

MALBIS MEMORIAL FOUNDATION, AS
TRUSTEE UNDER ITEM FIVE OF THE
LAST WILL AND TESTAMENT OF
GEORGE MARINOS, DECEASED,

Complainant,

vs.

MONA WINEGAR, HARRIET N. WINEGAR,
PEARL G. BAKER, C. N. SOUTHER,
H. W. TERRY, WILLIAM ROTERMUND,
D. A. BAKER, C. H. JOHNSTON, K. M.
WEASE, FLOYD R. PERKINS, MRS. M. M.
WINEGAR, and their respective heirs)
or devisees, if deceased; the heirs)
or devisees of EDWIN F. WINEGAR,)
deceased, other than those named)
above, if any; EDWIN F. WINEGAR LAND)
SYNDICATE; all unknown members of)
EDWIN F. WINEGAR LAND SYNDICATE;)
LANDS DESCRIBED IN THE BILL, and any)
other persons, firms or corporations)
claiming any title to or interest in)
the lands described in the Bill,)

Respondents.

) IN THE CIRCUIT COURT

) OF

BALDWIN COUNTY,

ALABAMA

) IN EQUITY

NUMBER 4607

) IN REM

FINAL DECREE

THIS CAUSE being regularly set for trial and the same coming on to be heard in open court is submitted for final decree upon Complainant's verified bill of complaint and the answer of the Guardian ad litem, upon the decree pro confesso rendered therein, upon the testimony of P.E. FRANKOS, P. E. TETER, C. W. LYLES and EDWIN J. CURRAN, JR., taken orally before the Court, and upon the exhibits introduced into evidence all as noted by the Register; and the Court having full jurisdiction of the subject matter and having fully considered all of said matters and it appearing to the satisfaction of the Court and the Court finds:

1. That the Complainant, MALBIS MEMORIAL FOUNDATION, As Trustee Under Item Five of the Last Will and Testament of GEORGE MARINOS, Deceased, at the time of the filing of its bill of complaint in this cause, claimed in its capacity as such Trustee to own the fee simple title to and was in fact in the peaceable and adverse possession of the

following described real property situated in Baldwin
County, Alabama, to-wit:

PARCEL A.

The Southwest Quarter of Southeast Quarter
of Section 24, Township 5 South, Range 4 East;

PARCEL B.

The North half of the Southwest Quarter of
Section 8, Township 5 South, Range 5 East;

PARCEL C.

The Southeast Quarter of the Northwest Quarter
of Section 23, Township 5 South, Range 5 East;

PARCEL D.

The Northwest Quarter of the Northeast Quarter
of Section 27, Township 5 South, Range 5 East;

PARCEL E.

The South half of the Northeast Quarter of the
Northwest Quarter of the Northeast Quarter;
West half of the Northwest Quarter of the North-
east Quarter; and the Southeast Quarter of the
Northwest Quarter of the Northeast Quarter of
Section 13, Township 6 South, Range 4 East;

PARCEL F.

The North half of the Northwest Quarter of the
Southwest Quarter of Section 3, Township 6 South,
Range 5 East;

PARCEL G.

The Southwest Quarter of the Southwest Quarter
of Section 19, Township 6 South, Range 6 East;

PARCEL H.

The South half of the Southwest Quarter of the
Northwest Quarter of Section 26, Township 8
South, Range 4 East;

subject only to the following:

(i) Complainant claims to own no oil, gas, minerals or
mineral rights in the property described as Parcel C, above,
the same having been reserved by Baldwin Timber and Naval
Stores Company, and Denniston Land Trust in a deed to
George Marinos, dated September 30, 1954, and recorded in
Deed Book 217, pages 388-390 (it is however entitled to
one-half of all royalties paid under any lease of said
oil, gas and minerals on said property),

(ii) it claims to own only one-half of the oil, gas,
minerals and mineral rights in all of the property de-
scribed in this decree (with the exception of Parcel C,

referred to above), the remaining one-half of the oil, gas, minerals and mineral rights having been reserved by Baldwin Timber and Naval Stores Company and Denniston Company in a deed to S. M. Adams, Inc., dated November 25, 1950, and recorded in Deed Book 161, page 268, and

(iii) the property described as Parcel E, above, is subject to an easement to the Alabama Power Company, which is recorded in Deed Book 165, page 432 and pages 436-437;

2. That the Complainant, and those under whom it claims have been in the actual, peaceable, exclusive and adverse possession of the above described lands under color of title for more than ten (10) years next preceding the filing of the bill of complaint in this cause and that it and those under whom it claims have assessed and paid taxes on said land for more than ten (10) years next preceding the filing of the bill of complaint in this cause and no other persons, firms or corporations have assessed said lands or any part thereof for taxes or paid any taxes thereon during the whole of said period;

3. That at the time of the filing of the said bill of complaint, no suit was pending to test the title of Complainant to the lands hereinabove described or its interest in or right to the possession of said land;

4. That Complainant, MALBIS MEMORIAL FOUNDATION, As Trustee aforesaid, acquired its title to the above described property by virtue of the following instruments which were introduced into evidence in this cause, to-wit:

(a) Quitclaim Deed from George A. Sossaman, unmarried, to Denniston-Boykin Company, Inc., dated July 12, 1937, and recorded in Deed Book 62, pages 415-417, conveying all of the property described in this decree except the Northwest Quarter of the Northeast Quarter

of Section 27, Township 5 South, Range 5 East,

(b) Quitclaim Deed from Denniston-Boykin Company, Inc., to Baldwin Timber and Naval Stores Company, Inc., dated June 23, 1939, and recorded in Deed Book 70, page 68, conveying an undivided one-third ($1/3$) interest in all of the property described in this decree,

(c) Quitclaim Deed from Frank W. Boykin, et al, to Denniston-Boykin Company, Inc., and Baldwin Timber and Naval Stores Company, Inc., dated October 20, 1941, and recorded in Deed Book 77, pages 181-182, conveying an undivided two-thirds ($2/3$) interest and an undivided one-third ($1/3$) interest, respectively, in all of the property described in this decree,

(d) Statutory Warranty Deed from Denniston-Boykin Company, Inc., and Baldwin Timber and Naval Stores Company, Inc., to Baldwin Timber and Naval Stores Company, Inc., and Denniston-Boykin Company, Inc., dated March 11, 1942, and recorded in Deed Book 77, pages 179-180, conveying an undivided one-third ($1/3$) interest and an undivided two-thirds ($2/3$) interest, respectively, in all of the property described in this decree,

(e) Change of name of Denniston-Boykin Company, Inc., to Denniston Company, dated October 5, 1943, and recorded in Corporation Book 2, page 149,

(f) Quitclaim Deed from Baldwin Timber and Naval Stores, Inc., and Denniston Company to S. M. Adams, Inc., dated November 25, 1950, and recorded in Deed Book 161, page 268, conveying all of the property described in this decree except the Southeast Quarter

of the Northwest Quarter of Section 23, Township 5 South, Range 5 East,

(g) Trust Agreement whereby Denniston Company is dissolved and Denniston Land Trust established, dated December 31, 1953, and recorded in Deed Book 208, pages 97 et seq,

(h) Warranty Deed from Baldwin Timber and Naval Stores Co., Inc., and Denniston Land Trust, to George Marinos, dated September 30, 1954, and recorded in Deed Book 217, pages 388-390, conveying the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East,

(i) Quitclaim Deed from S. M. Adams, Inc., to George Marinos, dated December 20, 1950, and recorded in Deed Book 161, pages 242-243, conveying all of the property described in this decree except the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East,

(j) Last Will and Testament of George Marinos, deceased, recorded in Will Book 2, page 130,

All Deed Book and Will Book references in this decree are to records in the Office of the Judge of Probate of Baldwin County, Alabama;

5. That the Complainant, MALBIS MEMORIAL FOUNDATION, As Trustee aforesaid, is entitled to the relief prayed for in the bill of complaint;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY
THE COURT:

1. That the Complainant, MALBIS MEMORIAL FOUNDATION, As Trustee Under Item Five of the Last Will and Testament of George Marinos, Deceased, is entitled to the relief

prayed for in the bill of complaint, and that the fee simple title to the following described land, to-wit:

PARCEL A.

The Southwest Quarter of Southeast Quarter of Section 24, Township 5 South, Range 4 East;

PARCEL B.

The North half of the Southwest Quarter of Section 8, Township 5 South, Range 5 East;

PARCEL C.

The Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East;

PARCEL D.

The Northwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 5 East;

PARCEL E.

The South half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter; West Half of the Northwest Quarter of the Northeast Quarter; and the Southeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 13, Township 6 South, Range 4 East;

PARCEL F.

The North half of the Northwest Quarter of the Southwest Quarter of Section 3, Township 6 South, Range 5 East;

PARCEL G.

The Southwest Quarter of the Southwest Quarter of Section 19, Township 6 South, Range 6 East;

PARCEL H.

The South half of the Southwest Quarter of the Northwest Quarter of Section 26, Township 8 South, Range 4 East,

with the exceptions noted above, claimed by the Complainant in and to the above described land has been duly proved;

2. That the Complainant, MALBIS MEMORIAL FOUNDATION, As Trustee under Item Five of the Last Will and Testament of George Marinos, Deceased, is the owner of said lands and has a fee simple title thereto, free of all liens and encumbrances, subject to the exceptions hereinabove noted, and that its title thereto be, and the same hereby is, confirmed and established, and that all doubts, clouds and disputes concerning the same are hereby cleared up and removed;

3. That a certified copy of this decree be recorded

by the Register in the proper record book in the Office of the Judge of Probate of Baldwin County, Alabama;

4. That the costs of this proceeding be, and the same hereby are, taxed against the Complainant, MALBIS MEMORIAL FOUNDATION, As Trustee Under Item Five of the Last Will and Testament of George Marinos, Deceased, for which let execution issue.

DONE this the 21 day of October,
1959.

Hubert M. Hall
CIRCUIT JUDGE

FILED
OCT 21 1959
ALICE J. DUCK, CLERK
REGISTER

MALBIS MEMORIAL FOUNDATION, AS
TRUSTEE UNDER ITEM FIVE OF THE
LAST WILL AND TESTAMENT OF
GEORGE MARINOS, DECEASED,

Complainant,

vs.

MONA WINEGAR, HARRIET N. WINEGAR,
PEARL G. BAKER, C. N. SOUTHER,
H. W. TERRY, WILLIAM ROTERMUND,
D. A. BAKER, C. H. JOHNSTON, K. M.
WEASE, FLOYD R. PERKINS, MRS. M. M.
WINEGAR, and their respective heirs
or devisees, if deceased; the heirs
or devisees of EDWIN F. WINEGAR,
deceased, other than those named
above, if any; EDWIN F. WINEGAR LAND
SYNDICATE; all unknown members of
EDWIN F. WINEGAR LAND SYNDICATE;
LANDS DESCRIBED IN THE BILL, and any
other persons, firms or corporations
claiming any title to or interest in)
the lands described in the Bill,

Respondents.

IN THE CIRCUIT COURT

OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER 4607

IN REM

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, SITTING IN EQUITY:

Comes your Complainant, MALBIS MEMORIAL FOUNDATION, as
Trustee under Item Five of the last will and testament of
GEORGE MARINOS, Deceased, by P. E. FRANKOS, its President, and
respectfully shows unto the Court as follows:

ONE

Complainant is a charitable corporation organized
under the laws of the State of Alabama, with its office and
principal place of business in Daphne, Baldwin County, Ala-
bama.

TWO

Complainant, in order to establish its right and
title to the lands described in the Bill of Complaint and to
clear up all doubts and disputes concerning the same, files
this, its verified Bill of Complaint, against the following
described lands, located in Baldwin County, Alabama, viz.:

PARCEL A.

The Southwest Quarter of Southeast Quarter of Section 24, Township 5 South, Range 4 East;

PARCEL B.

The North half of the Southwest Quarter of Section 8, Township 5 South, Range 5 East.

PARCEL C.

The Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East;

PARCEL D.

The Northwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 5 East;

PARCEL E.

The South half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter; West half of the Northwest Quarter of the Northeast Quarter; and the Southeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 13, Township 6 South, Range 4 East;

PARCEL F.

