

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

)
IN THE CIRCUIT COURT

)
OF

)
Complainant,

)
BALDWIN COUNTY

vs.

)
ALABAMA

)
ORA M. BARNETT, or if deceased,
his or her heirs or devisees, HIRAM
M. BARNETT and ANNA BARNETT, or if
deceased, their heirs or devisees,
HAZEL B. PIGMAN, or if deceased, her
heirs or devisees, SIGRID SWANSON, or
if deceased, his or her heirs or devi-
sees, PETER TURPIE, or if deceased, his
heirs or devisees, ALVINA D. KRUTZ, or,
if deceased, her heirs or devisees, MRS.
R. A. HASSE, or if deceased, her heirs
or devisees, the 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,

)
IN EQUITY

)
NUMBER 4608

)
IN REM

)
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 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:

East half of the Northwest Quarter of the Northeast Quarter; the South half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter; and the Southeast Quarter of the Northwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 3 East,

subject only to

(a) a power line easement to the Alabama Power Company, dated September 3, 1936, and recorded in Deed Book 60, page 360, and

(b) an oil, gas and mineral lease from George Marinos and wife to P. A. Leckrone, dated April 4, 1952, and recorded in Deed Book 185, pages 157-159, and assigned by Leckrone to Humble Oil and Refining Company, dated June 19, 1952, and recorded in Deed Book 189, pages 138-139;

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) Tax Deed from Hiram M. Barnett and Anna M. Barnett, by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931 and recorded in Deed Book 51, pages 59-60, conveying the South half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East,

(b) Tax Deed from Ora M. Barnett by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931, and recorded in Deed Book 51, pages 62-63, conveying the South half of North half of Southeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East,

(c) Tax Deed from Hazel B. Pigman by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931, and recorded in Deed Book 51, page 67, conveying the South half of Southeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East,

(d) Quitclaim Deed from O.F.E. Winberg to Martha Winberg, dated May 1, 1933, and recorded in Deed Book 54, page 86, conveying the property described in (a), (b), and (c) above,

(e) Warranty Deed from Martha V. Winberg and O.F.E. Winberg to Winberg Orchards and Nurseries Company, Inc., dated January 19, 1942, and recorded in Deed Book 76, pages 465-466, conveying the North half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East,

(f) Statutory Warranty Deed from Southern Alabama Plantation Company to Winberg Orchards and Nurseries Company, Inc., dated January 19, 1942, and recorded in Deed Book 76, page 465, conveying the South half of Southwest Quarter of Southwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East,

(g) Tax Deed from State of Alabama, by Phillip J. Hamm, State Land Commissioner, to George Marinos, dated November 30, 1949, and recorded in Deed Book 147, page 278, conveying the East half of South half of Northwest Quarter of Southwest Quarter of Northeast Quarter, Section 27, Township 5 South, Range 3 East,

(h) Last Will and Testament of Martha Winberg, deceased, recorded in Will Book 4, page 132,

(i) Quitclaim Deed from O.F.E. Winberg, a widower, to Malbis Memorial Foundation, as Trustee under Item Five of the Last Will and Testament of George Marinos, deceased, dated March 20, 1959, and recorded in Deed Book 276, pages 249-250, pertaining to the property described in (a), (b) and (c), above,

(j) Warranty Deed from Martha V. Winberg and O.F.E. Winberg to Winberg Orchards and Nurseries Company, Inc., dated December 24, 1938, and recorded in Deed Book 67, pages 373-374, conveying the North half of South half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South Range 3 East,

(k) Warranty Deed from Winberg Orchards and Nurseries Company to W. C. Beebe, dated December, 1938, and recorded in Deed Book 67, pages 365-366, conveying same property as in (j) above,

(l) Statutory Warranty Deed from W. C. Beebe and wife to Winberg Orchards and Nurseries Company, Inc., dated January 10, 1940, and recorded in Deed Book 71, page 112, conveying the same property as in (j) above,

(m) Warranty Deed from Winberg Orchards and Nurseries Company, Inc., to W. C. Beebe, dated November 17, 1943, and recorded in Deed Book 81, page 331, conveying all property described in this decree except that described in (g) above,

