabama, in Equity.

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

Your Orators, Carolyn Long, Robert R. Long and Elizabeth L. Cobbs, present this Bill of Complaint against Arthur Harville, and thereupon your Orators complain and show unto the court and your honor as follows:

1. Carolyn Long and Robert R. Long are over the age of twenty one years and are residents of Escambia County, Alabama. Elizabeth L. Cobbs is over the age of twenty one years and is a resident of Montgomery County, Alabama. The Respondent, Arthur Harville is over twenty one years of age and a resident of Baldwin County, Alabama.

2. Your Orators jointly own as tenants in common the East Half of the Northwest Quarter of the Southwest Quarter of Section 9, Township 1 South, Range 4 East in Baldwin County, Alabama.

3. Your Orators further allege that the said Respondent claims title to the said property by virtue of a tax sale on June 12, 1950, for delinquent 1949 taxes assessed to John E. Bennin and a tax deed from W. R. Stuart, Judge of Probate, to the Respondent dated June 27, 1953, and recorded in Deed Book 197 N. S. at page 65. The said tax sale under which the Respondent claims title is void in that the petition of the tax collector dated March 1, 1950, praying that the Probate Court order or decree a sale of the said lands does not state the amount of taxes due or the year for which the taxes are due and further that the amount of the state taxes is not shown and the amount of the county taxes is not shown. Your Orators further aver that the said tax sale is void in that the decree setting the said petition for hearing, which decree is dated March 1, 1950, and signed by W. R. Stuart, Judge of Probate, does not show the amount of taxes due on the said property and further that said decree refers to Exhibit "B" and there is no Exhibit "B" shown on the delinquent tax docket sheet. Your Orators further aver that the said tax sale under which the Respondent claims title is void in that the order or decree dated March 1, 1950 and signed

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by W. R. Stuart, Judge of Probate, ordering that the said property be sold for the payment of delinquent taxes, fees, charges and costs and to the expense of said sale, does not show the amount of taxes due the State of Alabama and Baldwin County or either of them and further that the said order or decree does not show the amount of the fees and costs incurred on the said real estate for the said tax sale and further that said order or decree refers to Exhibit "B" and there is no Exhibit "B" shown on the delinquent tax docket sheet. Your Orators further aver that the tax sale under which the Respondent claims title is void in that the order or decree attempting to confirm the said tax sale, which order or decree is dated June 17, 1950, and signed by W. R. Stuart, Judge of Probate does not show who purchased the said property. Your Orators aver that the said tax deed which is recorded in Deed Book 197 N. S. page 65, Baldwin County, Alabama Records, constitutes a cloud on your Orators title to the said property which cloud cannot be removed except by a proper decree of this court.

4. Your Orators offer to do equity and pay all taxes, fees and costs necessary to redeem the said property from the said tax sale.

The premises considered, Complainants pray that the said Arthur Harville be made a party respondent to this Bill of Complaint, and that he be required to plead, answer or demur to the foregoing Bill of Complaint within the time and in the manner required by law or failing therein that a decree pro confesso be entered against him or that such other orders or decrees may be made in the premises as to the court may seem just and proper. Complainants further pray that upon a final hearing of this cause that the alleged tax sale under which the Respondent claims title be decreed to be void and the tax deed conveying the property to the said Respondent be cancelled as a cloud on your Complainants' title to the said property. If the Complainants are mistaken in the relief specifically prayed for, they pray for such other, fur-

ther or different relief as they may be equitably entitled to the premises considered.

FILED
May 3 - 1959
ALICE I. DUCK, Clerk

J. B. Blackburn
Solicitor for Complainant

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