The North half of the Northwest Quarter of the Southwest Quarter of Section 3, Township 6 South, Range 5 East;

PARCEL G.

The Southwest Quarter of the Southwest Quarter of Section 19, Township 6 South, Range 6 East;

PARCEL H.

The South half of the Southwest Quarter of the Northwest Quarter of Section 26, Township 8 South, Range 4 East;

and against C. N. SOUTHER, or his heirs or devisees, if deceased, PEARL G. BAKER, or her heirs or devisees, if deceased, MONA WINEGAR, or her heirs or devisees, if deceased, HARRIET N. WINEGAR, or her heirs or devisees, if deceased, H. W. TERRY, or his heirs or devisees, if deceased, WILLIAM ROTERMUND, or his heirs or devisees, if deceased, D. A. BAKER, or his heirs or devisees, if deceased, C. H. JOHNSTON, or his heirs or devisees, if deceased, K. M. WEASE, or his heirs or devisees, if deceased, FLOYD R. PERKINS, or his heirs or devisees, if deceased, MRS. M. M. WINEGAR, or her heirs or devisees, if deceased, the heirs or devisees of EDWIN F. WINEGAR, deceased, other than those named above in this paragraph, if any, EDWIN F. WINEGAR LAND SYNDICATE, if in existence, or the successors or assigns of EDWIN F. WINEGAR LAND SYNDICATE and all unknown members of the EDWIN F. WINEGAR LAND SYNDICATE, LANDS DESCRIBED IN THE BILL; the residences and post office addresses

of said parties and the names and addresses of their heirs, devisees or assigns, if any be deceased, being unknown and not ascertainable after diligent search and inquiry, and against any and all unknown parties who claim or are reputed to claim any title to, interest in, lien or encumbrance upon said land or any part thereof. The above named individuals, if living, are all over the age of twenty-one (21) years.

THREE

Complainant avers that, through its attorney, it has made a diligent search in an effort to locate all of the above named Respondents, and also to ascertain whether, in the case of the individual Respondents, they are living or dead, and if dead, who are their respective heirs or devisees, and, in the case of EDWIN F. WINEGAR LAND SYNDICATE, if it is in existence, and if not, who are its successors or assigns, and further to ascertain who, if anyone, claims or is reputed to claim any right, title, interest, lien or encumbrance in or upon said land or any part thereof; that in conducting such search, it has caused to be purchased an abstract of title from Baldwin County Abstract Company of Bay Minette, Alabama, and has employed an attorney to examine the same; that, through its attorney, it has made an independent examination of the records in the Office of the Judge of Probate, Baldwin County, Alabama, and in the Tax Assessor's and Tax Collector's office of said County, and that in addition, it has, through its attorney, examined telephone directories and contacted persons who have been living in the neighborhood of the lands for a number of years, and that Complainant believes that if any of such individual Respondents are living, their residences are without the State of Alabama, and that if the EDWIN F. WINEGAR LAND SYNDICATE is still in existence, even though Complainant is informed and believes that it is not, it is

not operating within the State of Alabama. Complainant has set out in full herein the information so obtained from such search as to names, ages and addresses of anyone claiming or reputed to claim any right, title, interest, lien or encumbrance in or upon said land or any part thereof and has exercised due diligence to locate their whereabouts and Complainant alleges that if any other persons, firms or corporations claim any right, title, interest, lien or encumbrance in or upon said land above described or any part thereof, it is unknown to your Complainant.

FOUR

Complainant claims in its own right the title in and to the above described real estate, with the exception that (i) it claims to own no oil, gas, minerals or mineral rights in the property described as Parcel C above, the same having been reserved by Baldwin Timber and Naval Stores Company, and Denniston Land Trust in a deed to George Marinos, dated September 30, 1954, and recorded in Deed Book 217, pages 388-390 (it is however entitled to one-half of all royalties paid under any lease of said oil, gas and minerals on said property), (ii) it claims to own only one-half ($\frac{1}{2}$) of the oil, gas, mineral and mineral rights in all of the property described in this Bill of Complaint (with the exception of Parcel C referred to above), the remaining one-half of the oil, gas, minerals and mineral rights having been reserved by Baldwin Timber and Naval Stores Company and Denniston Company in a deed to S. M. Adams, Inc., dated November 25, 1950, and recorded in Deed Book 161, page 268, and (iii) the property described as Parcel E above is subject to an easement to the Alabama Power Company, which is recorded in Deed Book 165, page 432 and pages 436-437, and in support of such claim of title avers that it acquired said title by virtue of the following:

1. Quitclaim Deed from GEORGE A . SOSSAMAN, unmarried, to DENNISTON-BOYKIN COMPANY, INC., dated July 12, 1937, and recorded in Deed Book 62, pages 415-417, conveying all of the property described in this Bill of Complaint except the Northwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 5 East.

2. Quitclaim Deed from DENNISTON-BOYKIN COMPANY, INC., to BALDWIN TIMBER AND NAVAL STORES COMPANY, INC., dated June 23, 1939, and recorded in Deed Book 70, page 68, conveying an undivided one-third (1/3) interest in all of the property described in this Bill of Complaint.

3. Quitclaim Deed from FRANK W. BOYKIN, ET AL to DENNISTON-BOYKIN COMPANY, INC., and BALDWIN TIMBER AND NAVAL STORES COMPANY, INC., dated October 20, 1941 and recorded in Deed Book 77, pages 181-182, conveying an undivided two-thirds (2/3) interest and an undivided one-third (1/3) interest, respectively, in all of the property described in this Bill of Complaint.

4. Statutory Warranty Deed from DENNISTON-BOYKIN COMPANY, INC., and BALDWIN TIMBER AND NAVAL STORES COMPANY, INC., to BALDWIN TIMBER AND NAVAL STORES COMPANY, INC., and DENNISTON-BOYKIN COMPANY, INC., dated March 11, 1942, and recorded in Deed Book 77, pages 179-180, conveying an undivided one-third (1/3) interest and an undivided two-thirds (2/3) interest, respectively, in all of the property described in this Bill of Complaint.

5. Change of name of DENNISTON-BOYKIN COMPANY, INC., to DENNISTON COMPANY, dated October 5, 1943, and recorded in Corporation Book 2, page 149.

6. Quitclaim Deed from BALDWIN TIMBER AND NAVAL STORES, INC., and DENNISTON COMPANY to S. M. ADAMS, INC., dated November 25, 1950, and recorded in Deed Book 161, page 268, conveying all of the property described in this

Bill of Complaint except the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East.

7. Trust Agreement whereby DENNISTON COMPANY is dissolved and DENNISTON LAND TRUST established, dated December 31, 1953, and recorded in Deed Book 208, pages 97 et seq.

8. Warranty Deed from BALDWIN TIMBER AND NAVAL STORES CO., INC. and DENNISTON LAND TRUST, to GEORGE MARINOS, dated September 30, 1954, and recorded in Deed Book 217, pages 388-390, conveying the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East.

9. Quitclaim Deed from S. M. Adams, Inc., to GEORGE MARINOS, dated December 20, 1950, and recorded in Deed Book 161, pages 242-243, conveying all of the property described in this Bill of Complaint except the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East.

10. Last Will and Testament of GEORGE MARINOS, deceased, recorded in Will Book 2, page 130.

All Deed Book, Corporation Book and Will Book references in this Bill of Complaint are to records in the Office of the Judge of Probate of Baldwin County, Alabama.

FIVE

Complainant avers in the alternative, either

(i) that it is now and has been, and its predecessors in title have been, in actual, open, notorious, continuous, peaceable, adverse possession of said lands under color of title for a period of ten (10) years prior to the filing of this Bill of Complaint; or

(ii) that it, and those under whom it claims, have

held color of title to said property for the ten (10) years next preceding the filing of this Bill of Complaint and have paid taxes on said property during the whole of such period; or

(iii) that it, and those under whom it claims, have paid taxes on said lands during the ten (10) year period next preceding the filing of this Bill of Complaint and no other person, natural or artificial, has paid taxes on said lands, or any portion thereof, during any part of said period; or

(iv) that it is in actual peaceable possession of said property under color of title and that no one other than your Complainant and those under whom it claims has to its knowledge been in actual possession of said lands or any part thereof within ten (10) years of the filing of this Bill of Complaint, and no one other than your Complainant, and those under whom it claims, is known to your Complainant to claim said land or any part thereof or interest therein.

SIX

Complainant avers that there is no suit pending to test the title to said lands or its interest in or right to possession of said land or any part thereof.

SEVEN

Complainant, in filing this Bill of Complaint seeking the aid of this Court of Equity, offers to do such equity on its part as this Court may decree and direct.

PRAYER FOR PROCESS

WHEREFORE, the premises considered, your Complainant prays that it might be allowed to file this, its verified Bill of Complaint, against the lands hereinabove described and the Respondents hereinabove named; and that service of

process be issued by the Register of this Court to C. N. SOUTHER, or his heirs or devisees, if deceased, PEARL G. BAKER, or her heirs or devisees, if deceased, MONA WINEGAR, or her heirs or devisees, if deceased, HARRIET N. WINEGAR, or her heirs or devisees, if deceased, H. W. FERRY, or his heirs or devisees, if deceased, WILLIAM ROTERMUND, or his heirs or devisees, if deceased, D. A. BAKER, or his heirs or devisees, if deceased, C. H. JOHNSTON, or his heirs or devisees, if deceased, K. M. WEASE, or his heirs or devisees, if deceased, FLOYD R. PERKINS, or his heirs or devisees, if deceased, MRS. M. M. WINEGAR, or her heirs or devisees, if deceased, the residences and post office addresses of said parties and the names and addresses of their heirs or devisees, if any be deceased, being unknown; to the heirs or devisees of EDWIN F. WINEGAR, deceased, other than those named above, if any, the names and addresses being unknown; to EDWIN F. WINEGAR LAND SYNDICATE, if in existence, or the successors or assigns of the EDWIN F. WINEGAR LAND SYNDICATE, all of which addresses are unknown; to all unknown members of the EDWIN F. WINEGAR LAND SYNDICATE; and to any and all unknown parties claiming any interest in, title to, lien or encumbrance upon said lands, or any part thereof, if any there be, by publication or other appropriate service, all in accordance with the rules and practices of this Honorable Court and the laws of the State of Alabama, requiring them to plead, answer or demur to the same within the time required by law; and Complainant further prays that a copy of said notice be certified by the Register of this Court as correct and be recorded as a Lis Pendens proceeding in the Office of the Judge of Probate of Baldwin County, Alabama.

Complainant further prays that this Honorable Court will appoint forthwith a guardian ad litem to defend

for any unknown parties who are under the age of twenty-one (21) years or who may be incompetent, and an attorney ad litem to defend for any unknown parties who might be in the Armed Services of the United States of America, or its Allies, within the meaning of the Soldiers and Sailors Civil Relief Act.

PRAYER FOR RELIEF

WHEREFORE, the premises considered, your Complainant prays that Your Honor will establish its right and title to said lands and its interest therein, and will clear up all doubts and disputes concerning same, and that the title to said lands be in your Complainant, absolutely and in fee simple, subject to the exceptions set forth in Item Four of this Bill of Complaint, and that Your Honor will decree that no person, firm or corporation, except as otherwise set forth in said Item Four, has any right, title or interest in, or encumbrance upon, said land or any part thereof, except your Complainant.

Your Complainant further prays that the Register of this Court shall be required to file in the Office of the Judge of Probate, Baldwin County, Alabama, a certified copy of said decree.

Your Complainant prays for all such other, further and different relief as it may be entitled to receive, the premises considered.

MALBIS MEMORIAL FOUNDATION

By 
Its President

STATE OF ALABAMA

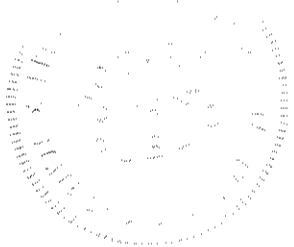
Personally appeared before me the undersigned

Notary Public in and for the State of Alabama at Large,
P. E. Frankos, who is known to me and who
being by me first duly sworn, deposes and says on oath
that he is familiar with the contents of the above Bill
of Complaint and that he has signed his name thereto as
the President of MALBIS MEMORIAL FOUNDATION and that to
the best of his knowledge, information and belief all of
the facts in said Bill of Complaint are true and correct.