(n) Warranty Deed from W. C. Beebe to J. S. Lowrey and George Marinos, dated November 18, 1943, and recorded in Deed Book 81, pages 330-331, conveying all property described in this decree except that described in (g) above,

(o) Statutory Warranty Deed from J. S. Lowrey, unmarried to George Marinos, dated November 18, 1943, and recorded in Deed Book 82, pages 121-122, conveying all property described in this decree except that described in (g) above,

(p) 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

WITNESS MY HAND AND SEAL THIS 21 DAY OF October 1959

original decree rendered by the Judge of the Circuit Court in above state

Alabama, do hereby certify that this foregoing is a correct copy of the

CIRCUIT JUDGE

Robert M. ...

1959.

DONE this the 21 day of October

which let execution issue.

Last Will and Testament of George Marinos, Deceased, for

MEMORIAL FOUNDATION, As Trustee under Item Five of the

same hereby are, taxed against the complainant, MARIAS

4. That the costs of this proceeding be, and the

the Judge of Probate of Baldwin County, Alabama;

by the Register in the proper record book in the Office of

3. That a certified copy of this decree be recorded

hereby cleared up and removed;

all doubts, clouds and disputes concerning the same are

be, and the same hereby is, confirmed and established, and

all lease hereinabove referred to, and that its title thereto

branches, subject only to the easement and oil, gas and miner-

a fee simple title thereto, free of all liens and encum-

GEORGE MARINOS, Deceased, is the owner of said lands and has

As Trustee under Item Five of the Last Will and Testament of

2. That the Complainant, MARIAS MEMORIAL FOUNDATION,

In and to the above described land has been duly proved;

with the exception noted above, claimed by the complainant

East half of the Northwest Quarter of the
Northeast Quarter; the South half of the
Southwest Quarter of the Southeast
Quarter of the Northwest Quarter of the
Southwest Quarter of the Northeast Quarter
of Section 27, Township 5 South, Range 3 East,

to the following described land, to-wit:

For in the bill of complaint, and that the fee simple title

of GEORGE MARINOS, Deceased, is entitled to the relief prayed

Handwritten notes and stamps in the bottom right corner.

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

Complainant,

versus

ORA M. BARNETT, or if deceased,
his or her heirs or devisees,
HIRAM M. BARNETT and ANNA BARNETT,
or if deceased, their heirs or
devisees, HAZEL B. PIGMAN, of if
deceased, her heirs or devisees,
SIGRID SWANSON, or, if deceased,
his or her heirs or devisees,
PETER TURPIE, or if deceased, his
heirs or devisees, ALVINA D. KRUTZ,
or, if deceased, her heirs or
devisees, MRS. R. A. HASSE, or if
deceased, her heirs or devisees,
the LANDS DESCRIBED IN THE BILL,
and any other persons, firms or
corporations claiming any title
to or interest in the lands de-
scribed in the Bill,

Respondents.

)
IN THE CIRCUIT COURT

)
OF

)
BALDWIN COUNTY,

)
ALABAMA,

)
IN EQUITY

)
NUMBER 4608

)
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 Presi-
dent, 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,
Alabama.

TWO

Complainant, in order to establish its right or
title to the lands described in the Bill of Complaint
and to clear up all doubts and disputes concerning same,
files this, its verified Bill of Complaint against the

following described lands, located in Baldwin County,
Alabama, viz.:

East half of the Northwest Quarter of
the Northeast Quarter; the South half
of the Southwest Quarter of the South-
west Quarter of the Northeast Quarter;
and the Southeast of the Northwest of
Southwest Quarter of the Northeast
Quarter of Section 27, Township 5 South,
Range 3 East.