P. E. Frankos
Affiant

Subscribed and sworn to before
me, the undersigned Notary
Public in and for the State of
Alabama at Large on this the
30th day of April,
1959.

Edwin J. Curran, Jr.
Notary Public, State of Alabama at Large



FILED
JUN 12 1959
ALICE J. DUCK, CLERK
REGISTER

MALBIS MEMORIAL FOUNDATION,)	
AS TRUSTEE UNDER ITEM FIVE OF	)	IN THE CIRCUIT COURT OF
THE LAST WILL AND TESTAMENT	)	BALDWIN COUNTY, ALABAMA,
OF GEORGE MARINOS, DECEASED,	)	IN EQUITY
COMPLAINANT	)	NO. 4607
VS)	
MONA WINEGAR, ET AL,)	
RESPONDENTS)	

Comes now Harry J. Wilters, Jr., Attorney at Law, appearing as guardian ad litem to defend this action for any unknown parties who are under the age of twenty-one years or who may be incompetent and as attorney ad litem to defend for any unknown parties who might be in the Armed Services of the United States of America, or its Allies within the meaning of the Soldiers and Sailors Civil Act and files this answer to the Complainant's Bill of Complaint and says:

1.

He admits the allegations contained in paragraph one of the Bill of Complaint.

2.

He neither admits nor denies the allegations contained in paragraph two, but demands strict proof thereof.

3.

He neither admits nor denies the allegations contained in paragraph three, but demands strict proof thereof.

4.

He neither admits nor denies the allegations contained in paragraph four, but demands strict proof thereof.

5.

He neither admits nor denies the allegations contained in paragraph five, but demands strict proof thereof.

6.

He neither admits nor denies the allegations contained in paragraph six, but demand strict proof thereof.

He neither admits nor denies the allegations contained in paragraph seven, but demands strict proof of the same.

Wilters & Brantley

FILED

JUL 18 1959

ALICE J. DUCK, Register

BY:


Guardian ad litem

4607

MALBIS MEMORIAL FOUNDATION,
AS TRUSTEE UNDER ITEM FIVE OF
THE LAST WILL AND TESTAMENT OF
GEORGE MARINOS, DECEASED,

COMPLAINANT

VS

MONA WINEGAR, ET AL,

RESPONDENTS

ANSWER

[Handwritten signature]

FILED
JUL 23 1959
ALLEN A. DICK, Register

MALBIS MEMORIAL FOUNDATION, AS	)	IN THE CIRCUIT COURT
TRUSTEE UNDER ITEM FIVE OF THE)	
LAST WILL AND TESTAMENT OF	)	OF
GEORGE MARINOS, DECEASED,	)	BALDWIN COUNTY,
	)	ALABAMA
Complainant,)	
vs.	)	IN EQUITY
MONA WINEGAR, EDWIN F. WINEGAR,	)	NUMBER 4607
LAND SYNDICATE, LANDS DESCRIBED)	
IN THE BILL, ET AL,)	
Respondents.)	

NON-MILITARY AFFIDAVIT

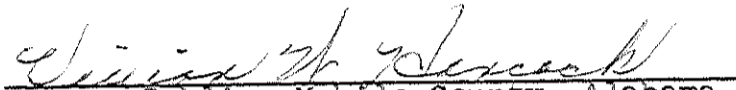
Personally appeared before me, the undersigned Notary Public in and for Mobile County, Alabama, EDWIN J. CURRAN, JR., who being known to me and who being by me first duly sworn, deposes and says on oath as follows:

My name is EDWIN J. CURRAN, JR. I am the Solicitor of record for the Complainant in the above styled cause. Before filing the Bill of Complaint in this cause, I made a diligent search and inquiry to locate the whereabouts of MONA WINEGAR, HARRIET N. WINEGAR, PEARL G. BAKER, C.N. SOUTHER, H. W. TERRY, WILLIAM ROTERMUND, D. A. BAKER, C.H. JOHNSTON, K. M. WEASE, FLOYD R. PERKINS and MRS. M. M. WINEGAR, who the records show at one time had an interest in the property involved in the captioned cause. On the basis of said inquiry, I have been informed and believe and upon such information and belief, state that the said MONA WINEGAR, HARRIET N. WINEGAR, PEARL G. BAKER, C. N. SOUTHER, H. W. TERRY, WILLIAM ROTERMUND, D. A. BAKER, C.H. JOHNSTON, K. M. WEASE, FLOYD R. PERKINS and MRS. M. M. WINEGAR are dead, but if alive they are elderly persons, beyond the age of military service, and are not presently in the Armed Forces of the United States of America or its Allies, within the meaning of the Soldiers and Sailors Civil Relief Act, nor have they been in such

military service at any time during the pendency of this
action.


EDWIN J. CURRAN, JR.

Subscribed and sworn to
before me the undersigned
Notary Public, in and for
said County and State, on
this the 20th day of
October, 1959.


Notary Public, Mobile County, Alabama



MALBIS MEMORIAL FOUNDATION, AS) IN THE CIRCUIT COURT
 TRUSTEE UNDER ITEM FIVE OF THE)
 LAST WILL AND TESTAMENT OF) OF
 GEORGE MARINOS, DECEASED,) BALDWIN COUNTY,
 Complainant,) ALABAMA
 vs.)
 MONA WINEGAR, EDWIN F. WINEGAR) IN EQUITY
 LAND SYNDICATE, LANDS DESCRIBED) NUMBER 4607
 IN THE BILL, ET AL,)
 Respondents.)

ORDER OF SUBMISSION

THIS CAUSE, coming on to be heard, is submitted for decree on the pleadings, the decree pro confesso, and on the proof as noted.

DATED, October 20th, 1959.

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken, to-wit:

FOR COMPLAINANT:

Original Bill	Testimony of P. E. Frankos
Lis Pendens	Testimony of O. W. Lyles
Proof of Publication	Testimony of P. E. Teter
Non-Military Affidavit	Testimony of Edwin J. Curran, Jr.
Decree Pro Confesso	Complainant's Exhibits 1-10
Acceptance and Answer of Guardian	
Ad Litem and Attorney Ad Litem	

VICKERS, RIIS, MURRAY AND CURRAN

By Edwin J. Curran, Jr.
 Solicitors for Complainant

FOR RESPONDENTS:

None

FILED, October 20, 1959.

David L. Nance
 Register

MALBIS MEMORIAL FOUNDATION,
As Trustee Under Item Five
Of The Last Will And Testa-
ment of GEORGE MARINOS, De-
ceased,

Complainant,

No. 4607

vs.

MONA WINEGAR, LANDS DESCRIBED
IN THE BILL, ET AL,

Respondents.

) IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
) ENTERED ON _____
BOOK NO. _____
) ENTRY _____

) ALICE J. DUCK, Register

)

ORDER APPOINTING GUARDIAN AD LITEM AND ATTORNEY AD LITEM

This cause is submitted upon motion for the appoint-
ment of a Guardian Ad Litem and an Attorney Ad Litem, and,
upon consideration, it is ordered, adjudged and decreed by
the Court that Harry Wilters,
who is a practicing attorney in Baldwin County, Alabama, be
and hereby is appointed Guardian Ad Litem for all the un-
known Respondents in this cause; and also appointed At-
torney Ad Litem for any of the Respondents who may be in
the Armed Forces of the United States of America, or its
Allies within the meaning of the Soldiers and Sailors Re-
lief Act.

Dated June 23, 1959.

Robert M. Stee
JUDGE

FILED

JUN 22 1959

ALICE J. DUCK, CLERK
REGISTER

MALBIS MEMORIAL FOUNDATION, AS) IN THE CIRCUIT COURT
 TRUSTEE UNDER ITEM FIVE OF THE)
 LAST WILL AND TESTAMENT OF) OF
 GEORGE MARINOS, DECEASED,)
 Complainant,) BALDWIN COUNTY, ALABAMA
 vs.) IN EQUITY
 MONA WINEGAR, EDWIN F. WINEGAR) NUMBER 4607
 LAND SYNDICATE, LANDS DESCRIBED)
 IN THE BILL, ET AL,)
 Respondents.)

MOTION FOR A DECREE PRO CONFESSO

Motion is hereby made for a Decree Pro Confesso against MONA WINEGAR, HARRIET N. WINEGAR, PEARL G. BAKER, C. N. SOUTHER, H. W. TERRY, WILLIAM ROTERMUND, D. A. BAKER, C. H. JOHNSTON, K. M. WEASE, FLOYD R. PERKINS, MRS. M. M. WINEGAR, EDWIN F. WINEGAR LAND SYNDICATE, and against any and all unknown parties who claim or are reputed to claim any title to, interest in, lien or encumbrance upon the lands described in the Bill of Complaint in the captioned cause, or any part thereof, who may not be minors, incompetents or in the Armed Forces of the United States of America, Respondents, in the annexed stated cause on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Respondents are non-residents of the State of Alabama, and have failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 17th day of August, 1959.

Edwin J. Curran, Jr.
 EDWIN J. CURRAN, JR., Solicitor
 for Complainant.

MALBIS MEMORIAL FOUNDATION, As Trustee
Under Item Five Of The Last Will and
Testament Of GEORGE MARINOS, Deceased,
COMPLAINANT,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

No. 4607

IN EQUITY

VS

MONA WINEGAR, LANDS DESCRIBED IN THE
BILL, ET AL

Respondents


NOTICE OF APPOINTMENT OF

GUARDIAN AD LITEM AND ATTORNEY AD LITEM

TO: Harry Wilters Esquire

You are hereby notified that by a decree of this Court heretofore rendered in this cause, you have been appointed Guardian Ad Litem for all unknown Respondents in this cause; and also appointed Attorney Ad Litem for any of the Armed Forces of the United States of America, or its Allies within the meaning of Soldiers and Sailors Relief Act.

Dated this 23 day of June, 1959


As Register of the Circuit Court
of Baldwin County, Alabama

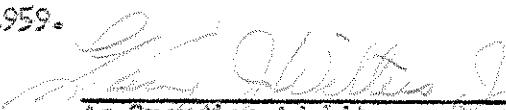
ACCEPTANCE TO APPOINTMENT OF

GUARDIAN AD LITEM AND ATTORNEY AD LITEM

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned Harry Wilters do hereby accept appointment as guardian ad litem to represent any unknown Parties interested in this proceeding and also as attorney Ad Litem to represent any Respondents who may be in the Armed Forces.

Dated this 23 day of June, 1959.


As Guardian Ad Litem and
Attorney Ad Litem

W. L. Stewart
Judge of Probate

BOOK 285 PAGE 285

MALBIS MEMORIAL FOUNDATION, AS
TRUSTEE UNDER ITEM FIVE OF THE
LAST WILL AND TESTAMENT OF
GEORGE MARINOS, DECEASED,

)
IN THE CIRCUIT COURT

)
Complainant,

)
OF

vs.

BALDWIN COUNTY,

MONA WINEGAR, HARRIET N. WINEGAR,
PEARL G. BAKER, C. N. SOUTHER,
H. W. TERRY, WILLIAM ROTERMUND,

ALABAMA

D. A. BAKER, C. H. JOHNSTON, K. M.
WEASE, FLOYD R. PERKINS, MRS. M. M.
WINEGAR, and their respective heirs

)
IN EQUITY

or devisees, if deceased; the heirs
or devisees of EDWIN F. WINEGAR,
deceased, other than those named
above, if any; EDWIN F. WINEGAR LAND

NUMBER 4607

SYNDICATE; all unknown members of
EDWIN F. WINEGAR LAND SYNDICATE;

)
IN REM

LANDS DESCRIBED IN THE BILL, and any
other persons, firms or corporations
claiming any title to or interest in
the lands described in the Bill,

)
Respondents.

FINAL DECREE

THIS CAUSE being regularly set for trial and the
same coming on to be heard in open court is submitted for
final decree upon Complainant's verified bill of complaint
and the answer of the Guardian ad litem, upon the decree
pro confesso rendered therein, upon the testimony of P.E.
FRANKOS, P. E. TETER, O. W. LYLES and EDWIN J. CURRAN, JR.,
taken orally before the Court, and upon the exhibits in-
troduced into evidence all as noted by the Register; and
the Court having full jurisdiction of the subject matter
and having fully considered all of said matters and it
appearing to the satisfaction of the Court and the Court
finds:

1. That the Complainant, MALBIS MEMORIAL FOUNDATION,
As Trustee Under Item Five of the Last Will and Testament
of GEORGE MARINOS, Deceased, at the time of the filing of
its bill of complaint in this cause, claimed in its capa-
city as such Trustee to own the fee simple title to and
was in fact in the peaceable and adverse possession of the

following described real property situated in Baldwin County, Alabama, to-wit:

PARCEL A.
The Southwest Quarter of Southeast Quarter of Section 24, Township 5 South, Range 4 East;

PARCEL B.
The North half of the Southwest Quarter of Section 8, Township 5 South, Range 5 East;

PARCEL C.
The Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East;

PARCEL D.
The Northwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 5 East;

PARCEL E.
The South half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter; West half of the Northwest Quarter of the Northeast Quarter; and the Southeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 13, Township 6 South, Range 4 East;

PARCEL F.
The North half of the Northwest Quarter of the Southwest Quarter of Section 3, Township 6 South, Range 5 East;

PARCEL G.
The Southwest Quarter of the Southwest Quarter of Section 19, Township 6 South, Range 6 East;

PARCEL H.
The South half of the Southwest Quarter of the Northwest Quarter of Section 26, Township 8 South, Range 4 East;

subject only to the following:

(i) Complainant claims to own no oil, gas, minerals or mineral rights in the property described as Parcel C, above, the same having been reserved by Baldwin Timber and Naval Stores Company, and Denniston Land Trust in a deed to George Marinos, dated September 30, 1954, and recorded in Deed Book 217, pages 388-390 (it is however entitled to one-half of all royalties paid under any lease of said oil, gas and minerals on said property),

(ii) it claims to own only one-half of the oil, gas, minerals and mineral rights in all of the property described in this decree (with the exception of Parcel C,

referred to above), the remaining one-half of the oil, gas, minerals and mineral rights having been reserved by Baldwin Timber and Naval Stores Company and Denniston Company in a deed to S. M. Adams, Inc., dated November 25, 1950, and recorded in Deed Book 161, page 268, and

(iii) the property described as Parcel E, above, is subject to an easement to the Alabama Power Company, which is recorded in Deed Book 165, page 432 and pages 436-437;

2. That the Complainant, and those under whom it claims have been in the actual, peaceable, exclusive and adverse possession of the above described lands under color of title for more than ten (10) years next preceding the filing of the bill of complaint in this cause and that it and those under whom it claims have assessed and paid taxes on said land for more than ten (10) years next preceding the filing of the bill of complaint in this cause and no other persons, firms or corporations have assessed said lands or any part thereof for taxes or paid any taxes thereon during the whole of said period;

3. That at the time of the filing of the said bill of complaint, no suit was pending to test the title of Complainant to the lands hereinabove described or its interest in or right to the possession of said land;

4. That Complainant, MALBIS MEMORIAL FOUNDATION, As Trustee aforesaid, acquired its title to the above described property by virtue of the following instruments which were introduced into evidence in this cause, to-wit:

(a) Quitclaim Deed from George A. Sossaman, unmarried, to Denniston-Boykin Company, Inc., dated July 12, 1937, and recorded in Deed Book 62, pages 415-417, conveying all of the property described in this decree except the Northwest Quarter of the Northeast Quarter

of Section 27, Township 5 South, Range 5 East,

(b) Quitclaim Deed from Denniston-Boykin Company, Inc., to Baldwin Timber and Naval Stores Company, Inc., dated June 23, 1939, and recorded in Deed Book 70, page 68, conveying an undivided one-third (1/3) interest in all of the property described in this decree,

(c) Quitclaim Deed from Frank W. Boykin, et al, to Denniston-Boykin Company, Inc., and Baldwin Timber and Naval Stores Company, Inc., dated October 20, 1941, and recorded in Deed Book 77, pages 181-182, conveying an undivided two-thirds (2/3) interest and an undivided one-third (1/3) interest, respectively, in all of the property described in this decree,

(d) Statutory Warranty Deed from Denniston-Boykin Company, Inc., and Baldwin Timber and Naval Stores Company, Inc., to Baldwin Timber and Naval Stores Company, Inc., and Denniston-Boykin Company, Inc., dated March 11, 1942, and recorded in Deed Book 77, pages 179-180, conveying an undivided one-third (1/3) interest and an undivided two-thirds (2/3) interest, respectively, in all of the property described in this decree,

(e) Change of name of Denniston-Boykin Company, Inc., to Denniston Company, dated October 5, 1943, and recorded in Corporation Book 2, page 149,

(f) Quitclaim Deed from Baldwin Timber and Naval Stores, Inc., and Denniston Company to S. M. Adams, Inc., dated November 25, 1950, and recorded in Deed Book 161, page 268, conveying all of the property described in this decree except the Southeast Quarter

of the Northwest Quarter of Section 23, Township 5 South, Range 5 East,

(g) Trust Agreement whereby Denniston Company is dissolved and Denniston Land Trust established, dated December 31, 1953, and recorded in Deed Book 208, pages 97 et seq,

(h) Warranty Deed from Baldwin Timber and Naval Stores Co., Inc., and Denniston Land Trust, to George Marinos, dated September 30, 1954, and recorded in Deed Book 217, pages 388-390, conveying the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East,

(i) Quitclaim Deed from S. M. Adams, Inc., to George Marinos, dated December 20, 1950, and recorded in Deed Book 161, pages 242-243, conveying all of the property described in this decree except the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East,

(j) Last Will and Testament of George Marinos, deceased, recorded in Will Book 2, page 130,

All Deed Book and Will Book references in this decree are to records in the Office of the Judge of Probate of Baldwin County, Alabama;

5. That the Complainant, MALBIS MEMORIAL FOUNDATION, As Trustee aforesaid, is entitled to the relief prayed for in the bill of complaint;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY
THE COURT:

1. That the Complainant, MALBIS MEMORIAL FOUNDATION, As Trustee Under Item Five of the Last Will and Testament of George Marinos, Deceased, is entitled to the relief

prayed for in the bill of complaint, and that the fee simple title to the following described land, to-wit:

PARCEL A.

The Southwest Quarter of Southeast Quarter of Section 24, Township 5 South, Range 4 East;

PARCEL B.

The North half of the Southwest Quarter of Section 8, Township 5 South, Range 5 East;

PARCEL C.

The Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East;

PARCEL D.

The Northwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 5 East;

PARCEL E.

The South half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter; West Half of the Northwest Quarter of the Northeast Quarter; and the Southeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 13, Township 6 South, Range 4 East;

PARCEL F.

The North half of the Northwest Quarter of the Southwest Quarter of Section 3, Township 6 South, Range 5 East;

PARCEL G.

The Southwest Quarter of the Southwest Quarter of Section 19, Township 6 South, Range 6 East;

PARCEL H.

The South half of the Southwest Quarter of the Northwest Quarter of Section 26, Township 8 South, Range 4 East,

with the exceptions noted above, claimed by the Complainant in and to the above described land has been duly proved;

2. That the Complainant, MALBIS MEMORIAL FOUNDATION, As Trustee under Item Five of the Last Will and Testament of George Marinos, Deceased, is the owner of said lands and has a fee simple title thereto, free of all liens and encumbrances, subject to the exceptions hereinabove noted, and that its title thereto be, and the same hereby is, confirmed and established, and that all doubts, clouds and disputes concerning the same are hereby cleared up and removed;

3. That a certified copy of this decree be recorded

by the Register in the proper record book in the Office of the Judge of Probate of Baldwin County, Alabama;

4. That the costs of this proceeding be, and the same hereby are, taxed against the Complainant, MALBIS MEMORIAL FOUNDATION, As Trustee Under Item Five of the Last Will and Testament of George Marinos, Deceased, for which let execution issue.

DONE this the 21 day of October, 1959.

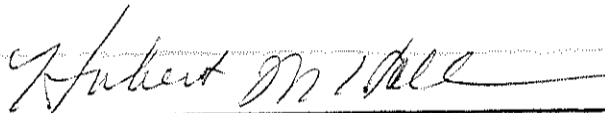
Hubert M. Hall
CIRCUIT JUDGE

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in above stated cause, which said decree is on file and enrolled in my office.
WITNESS MY HAND AND SEAL THIS THE 21 day of Oct. 1959

Alice J. Duck
Register of Circuit Court, in Equity

WINEGAR, and EDWIN F. WINEGAR, if living, or, if deceased, against the heirs and devisees of Mona Winegar, Harriet N. Winegar, Pearl G. Baker, C. N. Souther, H. W. Terry, William Rotermund, D. A. Baker, C. H. Johnston, K. M. Wease, Floyd R. Perkins, Mrs. M. M. Winegar, and Edwin F. Winegar, who may not be minors, incompetents or in the Armed Forces of the United States of America, against the EDWIN F. WINEGAR LAND SYNDICATE, if in existence, or the successors or assigns of the Edwin F. Winegar Land Syndicate, and against any and all unknown parties who claim or are reputed to claim any title to, interest in, lien or encumbrance upon said lands described in the Bill of Complaint, or any part thereof, who may not be minors, incompetents or in the Armed Forces of the United States of America.

DATED, August 18, 1959.


JUDGE

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ALICE J. DUCK, CLERK REGISTER

MALBIS MEMORIAL FOUNDATION, as
Trustee under Item Five of the
LAST WILL AND TESTAMENT OF
GEORGE MARINOS, deceased,

Complainant,

VS.

MONA WINEGAR, ET AL., AND CERTAIN
LANDS, ET AL

Respondents.

IN THE
CIRCUIT COURT OF BALDWIN COUNTY
ALABAMA. IN EQUITY.

NO. 4607

HON. HARRY J. WILTERS, GUARDIAN AD LITEM.

EDWIN J. CURREN, JR., SOLICITOR FOR THE COMPLAINANT, BEING FIRST DULY
SWORN, TESTIFIED AS FOLLOWS:

My name is Edwin J. Curren, Jr.; I have been retained by Malbis Memorial Foundation, as Trustee under Item Five of the last will and testament of George Marinos, deceased, to research the title to those certain timber lands in Baldwin County, Alabama, which were bequeathed to the Foundation under Mr. Marinos' will, to determine the status of the title to said property and to take such steps as necessary to clear the title. In each case there were a number of things which I did to determine the status of the title. In the first place I was furnished an abstract of title from Baldwin County Abstract Company, Bay Minette, Alabama, and upon receipt of that abstract I examined same to determine where the record title is presently lying. In addition, I checked the directories in Bay Minette, Alabama, Mobile, Alabama, and in other places where I had reason to believe that

former owners might reside. I have checked the tax assessor's records in Baldwin County, Alabama, and talked personally with Mr. Tunstall, Tax Assessor, to determine if he knew of the whereabouts of any of the former record owners of the property. In a few instances he gave me possible addresses of such persons and in those cases I made efforts to locate the people. I have checked the will books in the office of the Probate Court of Baldwin County, Alabama, and I have visited the property and in certain cases talked with persons who live in the neighborhood of the property to determine if they knew the identity or whereabouts of the former record owners. Through such research I was unable to locate any of such owners, or to determine if they were dead or alive or to determine if they have any heirs at law or next of kin who claimed any interest in the various parcels of property. I also conducted a search to determine if there were any suits pending to test the title or the right of possession to the various parcels of property and found that no suits had been filed prior to the filing of these law suits.

As to case No. 4607, which involves the Southwest Quarter of Southeast Quarter of Section 24, Township 5 South, Range 4 East; The North Half of the Southwest Quarter of Section 8, Township 5 S. Range 5 East;
The Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East;
The Northwest Quarter of the Northeast Quarter of Section 27, Township

5 South, Range 5 East;

The South Half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter; West half of the Northwest Quarter of the Northeast Quarter; and the Southeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 13, Township 6 South, Range 4 East;

The North half of the Northwest Quarter of the Southwest Quarter, of Section 3, Township 6 South, Range 5 East;

The Southwest Quarter of the Southwest Quarter of Section 19, Township 6 South, Range 6 East.