and against ORA M. BARNETT, or, if deceased, his or her
heirs or devisees, HIRAM M. BARNETT and ANNA BARNETT, or,
if deceased, their heirs or devisees, HAZEL B. PIGMAN, or,
if deceased, her heirs or devisees, SIGRID SWANSON, or,
if deceased, his or her heirs or devisees, PETER TURPIE,
or, if deceased, his heirs or devisees, ALVINA D. KRUTZ,
or, if deceased, her heirs or devisees, MRS. R. A. HASSE,
or, if deceased, her heirs or devisees, the residences
and post office addresses of said parties and the names
and addresses of their heirs or devisees, if any be de-
ceased, 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 lands or any part thereof.
The said ORA M. BARNETT, ANNA BARNETT, HIRAM M. BARNETT,
HAZEL B. PIGMAN, SIGRID SWANSON, PETER TURPIE, ALVINA D.
KRUTZ and MRS. R. A. HASSE, 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
said Respondents are living or dead, and if dead, who are
their respective heirs or devisees, and further to as-
certain who, if anyone, claims or is reputed to claim any

right, title, interest, lien or encumbrance in or upon said lands 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 Respondents are living, their residences are without 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 lands 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, subject only to (a) a power line easement to the Alabama Power Company, dated September 3, 1936, and recorded in Deed Book 60, page 360, and (b) an oil, gas and mineral lease from George Marinos and wife to P. A. Leckrone, dated April 4, 1952 and recorded in Deed Book 185, pages 157-159, and assigned by Leckrone to Humble Oil and Refining Company, dated

June 19, 1952, and recorded in Deed Book 189, pages 138-139, and in support of such claim of title avers that it acquired said title by virtue of the following:

1. Tax Deed from Hiram M. Barnett and Anna M. Barnett, by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931 and recorded in Deed Book 51, pages 59-60, conveying the South half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.

2. Tax Deed from Ora M. Barnett by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931, and recorded in Deed Book 51, pages 62-63, conveying the South half of North half of Southeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.

3. Tax Deed from Hazel B. Pigman by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931, and recorded in Deed Book 51, page 67, conveying the South half of Southeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.

4. Quitclaim Deed from O.F.E. Winberg to Martha Winberg, dated May 1, 1933, and recorded in Deed Book 54, page 86, conveying the property described in (1) (2) and (3) above.

5. Warranty Deed from Martha V. Winberg and O.F.E. Winberg to Winberg Orchards and Nurseries Company, Inc., dated January 19, 1942, and recorded in Deed Book 76, pages 465-466, conveying the North half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.

6. Statutory Warranty Deed from Southern Alabama

Plantation Company to Winberg Orchards and Nurseries Company, Inc., dated January 19, 1942, and recorded in Deed Book 76, page 465, conveying the South half of Southwest Quarter of Southwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.

7. Tax Deed from State of Alabama, by Phillip J. Hamm, State Land Commissioner, to George Marinos, dated November 30, 1949, and recorded in Deed Book 147, page 278, conveying the East half of South half of Northwest Quarter of Southwest Quarter of Northeast Quarter, Section 27, Township 5 South, Range 3 East.

8. Last Will and Testament of Martha Winberg, deceased, recorded in Will Book 4, page 132.

9. Quitclaim Deed from O.F.E. Winberg, a widower, to Malbis Memorial Foundation, as Trustee under Item Five of the Last Will and Testament of George Marinos, deceased, dated March 20, 1959, and recorded in Deed Book 276, pages 249-250, pertaining to the property described in 1, 2, and 3, above.

10. Warranty Deed from Martha V. Winberg and O.F.E. Winberg to Winberg Orchards and Nurseries Company, Inc., dated December 24, 1938, and recorded in Deed Book 67, pages 373-374, conveying the North half of South half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.

11. Warranty Deed from Winberg Orchards and Nurseries Company to W. C. Beebe, dated December, 1938, and recorded in Deed Book 67, pages 365-366, conveying same property as in 10, above.

12. Statutory Warranty Deed from W. C. Beebe and wife to Winberg Orchards and Nurseries Company, Inc., dated January 10, 1940, and recorded in Deed Book 71, page 112, conveying the same property as in 10, above.

13. Warranty Deed from Winberg Orchards and Nurseries Company, Inc., to W. C. Beebe, dated November 17, 1943, and

recorded in Deed Book 81, page 331, conveying all property described in this Bill of Complaint except that described in 7, above.