The South half of the Southwest Quarter of the Northwest Quarter, of Section 26, Township 8 South, Range 4 East, I would like at this time to get the record title into the record.

Complainant's Exhibit 1, Patent from the United States of America, to George W. Robinson, dated October 18, 1888, and recorded in Deed Book 2 at page 260.

Complainants Exhibit 2, Patent from the United States of America to George W. Robinson, dated March 10, 1883, and recorded in Deed Book 2, page 45.

Complainant's Exhibit 3, Patent from the State of Alabama, to Perdido Bay Lumber Company, dated May 9, 1905, and recorded in Deed Book 8 at pages 659-660.

Complainant's Exhibit 4, Patent, State of Alabama, to Perdido Bay Lumber Company, dated May 9, 1905, and recorded in Deed Book 8, pages 665-666.

Complainant's Exhibit 5, Patent, State of Alabama, to Perdido Bay Lumber Company, dated May 9, 1905, and recorded in Deed Book 8, pages 666-67.

Complainant's Exhibit 6, State Patent, State of Alabama, to Perdido Bay Lumber Company, dated May 9, 1905, and recorded in Deed Book 8, page 661.

Complainant's Exhibit 7, State Patent, State of Alabama, to Perdido Bay Lumber Company, dated May 9, 1905, and recorded in Deed Book 8 at pages 677-678.

Complainant's Exhibit 8, Quitclaim Deed from George Sossoman to Denniston-Boykin Company, dated July 12, 1937, and recorded in Deed Book 62, page 415-417.

Complainant's Exhibit 9, quitclaim deed from Denniston-Boykin Company, Inc., to Baldwin Timber & Naval Stores Company, Inc, dated June 23, 1939, recorded in deed Book 70, pages 68-69.

Complainant's Exhibit 10. Quitclaim deed , Frank W. Boykin and wife, et al. to Baldwin Timber & Naval Stores Company, dated October 20, 1941, and recorded in deed Book 77, pages 181-182.

Complainant's Exhibit 11. Statutory Warranty Deed, Denniston-Boykin & Company, et al. to Baldwin Timber & Naval Stores Co., et al. dated March 11, 1942, and recorded in Deed Book 77, pages 179-80.

Complainant's Exhibit 12. Change of name of Denniston-Boykin Company, to Denniston Company, dated October 5, 1943, recorded in Corporation Book 2, page 149.

Complainant's Exhibit 13. Quitclaim deed from Baldwin Timber & Naval Stores Co., and Denniston Company to S. M. Adams, Inc. dated November 25, 1950, recorded in Deed Book 161, page 268.

Complainant's Exhibit 14. Trust Agreement concerning Denniston Company and Denniston Land Trust, dated December 31, 1953, recorded in Deed Book 208 at pages 97 et seq.

Complainant's Exhibit 15. Warranty deed from Baldwin Timber & Naval Stores Company, and Denniston Land Trust to George Marinos, dated September 30, 1954, recorded in Deed Book 217, pages 388-390.

Complainant's Exhibit 16. Quitclaim deed, S. M. Adams, Inc. to George Marinos, dated December 20, 1950, recorded in Deed Book 161, pages 242-243.

I would like for the record to show that there is recorded in Deed Book 131, pages 119-121, Oil, Gas and Mineral lease from Denniston Company, Inc. and Baldwin Timber & Naval Stores Co. to Sun Oil Company, dated June 24, 1948.

I would like the record to show that there is recorded in Deed Book 165, pages 436-437, an easement from Denniston Company to Alabama Power Company, dated October 11, 1950

I would like for the record to show that there is recorded in Deed Book 117, page 484, oil, gas and mineral lease from Baldwin Naval Stores Company & Denniston Company to Sun Oil Company, dated March 16, 1948.

PAUL E. TETER, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Direct examination by Mr. Curren.

Q. Will you state your name?

A. Paul E. Teter.

Q. Your occupation?

A. I am in the abstract business.

Q. Are you the owner of the Baldwin County Abstract Company?

A. I am.

Q. At my request, on behalf of the Malbis Memorial Foundation, did you prepare an abstract of title, in some cases a continuation of the abstract to lands belonging to Malbis Memorial Foundation?

A. I did.

Q. Also at my request, did you examine the records in the Tax Assessor's office to determine how the taxes were assessed and whether or not the taxes were paid on these particular parcels of land for a period of 10 years?

A. I did.

Q. Did you prepare a certificate setting forth your findings from this search?

A. I did.

Q. In making this search did you look for any double assessments that might be on record?

A. Any shown on the plat books.

Q. If there were any, did you indicate that on your certificate?

A. I did.

Q. As to the Southwest Quarter of Southeast Quarter, Section 24, Township 5 South, Range 4 East; the North Half of the Southwest Quarter of Section 8, Township 5 South, Range 5 East, the Southeast Quarter of the Northwest Quarter, Section 23, Township 5 South, Range 5 East; the Northwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 5 East; the South Half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter; West half of the Northwest Quarter of the Northeast Quarter; and the Southeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 13, Township 6 South, Range 4 East

The North half of the Northwest Quarter of the Southwest Quarter of Section 3, Township 6 South, Range 5 East; The Southwest Quarter of the Southwest Quarter of Section 19, Township 6 South, Range 6 East;

The South half of the Southwest Quarter of the Northwest Quarter of Section 26, Township 8 South, Range 4 East, what did your investigation show as to the assessment and payment of taxes for the past 10 years?

a. For the years 1948 through 1950, to Baldwin Timber & Naval Stores Company and Denniston & Boykin and taxes paid. 1951 through 1956, the property was assessed to George Marinos and the taxes were paid; for the years 1957 and 1958 the property was assessed to Malbis Memorial Foundation as Trustee and the taxes were paid. There were no other assessments shown and no tax sales indicated.

P. E. FRANKOS, A WITNESS FOR THE COMPLAINANTS, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Curren.

Q. What is your name, please?

A. P. E. Frankos.

Q. Are you President of Malbis Memorial Foundation?

A. Yes sir.

Q. That is a charitable corporation, founded under the Laws of the State of Alabama?

A. Yes sir.

Q. Is that the same Malbis Memorial Foundation as set out in Item 5 of the Will of George Marinos, deceased?

A. Yes sir.

Q. Under the terms of that will is it not true that the Foundation was left all of the timber lands which Mr. Marinos owned in Baldwin County, Alabama, with the obligation to sell the timbered lands within five years from the date of his death?

A. That is what the will said.

Q. What, if anything, did the Foundation do after the death of George Marinos, with the property that was bequeathed to them?

A. As soon as we found out that he had made the will for us to sell that property like he specified in his will, we had our woodsman to locate the property and then look after it and we told Mr. Lyles if he found anything wrong to notify us, because he was out in the woods most of the time.

- Q. Your woodsman, is he an employee of the Malbis Foundation, who looks after this and other property which you have title to?
- A. That is right.
- Q. Is his function to go around from time to time and check on the property and see the condition?
- A. Yes sir.
- Q. Has Malbis Memorial Foundation, since it got title to this property, cut or sold any of this property?
- A. Not one bit.
- Q. Is there any reason why they have not sold the timber?
- A. Because we wanted to sell it all together and give 3/4 of the proceeds to the Merchants National Bank like the will said.
- Q. The will does not give you the right to sell the timber?
- A. No.
- Q. Has Malbis Memorial Foundation paid taxes on this property since it received this property?
- A. Yes, for 1957 and 1958?
- Q. Any other evidence of ownership that Malbis Memorial Foundation has exercised in connection with this property?
- A. Well we had several calls from people that wanted to buy pieces of the land and they come in and ask us to sell it.
- Q. What about fire protection?
- A. We have the County or State Fire Control; we pay them six cents an acre for watching it.
- Q. You have paid them with respect to the property you received

from George Marinos?

A. Yes sir.

Q. Does your land man visit this property from time to time?

A. Yes sir.

Q. To determine if it is in good condition?

A. Yes sir.

O. W. LYLES, BEING FIRST DULY SWORN, TESTIFIED FOR THE COMPLAINANT
AS FOLLOWS:

Examination by Mr. Curren.

Q. What is your name, please?

A. O. W. Lyles.

Q. Who do you work for?

A. S. M. Adams, Inc.

Q. What is the business of S. M. Adams, Inc?

A. Timber.

Q. How long have you been working for S. M. Adams, Inc?

A. A little over 13 years.

Q. Do you know George Marinos?

A/ I do.

Q. What was your association with Mr. Marinos?

A. I cut a lot of timber for him at various times; in fact, I cut over all of his land between '46 and the time of his death, excusing one tract in Lillian Swamp that I couldn't get to.

- Q. Did you work for Mr. Marinos?
- A. At one time I did for two years.
- Q. At the same time you worked for S. M. Adams?
- A. Yes sir.
- Q. Do you know Mr. P. E. Frankos of Malbis Foundation?
- A. Yes sir.
- Q. Do you know Mr. Mathews who looks after the property?
- A. I do.
- Q. Have either of these gentlemen requested that you look after their property in Baldwin County, Alabama, on your trips through the County?
- A. Yes sir.
- Q. Do you, from time to time check the property of Malbis Memorial Foundation?
- A. I do.
- Q. Are you familiar with the various parcels of property involved in the law suits under discussion?
- A. Yes sir.
- Q. You have gone over the description of the property with me?
- A. Yes.
- Q. You have looked at the property on a map of Baldwin County?
- A. I have.
- Q. Have you personally visited ~~xxxx~~ every parcel of property involved in these law suits?
- A. I have - I think a little more than that; I have maked the timber

on every parcel.

Q. You testify that you have marked the timber on every parcel of timber involved in these law suits?

A. That is right.

Q. Has that been since the time Mr. Marinos owned the property?

A. Yes sir.

Q. Have you ever cut any timber from these parcels?

A. From all parts.

Q. What was the nature of the cutting?

A. Improvement cutting - thinning and cutting the trees that have been worked for turpentine.

Q. Do you know of any other than Malbis Memorial Foundation claiming to own the property since the death of George Marinos?

A. No.

Q. During the time you were familiar with these parcels of property while they were owned by George Marinos, did you know of any one else claiming any right or title to the lands?

A. No I didn't.

Q. Did the title of certain of these piece of property come through S. M. Adams, Inc?

A. Yes sir.

Q. Was the timber cut prior to the time it was sold to George Marinos by S. M. Adams, Inc?

A. It was.

ON CROSS EXAMINATION BY MR. WILTERS, GUARDIAN ADLITEM, WITNESS TESTI-
FIED AS FOLLOWS:

Q. Mr. Lyles, is any of this land fenced that has been described here?

A. No.

Q. You have stated that all of it is timber lands, is that correct?

A. That is correct.

Q. Has any of it been cut over?

A. Oh Yes, some of it has.

Q. Is any of it being used as a pasture?

A. Not to my knowledge.

Q. When was the last time you examined this land?

A. Well I have seen all of it, I would say, in the last three months.

Q. At that time none was used for pasture?

A. That is right - let me back up - there are several thousand acres of pasture land fenced and this is within the fence, but there is no fence on the Marinos property; it was agreeable with Mr. Marinos that they could enclose it inside the pasture; it is near Lox ley - Mr. Marinos agreed to allow it to be under fence this/with a lot of other land, but so far as it being under fence itself, it is not.

C E R T I F I C A T E:

I hereby certify that the foregoing, consisting of pages 1 to 14, both inclusive, correctly sets forth a true and correct transcript of the testimony in the above styled cause, as taken by me in open Court, on the 19th day of August, 1959.

This 25th day of August, 1959.

Louise Rosenbary
Court Reporter

The United States of America.

To all to whom these presents shall come, Greeting
Certificate

No. 22054 } Whereas George W. Robinson of Mobile County
Alabama, has deposited in the General Land Office of the
United States a Certificate of the Register of the Land Office at
Montgomery Alabama, whereby it appears that said Payment
has been made by the said George W. Robinson according
to the provisions of the Act of Congress of the 24th of April
1820, entitled "An Act making further provision for the sale
of the Public Lands, and the acts supplemental thereto for
the North half of the South east quarter and the South
West quarter of Section three, in Township six South
of range four east of St Stephens Meridian in
Alabama, containing two hundred and forty acres and
ninety hundredths of an acre according to the
Official Plat of the Survey of the said lands, returned
to the General Land Office by the Surveyor General, which
said Tract has been purchased by the said George W.
Robinson.

Now Know Ye, That the United States of America, in
consideration of the premises, and in conformity with
the several Acts of Congress in such case made and
provided, have given and granted, and by these presents
do give and grant unto the said George W. Robinson
and to his heirs, the said Tract above described, To
have and to hold the same, together with all the
rights, franchises, immunities and appurtenances of
whatever nature, thereto, belonging, unto the said
George W. Robinson, and to his heirs and assigns forever.
In Testimony Whereof, I Grover Cleveland President of the United
States of America, have caused these letters to be made Patent
under the seal of the General Land Office to be hereunto affixed
Given under my hand, at the City of Washington the seven-
teenth day of October, in the year of our Lord one thou-
sand eight hundred and eighty eight, and of the Independence
of the United States the one hundred and thirteenth.

By the President Grover Cleveland.

Ben W. McKean, Secretary.

Recorder of the General Land Office, at Interior,
Alabama Vol.

Filed for Record July 14th 1900.
Recorded March 23rd 1900.

Spas. Hall
Judge of Probate

R.S.

#35

The State of Alabama,
Baldwin County.

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify

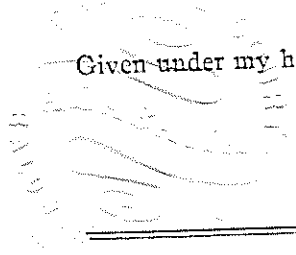
that the within and foregoing one (1) photostatic pages

contain a full, true and complete copy of the Patent - U. S. of A. to George W. Robinson

as the same appears of record in my office in Deed Book No. 2

page 260.

Given under my hand and seal of office, this 17th day of August, 19 59



W. R. Stuart
Judge of Probate

By: Harry M. D'Almeida Chief Clerk

Case 4607
Copy Exp 2

#30 - Inst 1

The United States of America,
 To all to whom these presents shall come Greeting
 Certificate }
 No. 16882 } Whereas George W. Robinson of Escambia County,
 Florida, has deposited in the General Land Office of the United
 States a Certificate of the Register of the Land Office at Montgomery,
 Alabama, whereby it appears that full Payment has been made
 by the said George W. Robinson according to the provisions
 of the act of Congress of the 24th of April 1820, entitled "An
 Act making further provision for the sale of the Public Lands;
 and the Acts supplemental thereto for the North half of the
 North West quarter, the South West quarter of the North West quarter,
 the North West quarter of the North East quarter and the South
 half of the North East quarter of Section twenty seven in
 Township five South of Range five east of N. Stephens Meridian
 in Alabama, containing two hundred and thirty nine acres
 and forty three hundredths of an acre, according to the
 official Plat of the Survey of the said lands, returned to
 the General Land Office by the Surveyor General, which
 said Tract has been purchased by the said George W.
 Robinson. Now Know Ye, that the United States of America
 in consideration of the premises, and in conformity with the
 said act of Congress in such case made and provided,
 Do give and Grant unto the said George W. Robinson and to his heirs the
 said Tract above described, To Have and to Hold the same
 together with all the rights, privileges, immunities and
 appurtenances of whatsoever nature, therunto belonging,
 unto the said George W. Robinson and to his heirs and
 assigns forever.

#30

In Testimony Whereof, I Chester A. Arthur, President of the United
 States of America, have caused these letters to be made Public,
 and the seal of the General Land Office to be hereunto affixed.
 Given under my hand, at the City of Washington, the tenth
 day of March, in the year of our Lord one thousand eight
 hundred and eighty three, and of the Independence of the
 United States the one hundred and seventh.
 By the President, Chester A. Arthur,
 J. C. Smith, Asst. Secretary

J. W. Clark, Recorder of the General Land Office.
 Recorded Vol. 448 Page 484
 Alabama Vol.

Filed for Record July 17th 1900.
 Recorded July 22nd 1900.
 Charles Hall
 Judge of Probate

The State of Alabama,
Baldwin County.

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify

that the within and foregoing one (1) photostatic pages

contain a full, true and complete copy of the Patent - U. S. of A. to George W. Robinson

as the same appears of record in my office in Deed Book No. 2

page 45.

Given under my hand and seal of office, this 17th day of August, 1959

W. R. Stuart
Judge of Probate

By: Amy M. O'Brien Chief Clerk

State Patent

25 (a) - Inst 2

Case # 4607
Camp. Exp 3

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The State of Alabama,

To all to whom these presents shall come—Greeting:

Know ye, that whereas by the provisions of an act of the Legislature entitled "An act for the relief of the Perdido Bay Lumber Company," approved by the Governor of the State of Alabama, February 12th, 1879, the sales and conveyances by John R. Tompkins, Receiver, and Henry St. Paul, Agent, of swamp and overflowed lands, made in the year 1872, to Robert F. Queal, O. H. Queal, and S. K. Scott, and by them conveyed to the Perdido Bay Lumber Company, lying and being in Baldwin County, in this State and more particularly described in the report of said John R. Tompkins, as Receiver, to Robert B. Lindsay, Governor of the State, made in the year 1872, and in the patents issued by him were confirmed to said Perdido Bay Lumber Company, so that it could have and enjoy all the rights and interests which the State of Alabama had prior to such sale, and the Governor of this State, was directed on demand to deliver to said Company patents for said lands, properly executed according to law.

And whereas I, Wm. D. Jelks, Governor of the State of Alabama, have caused to be produced the original patents issued by Robert B. Lindsay, as aforesaid, to the said Robert F. Queal, O. H. Queal, and Sarah K. Scott, and have ascertained therefrom and from the report of John R. Tompkins, aforesaid, to Robert B. Lindsay, Governor, as aforesaid, mentioned in the said act of February 12th, 1879, that the following lands are the lands sold and conveyed to the said Robert F. Queal, O. H. Queal and S. K. Scott, as aforesaid, to wit:—

East half of Southwest quarter and west half of Southeast quarter of section twenty two, township five south, range four east, containing 160.05 acres. South half and North-east quarter of section twenty four, township five south, range four east, containing 478.05 acres. North half of and Southeast quarter of section twenty five, township five south, range four east, containing 472.50 acres. East half of Southwest quarter and northwest quarter of southwest quarter of section twenty five, township five south, range four east, containing 120.20 acres. West half and northeast quarter of section twenty seven, township five south, range four east, containing 473.64 acres. West half of section twenty eight, township five south, range four east, containing 319.70 acres. (South half of Southeast quarter of section twenty eight, township five south, range four east, containing 79.95 acres.) North half of section twenty nine, township five south, range four east, containing 319.96 acres. North half of Southeast quarter of section twenty nine, township five south, range four east, containing 79.95 acres. South half of northeast quarter of section thirty, township five south, range four east, containing 80.12 acres. Southeast quarter of section thirty one, township five south, range four east, containing 157.00 acres. ~~South half of section thirty two, township five south, range four east, containing 313.35 acres.~~

South half of Section Thirty-two, Township Five South, Range Four East, containing 313.35 acres. East half of Section Thirty Three, Township Five South, Range Four East, containing 314.00 acres. South half of Section Thirty Four, Township Five South, Range Four East, containing 313.80 acres.

2230

660

Southwest quarter of Northeast quarter and Northeast quarter of southwest quarter of section thirty five, township five south, range four east, containing 78.20 acres. Southeast quarter of section thirty five, township five, south, range four east, containing 156.40 acres. All in Baldwin County, State of Alabama.

There is therefore by these presents granted by the State of Alabama in conformity with the requirements of said act and to the extent therein authorized all the rights and interest in said lands which the State had prior to said sales by John R. Tompkins, Receiver, etc., and Henry St. Paul, Agent, etc., to said Queair and Scott, with all the appurtenances thereunto belonging, unto the said Perdido Bay Lumber Company, and its successors and assigns.

In Testimony Whereof, I have caused these letters to be made Patent and the Great Seal of the State of Alabama to be affixed at the Capitol in the City of Montgomery, this 9th day of May, A. D., one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty ninth year.

(Seal) W. D. Jelks, Governor of Alabama.
By the Governor: E. R. McDavid, Secretary of State. (Recorded in Book Patents 1, Page 144)

Filed for record May 24, 1905, at 10 A. M.
Recorded May 27, 1905.

J. H. H. Smith, Judge of Probate.

.....000.....

The State of Alabama,
Baldwin County.

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify

that the within and foregoing two (2) photostatic pages

contain a full, true and complete copy of the State Patent - Alabama to Perdido Bay

Lumber Co.

as the same appears of record in my office in Deed Book No. 8

page s 659 - 660.

Given under my hand and seal of office, this 17th day of August, 19 59

W R Stuart
Judge of Probate
By: Harry M. Deline Chief Clerk

State Patent
#26 - Dist 1

Comp Exp 4
4607

The State of Alabama.

To all to whom these presents shall come,--Greeting:

Know ye, that whereas by the provisions of an act of the Legislature of Alabama, entitled an act for the relief of the Perdido Bay Lumber Company," approved by the Governor of the State of Alabama, February 12th, 1872, the sales and conveyances by John R. Tompkins, Receiver and Henry St. Paul, Agent, of swamp and overflowed lands, made in the year 1872, to Robert F. Queal, O. H. Queal, and S. K. Scott, and by them conveyed to the Perdido Bay Lumber Company, lying and being in Baldwin County, in this State and more particularly described in the report of said John R. Tompkins, as Receiver, to Robert B. Lindsay, Governor of the State, made in the year 1872, and in the patents issued by him were confirmed to said Perdido Bay Lumber Company, so that it could have and enjoy all the rights and interests which the State of Alabama had prior to such sale, and the Governor of this State was directed on demand to deliver to said Company patents for said lands, properly executed according to law. And whereas, I, Wm. D. Jelks, Governor of the State of Alabama have caused to be produced to me the original patents issued by Robert B. Lindsay, as aforesaid, to the said R. F. Queal, O. H. Queal and Sarah K. Scott, and have ascer-

tained therefrom and from the report of John R. Tompkins, aforesaid, to Robert B. Lindsay, Governor as aforesaid, mentioned in the said act of February 12th, 1879, that the following lands are the lands sold and conveyed to the said Robert F. Queal, O. H. Queal, and S. K. Scott, as aforesaid, to wit:-

North half of Southwest quarter of section seven, township five south, range five east, containing 79.76 acres. Northwest quarter of section eight, township five south, range five east, containing 159.24 acres. North half of Southwest quarter of section eight, township five south, range five east, containing 79.62 acres. Southwest quarter of Northeast quarter of section eight, township five south, range five east, containing 39.81 acres. South half of Southeast quarter of section eight, township five south, range five east, containing 79.62 acres. East half of Section nine, township five south, range five east, containing 320.72 acres. South half of Section ten, Township Five south, Range five east, containing 319.00 acres. Northeast quarter and South Half of section eleven, township five south, range five east, containing 478.68 acres. East half of Northwest quarter of section eleven, township five south, range five east, containing 79.78 acres. South half of section twelve, township five south, range five east, containing 320.32 acres. All of section thirteen, township five south, range five east, containing 641.38 acres. North half of Northeast quarter and Southeast quarter of Northeast quarter of section fourteen, township five south, range five east, containing 120.00 acres. South half of Southeast quarter and Northeast quarter of Southeast quarter of section fourteen, township five south, range five east, containing 120.00 acres. South half of Northwest quarter of section fourteen, township five south, range five east, containing 80.00 acres. Southwest quarter of section fourteen, township five south, range five east, containing 159.24 acres. East half of Section fifteen, township five south, range five east, containing 318.28 acres. Southwest quarter of section fifteen, township five south, range five east, containing 159.14 acres. North half of Northwest quarter and Southwest quarter of Northwest quarter of section fifteen, township five south, range five east, containing 119.37 acres. All in Baldwin County, State of Alabama.

There is therefore by these presents granted by the State of Alabama in conformity with the requirements of said act and to the extent therein authorized all the rights and interest ~~of~~ said lands which the State had prior to said sales by John R. Tompkins, Receiver, etc., and Henry St. Paul, Agent, etc., to said Queals and Scott, with all the appurtenances thereunto belonging, unto the said Perdido Bay Lumber Company, and its successors and assigns.

IN Testimony Whereof, I have caused these letters to be made Patent and the Great Seal of the State of Alabama to be affixed at the Capitol in the City of Montgomery, this 9th day of May, A. D., one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty ninth year.

W. D. Jelks, Governor of Alabama.
(Seal)
By the Governor : E. R. McDavid, Secretary of State. (Recorded in Book Patents 1, Page 152.)

Filed for record May 24, 1905, at 10 A. M.
Recorded May 29, 1905.
J. H. H. Smith, Judge of Probate.
.....000.....

#26

The State of Alabama,
Baldwin County.

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify

that the within and foregoing two (2) photostatic pages

contain a full, true and complete copy of the State Patent - Alabama to Perdido Bay

Lumber Co.

as the same appears of record in my office in Deed Book No. 8

page s 665 - 666.

Given under my hand and seal of office, this 17th day of August, 19 59

W R Stuart
Judge of Probate
By: Harry M. D. Line Chief Clerk

State Patent
29 - Inst 1

Camp Ebb 5
4607

.....000.....

The State of Alabama-

To all to whom these presents shall come—Greeting:

Know ye, that whereas by the provisions of an act of the Legislature of Alabama, entitled "An Act for the relief of the Perdido Bay Lumber Company," approved by the Governor of the State of Alabama, February 12th, 1879, the sales and conveyances by John R. Tompkins, Receiver, and Henry St. Paul, Agent, of swamp and overflowed lands, made in the year 1872, to Robert F. Queal, O. H. Queal, and S. K. Scott, and by them conveyed to the Perdido Bay Lumber Company, & lying and being in Baldwin County in this State and more particularly described in the report of said John R. Tompkins, as Receiver, to Robert B. Lindsay, Governor of the State, made in the year 1872, and in the patents issued by him were confirmed to said Perdido Bay Lumber Company, so that it could have and enjoy all the rights and interests which the State of Alabama had prior to such sale, and the Governor of this State was directed to demand to deliver to said Company patents for said lands, properly executed according to law. And whereas, I, Wm. D. Jelks, Governor of the State of Alabama, have caused to be produced to me the original patents issued by Robert B. Lindsay, as aforesaid, to the said R. F. Queal, O. H. Queal, and Sarah K. Scott, and have ascertained therefrom and from the report of John R. Tompkins, aforesaid, to Robert B. Lindsay, Governor, as aforesaid, mentioned in the said Act of February 12th, 1879, that the following lands are the lands sold and conveyed to the said Robert F. Queal, O. H. Queal, and S. K. Scott, as aforesaid, to wit:—
South half of Section seventeen, township five south, range five east, con-

aining 319-36 acres. South half of Section eighteen, township five south, range five east, containing 319-44 acres. Southwest quarter of Northeast quarter of section eighteen, township five south, range five east, containing 20-00 acres. All of section nineteen, township five south, range five east, Baldwin County, township five south, range five east, containing 329-84 acres. North half of section twenty, township five south, range five east, containing 320-00 acres. West half of southeast quarter of section twenty, township five south, range five east, containing 80-00 acres. Northeast quarter of southwest quarter and southwest quarter of southwest quarter of section twenty, township five south, range five east, containing 80-00 acres. North half of Northwest quarter and Southeast quarter of Northwest quarter of section twenty one, township five south, range five east, containing 120-00 acres. Northeast quarter of section twenty one, township five south, range five east, containing 160-00 acres. Northeast quarter of southwest quarter and southwest quarter of southeast quarter of section twenty one, township five south, range five east, containing 80-00 acres. Northwest quarter of section twenty two, township five south, range five east, containing 159-70 acres. North half and southeast quarter of section twenty three, township five south, range five east, containing 479-58 acres. East half of Southwest quarter of section twenty three, township five south, range five east, containing 19-95 acres. All of section twenty four, township five south, range five east, containing 19-95 acres. All of section twenty four, township five south, range five east, containing 19-95 acres. Northwest quarter of section twenty five, township five south, range five east, containing 160-92 acres. Southeast quarter of section twenty five, township five south, range five east, containing 160-92 acres. All in Baldwin County, State of Alabama.

There is therefore by these presents granted by the State of Alabama in conformity with the requirements of said act and to the extent therein authorized all the rights and interest in said lands which the State had prior to said sales by John R. Tompkins, Receiver, etc., and Henry St. Paul, Agent, etc., to said Queads and Scott, with all the appurtenances thereunto belonging, unto the said Perdido Bay Lumber Company, and its successors and assigns.

In Testimony Whereof, I have caused these letters to be made Patent and the seal of the State of Alabama to be affixed at the Capitol in the City of Montgomery, this 9th day of May, A. D., one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty ninth year.

(Seal) Wm. D. Jelks, Governor of Alabama.
By the Governor: E. R. McDavid, Secretary of State. (Recorded in Book Patents 1, page 155)

Filed for record May 24, 1905, at 10 A. M.
Recorded May 29, 1905.
J. H. H. Smith, Judge of Probate.
.....000.....

The State of Alabama,
Baldwin County.

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify

that the within and foregoing two (2) photostatic pages

contain a full, true and complete copy of the State Patent - Alabama to Perdido Bay

Lumber Co.

as the same appears of record in my office in Deed Book No. 8

page s 666-667.

Given under my hand and seal of office, this 17th day of August, 19 59

W R Stuart
Judge of Probate

By: Amy M. D'Almeida Chief Clerk

State Patent
#34 - Inst 1

61

Comp Exp 6
4607

The State of Alabama.

To all to whom these presents shall come—greeting:

Know ye, that whereas by the provisions of an act of the Legislature of Alabama, entitled "AN ACT for the relief of the Perdido Bay Lumber Company," approved by the Governor of Alabama, February 12th, 1879, the sales and conveyances by John R. Tompkins, Receiver, and Henry St. Paul, Agent, of swamp and overflowed lands, made in the year 1872, to Robert F. Queal, O. H. Queal, and S. K. Scott, and by them conveyed to the Perdido Bay Lumber Company, lying and being in Baldwin County, in this State and more particularly described in the report of said John R. Tompkins, Receiver, of said Perdido Bay Lumber Company, so that it could have and enjoy all the rights and interests which the State of Alabama had prior to such sale, and the Governor of this State was directed on demand to deliver to said Company patents for said lands, properly executed according to law.

And whereas, I, Wm. D. Jelks, Governor of the State of Alabama have caused to be produced to me the original patents issued by Robert B. Lindsay, as aforesaid, to the said R. F. Queal, O. H. Queal, and Sarah K. Scott, and have ascertained therefrom and from the report of John R. Tompkins, as aforesaid, to Robert B. Lindsay, Governor, as aforesaid, mentioned in the said Act of February, 12th, 1879, that the following lands are the lands said and conveyed to the said Robert F. Queal, O. H. Queal, and S. K. Scott, as aforesaid, to wit:—

North half and Southeast quarter of section eleven, township six south, range four east, containing 483.72 acres. North half of Northeast quarter of section ten, township six south, range four east, containing 80.10 acres. All of section thirteen, township six south, range four east, containing 637.92 acres. North half of South half and south half of North half of Section fourteen, township six south, range four east, containing 322.71 acres. North half of South half and South half of north half of section fifteen, township six south, range four east, containing 320.06 acres. South half of Section twenty five, township six south, range four east, containing 322.70 acres. South half of Section twenty six, township six south, range four east, containing 321.22 acres. West half of West half of Section twenty seven, township six south, range four east, containing 160.00 acres. Southeast quarter of northeast quarter and Southeast quarter of section twenty eight, township six south, range four east, containing 200.03 acres. West half of east half and east half of west half of section thirty six, township six south, range four east, containing 323.85 acres. West half of section thirty five, township six south, range four east, containing 317.51 acres. North half of section thirty four, township six south, range four east, containing 316.86 acres. East half of Section thirty three, township six south, range four east, containing 315.01 acres. Southwest quarter of section thirty one, township six, south, range four east, containing 158.75 acres. West half of Northeast quarter and northwest quarter of section two, township seven south, range four east, containing 239.82 acres. West half of Southwest quarter of section two, township seven south, range four east, containing 79.94 acres. North half of section three, township seven south, range four east, containing 319.92 acres. All in Baldwin County, State of Alabama.

There is therefore by these presents granted by the State of Alabama in conformity with the requirements of said act and to the extent therein authorized, all the rights and interest of in said lands which the State had prior to said sales by John R. Tompkins, Receiver, etc., and Henry St. Paul, Agent, etc., to said Queals and Scott, with all the appurtenances thereto belonging, unto the said Perdido Bay Lumber Company, and its successors and assigns.

IN TESTIMONY WHEREOF, I have caused these letters to be made Patent and the ^{Great} seal of the State of Alabama, to be affixed at the Capitol, in the City of Montgomery, this 9th day of May, A. D., one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty ninth year.

W. D. Jelks, Governor of Alabama

By the Governor:

E. R. McDavid, Secretary of State.

Recorded in Book Patents 1, page 146.

Filed for record May 24th, 1905 at 10 A.M.

Recorded May 27th, 1905

J. H. H. Smith, Judge of the Probate Court.

Patent issued by this office

434

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The State of Alabama,
Baldwin County.

}

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify

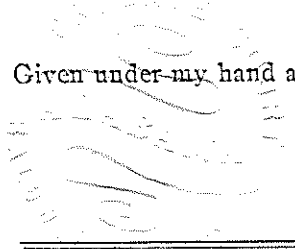
that the within and foregoing one (1) photostatic pages

contain a full, true and complete copy of the State Patent - Alabama to Perdido Bay
Lumber Co.

as the same appears of record in my office in Deed Book No. 8

page 661.

Given under my hand and seal of office, this 17th day of August, 19 59



W R Stuart

Judge of Probate

By: Harry M. D'Almeida Chief Clerk

State Patent
#38-Inst 1

Comp Exp 7
4607

The State of Alabama.

To all to whom these presents shall come—Greeting:

KNOW ye, that whereas by the provisions of an act of the Legislature of Alabama, entitled "An Act for the Relief of the Perdido Bay Lumber Company," approved by the Governor of the State of Alabama, February 12th, 1879, the sales and conveyances by John R. Tompkins, Receiver, and Henry St. Paul, Agent, of swamp and overflowed lands, made in the year 1872, to Robert F. Queal, O. H. Queal and S. K. Scott, and by them conveyed to the Perdido Bay Lumber Company, lying and being in Baldwin County, in this State and more particularly described in the report of said John R. Tompkins, as Receiver, to Robert B. Lindsay, Governor of the State, made in the year 1872, and in the patents issued by him were confirmed to said Perdido Bay Lumber Company, so that it could have and enjoy all the rights and interests which the State of Alabama had prior to such sale, and the Governor of this State was directed on demand to deliver to said Company patents for said lands, properly executed according to law.

And whereas, I, Wm. D. Jelks, Governor of the State of Alabama, have caused to be produced to me the original patents issued by Robert B. Lindsay, as aforesaid, to the said R. F. Queal, O. H. Queal, and Sarah K. Scott, and have ascertained therefrom and from the report of John R. Tompkins, aforesaid, to Robert B. Lindsay, Governor, as aforesaid, mentioned in the said Act of February 12th, 1879, that the following lands are the lands sold and conveyed to the said Robert F. Queal, O. H. Queal and S. K. Scott, as aforesaid, to wit:—

South half of north half and North half of Southwest quarter of section five, township six south, range six east, containing 239.64 acres. All of section six, township six south, range six east, containing 678.52 acres. West fractional half of Section eleven, township six south, range six east, containing 639.34 acres. All of Section nine, township six south, range six east, containing 640.72 acres. All of section eight, township six south, range six east, containing 637.60 acres. All of section seven, township six south, range six east, containing 637.36 acres. West half and Northeast quarter of section fifteen township six south, range six east, containing 460.50 acres. North half of South east quarter and north half of section seventeen township six south, range six east, containing 208.02 acres. South half of south west quarter of section seventeen, township six south, range six east, containing 79.00 acres. West half and Northeast quarter of section eighteen, township six south, range six east, containing 477.27 acres. South half of Southeast quarter of section eighteen, township six south, range six east, containing 79.55 acres. Southwest quarter of southwest quarter of section twenty two, township six south, range six east, containing 40.00 acres. South half of Northwest quarter and South half of Section two, township six south, range six east, containing 477.29 acres. South half of North east quarter and Northwest quarter of Northeast quarter of section twenty, township six south, range six east, containing 119.34 acres. All of section nineteen, township six south, range six east, containing 636.04 acres. All in Baldwin County, State of Alabama.

There is therefore by these presents granted by the State of Alabama in conformity with the requirements of said act and to the extent therein authorized all the rights and interests in said lands which the State had prior to said sales by John R. Tompkins, Receiver, etc., and Henry St. Paul, Agent, etc., unto said Queals and Scott, with all appurtenances thereunto belonging, unto the said Perdido Bay Lumber Company, and its successors and assigns.

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IN Testimony whereof, I have caused these letters to be Made Patent and the Great Seal of the State of Alabama to be affixed at the Capitol in the City of Montgomery, this 9th day of May, A. D., one thousand nine hundred and five, and of the Independence of the UNITED States the one hundred and twenty ninth year. (Seal)

Wm. D. Jelks, Governor of Alabama.

By the Governor: E. R. McDavid, Secretary of State. (Recorded in Book Patents 1, Page 166)

Filed for record May 24, 1905, at 10 A. M.
Recorded May 31, 1905.

J. H. H. Smith, Judge of Probate.
.....000.....

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The State of Alabama,
Baldwin County. }

PROBATE COURT

I, W. R. STUART, Judge of Probate Court in and for said State and County, hereby certify

that the within and foregoing _____ two (2) Photostatic _____ pages

contain a full, true and complete copy of the State Patent - Alabama to Perdido Bay Lumber
Co.

as the same appears of record in my office in _____ Deed _____ Book No. _____ 8
page s 677 - 678 .

Given under my hand and seal of office, this 17th day of August, 19 59

W. R. Stuart
Judge of Probate
By: Harry M. Doline Chief Clerk

LIS PENDENS NOTICE

In the Circuit Court of Baldwin County, Alabama, in Equity No. 4607. Malbis Memorial Foundation, as Trustee under Item Five of the Last Will and Testament of George Marinos, deceased, Complainant, versus Mona Winegar, Lands Described in the Bill of Complaint, et al. Respondents.

Notice is hereby given C. N. SOUTHER, or his heirs or devisees, if deceased, PEARL G. BAKER, or her heirs or devisees, if deceased, MONA WINEGAR, or her heirs or devisees, if deceased, HARRIET N. WINEGAR, or her heirs or devisees, if deceased, WILLIAM W. HERRY, or his heirs or devisees, if deceased, JOHN W. WINEGAR, or her heirs or devisees, if deceased, the heirs or devisees of EDWIN F. WINEGAR, deceased, other than those named above in this paragraph, if any, EDWIN F. WINEGAR LAND SYNDICATE, if in existence, or the successors or assigns of EDWIN F. WINEGAR LAND SYNDICATE and all unknown members of the Edwin F. Winegar Land Syndicate; the residences and post office addresses of said parties and the names and addresses of their heirs, devisees or assigns, if any be deceased, being unknown and also to any and all other persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the lands described below, or any part thereof, that on the 2nd day of June, 1959, Malbis Memorial Foundation, as Trustee under Item Five of the Last Will and Testament of George Marinos, deceased, filed a verified Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity, claiming to be in the peaceable, undisturbed possession of and claiming to own in its own right, as such Trustee, absolutely and in fee simple, the lands described in the Bill of Complaint subject to the following: (1) it claims to own no oil, gas, minerals or mineral rights in the property hereinafter described as Parcel C, the same having been reserved by Baldwin Timber and Naval Stores Company and Denniston Land Trust in a deed to George Marinos, dated September 30, 1954, and recorded in Deed Book 217, pages 388-390 (it is however entitled to one-half (1/2) of all royalties paid under any lease of said oil, gas and minerals on said property); (2) it claims to own only one-half (1/2) of the oil, gas, mineral and mineral rights in all of the property hereinafter described (with the exception of Parcel C), the remaining one-half of the oil, gas, minerals and mineral rights having been reserved by Baldwin Timber and Naval Stores Company and Denniston Company in a deed to S. M. Adams, Inc., dated November 25, 1950, and recorded in Deed Book 161, page 268, and (3) the property hereinafter described as Parcel E is subject to an easement to the Alabama Power Company, which is recorded in Deed Book 165, page 432, and pages 436-437. The lands described in the bill of complaint, all situated in the County of Baldwin, State of Alabama, are as follows:

PARCEL A. The Southwest Quarter of Southeast Quarter of Section 24, Township 5 South, Range 4 East; PARCEL B. The North half of the Southwest Quarter of Section 8, Township 5 South, Range 5 East. PARCEL C. The Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East. PARCEL D. The Northwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 5 East. PARCEL E. The South half of the Northeast Quarter of the Northwest Quarter or the Northeast Quarter; West half of the Northwest Quarter of the Northeast Quarter; and the Southeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 13, Township 6 South, Range 4 East; PARCEL F. The North half of the Northwest Quarter of the Southwest Quarter of Section 3, Township 6 South, Range 5 East; PARCEL G. The Southwest Quarter of the Southwest Quarter of Section 19, Township 6 South, Range 6 East; PARCEL H. The South half of the Southwest Quarter of the Northwest Quarter of Section 26, Township 8 South, Range 4 East. Complainant alleges in its Bill of Complaint that the title to said lands stands in its name on the records of the Probate Court of Baldwin County, Alabama, by virtue of the following:

- 1. Quitclaim Deed from George A. Sossaman, unmarried, to Denniston-Boykin Company, Inc., dated July 12, 1937, and recorded in Deed Book 62, pages 415-417, conveying all of the property hereinabove described, except the Northwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 5 East. 2. Quitclaim Deed from Denniston-Boykin Company, Inc. to Baldwin Timber and Naval Stores Company, Inc., dated June 23, 1939, and recorded in Deed Book 70, page 68, conveying an undivided one-third (1/3) interest in all of the property hereinabove described. 3. Quitclaim Deed from Frank W. Boykin, et al. to Denniston-Boykin Company, Inc., and Baldwin Timber and Naval Stores Company, Inc., dated October 20, 1941 and recorded in Deed Book 77, pages 181-182, conveying an undivided two-thirds (2/3) interest and an undivided one-third (1/3) interest, respectively, in all of the property hereinabove described. 4. Statutory Warranty Deed from Denniston-Boykin Company, Inc., and Baldwin Timber and Naval Stores Company, Inc., to Baldwin Timber and Naval Stores Company, Inc., and Denniston-Boykin Company, Inc., dated March 11, 1942, and recorded in Deed Book 77, pages 179-180, conveying an undivided one-third (1/3) interest, and an undivided two-thirds (2/3) interest, respectively, in all of the property hereinabove described. 5. Change of name of Denniston-Boykin Company, Inc., to Denniston Company, dated October 5, 1943, and recorded in Corporation Book 2, page 149. 6. Quitclaim Deed from Baldwin Timber and Naval Stores, Inc., and Denniston Company to S. M. Adams, Inc., dated November 25, 1950, and recorded in Deed Book 161, page 268, conveying all of the property hereinabove described except the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East. 7. Trust Agreement whereby Denniston Company is dissolved and Denniston Land Trust established, dated December 31, 1953, and recorded in Deed Book 208, pages 97 et seq. 8. Warranty Deed from Baldwin Timber and Naval Stores Co., Inc. and Denniston Land Trust, to George Marinos, dated September 30, 1954, and recorded in Deed Book 217, pages 388-390, conveying the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East. 9. Quitclaim Deed from S. M. Adams, Inc., to George Marinos, dated December 20, 1950, and recorded in Deed Book 161, pages 242-243, conveying all of the property hereinabove described, except the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East. 10. Last Will and Testament of George Marinos, deceased, recorded in Will Book 2, page 130. All of the above Deed Book and Will Book references are to records in the Office of the Judge of Probate of Baldwin County, Alabama.

THE BALDWIN TIMES

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, BALDWIN COUNTY.

E. R. Morrisette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Lis Pendens Notice #4607

COST STATEMENT
1387 WORDS @ 6 1/2 cents \$ 90 16
I hereby certify this is correct, due and unpaid (paid).
E. R. Morrisette, Jr. Editor.

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication June 11, 1959 Vol. 71 No. 212
Date of 2nd publication June 18, 1959 Vol. 71 No. 213
Date of 3rd publication June 25, 1959 Vol. 71 No. 214
Date of 4th publication July 2, 1959 Vol. 71 No. 215

Subscribed and sworn before the undersigned this 2 day of July, 1959

Dorothy Murtin Notary Public, Baldwin County.

E. R. Morrisette, Jr. Editor.

Stores Company, Inc., dated October 20, 1941 and recorded in Deed Book 77, pages 181-182, conveying an undivided two-thirds (2/3) interest and an undivided one-third (1/3) interest, respectively, in all of the property hereinabove described.

4. Statutory Warranty Deed from Denniston-Boykin Company, Inc. and Baldwin Timber and Naval Stores Company, Inc., to Baldwin Timber and Naval Stores Company, Inc. and Denniston-Boykin Company, Inc., dated March 11, 1942, and recorded in Deed Book 77, pages 179-180, conveying an undivided one-third (1/3) interest and an undivided two-thirds (2/3) interest, respectively, in all of the property hereinabove described.

5. Change of name of Denniston-Boykin Company, Inc., to Denniston Company, dated October 5, 1943, and recorded in Corporation Book 2, page 149.

6. Quitclaim Deed from Baldwin Timber and Naval Stores, Inc., and Denniston Company to S. M. Adams, Inc., dated November 25, 1950, and recorded in Deed Book 161, page 268, conveying all of the property hereinabove described except the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East.

7. Trust Agreement whereby Denniston Company is dissolved and Denniston Land Trust established, dated December 31, 1953, and recorded in Deed Book 208, pages 97 et seq.

8. Warranty Deed from Baldwin Timber and Naval Stores Co., Inc. and Denniston Land Trust, to George Marinos, dated September 30, 1954, and recorded in Deed Book 217, pages 388-390, conveying the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East.

9. Quitclaim Deed from S. M. Adams, Inc. to George Marinos, dated December 20, 1950, and recorded in Deed Book 161, pages 242-243, conveying all of the property hereinabove described except the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East.

10. Last Will and Testament of George Marinos, deceased, recorded in Will Book 2, page 460.

All of the above Deed Book and Will Book references are to records in the Office of the Judge of Probate of Baldwin County, Alabama.

If any of the above named parties, or their heirs, devisees, successors, or assigns, if any of said named parties be deceased, or no longer in existence, or any unknown parties, or any other persons, firms or corporations claim any title to, interest in, lien or encumbrance upon said hereinabove described real property, or in any part thereof, they must be and appear in said Circuit Court of Baldwin County, Alabama, in Equity, and plead, answer or demur to said Bill of Complaint before the expiration of sixty (60) days from the date of the first publication of this notice which said sixty (60) days expire on the 2nd day of August, 1959, or suffer a decree pro confesso to be rendered against them.

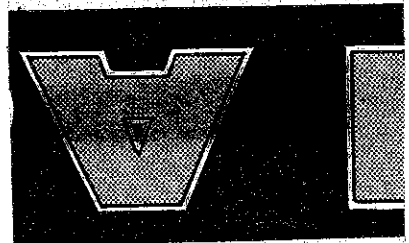
Witness my hand this the 2nd day of June, 1959.

ALICE J. DUCK, Register of the Circuit Court of Baldwin County, Alabama.

VICKERS, RRS, MURRAY & CURRAN, By Edwin J. Curran, Jr. Solicitors for Complainant.

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Witness my hand this the 2nd day of June, 1959, and recorded in Deed Book 217, pages 388-390, conveying the Southeast Quarter of the Northwest Quarter of Section 23, Township 5 South, Range 5 East.



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ALICE J. DUCK, CLERK
REGISTER