14. Warranty Deed from W. C. Beebe to J. S. Lowrey and George Marinos, dated November 18, 1943, and recorded in Deed Book 81, pages 330-331, conveying all property described in this Bill of Complaint except that described in 7, above.

15. Statutory Warranty Deed from J. S. Lowrey, unmarried to George Marinos, dated November 18, 1943, and recorded in Deed Book 82, pages 121-122, conveying all property described in this Bill of Complaint except that described in 7, above.

16. Last Will and Testament of George Marinos, deceased, recorded in Will Book 2, page 130.

All Deed 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 is now and has been, and its predecessors in title have been, in actual, open, notorious, continuous, peaceable, adverse possession of said lands for a period of more than three (3) years prior to the filing of this Bill of Complaint, holding said property under the title commencing with the tax deeds more particularly described in FOUR above;

or

(iii) 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

(iv) 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 land or any portion thereof during any part of said period; or

(v) 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 real estate or its interest in or right to possession of said lands or any part thereof.

SEVEN

Complainant, in filing this Bill of Complaint seeking the aid of the 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 described hereinabove and the Respondents hereinabove named; and that service of process be issued by the Register of this Court to ORA M. BARNETT, or, if deceased, his or her heirs or devisees, HIRAM M. BARNETT and ANNA BARNETT, or, if deceased, their heirs or devisees, HAZEL B. PIGMAN, or, if deceased, her heirs or devisees, SIGRID SWANSON, or, if deceased, his or her heirs or devisees, PETER TURPIE, or if deceased, his heirs or devisees, ALVINA D. KRUTZ, or if deceased, her heirs or devisees, MRS. R. A. HASSE, or if deceased, her heirs or devisees, 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 and not ascertainable after diligent search and inquiry; and to any and all unknown parties claiming any interest in, title to, lien or encumbrance upon said land 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, and that Your Honor will decree that no person, firm or corporation has any right, title or interest in, or encumbrance upon, said lands 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 P. E. Frankos
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 6th day of May, 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 The Last Will and
Testament Of GEORGE MARINOS, Deceased,
COMPLAINANT,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

No. 4608

IN EQUITY

VS

ORA M. BARNETT, 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

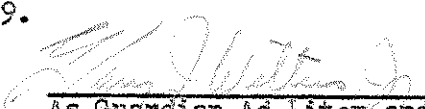

As Register of the Circuit Court
of Baldwin County, Alabama

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

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

COMPLAINANT)

VS)

ORA M. BARNETT, ET AL,)

RESPONDENTS)

IN THE CIRCUIT COURT OF)
BALDWIN COUNTY, ALABAMA,)
IN EQUITY)
NO. 4608)

Comes now Harry J. Wilfers, 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 demands strict proof thereof.

7.

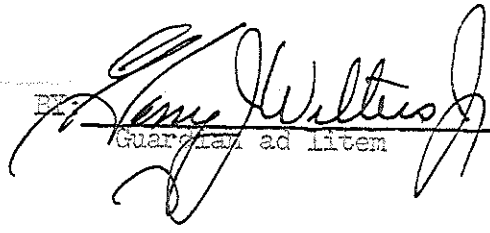
He neither admits nor denies the allegations contained in paragraph seven, but demands strict proof thereof.

Wilters & Brantley

FILED

JUL 18 1959

ALICE J. DUCK, Register

BY 
Guardian ad Litem

4608

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

COMPLAINANT

VS

ORA M. BARNETT, ET AL,

RESPONDENTS

ANSWER

FILED

JUL 23 1959

ALICE J. DUCK, 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,
Complainant,)	
vs.)	ALABAMA
ORA M. BARNETT, LANDS DESCRIBED)	IN EQUITY
IN THE BILL, ET AL,)	NUMBER 4608
Respondents.)	

MOTION FOR A DECREE PRO CONFESSO

Motion is hereby made for a Decree Pro Confesso against ORA M. BARNETT, HIRAM M. BARNETT, ANNA BARNETT, HAZEL B. PIGMAN, SIGRIE SWANSON, PETER TURPIE, ALVINA D. KRUTZ, MRS. R. A. HASSE, 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 case. It is shown that there are persons who may not be minors, incompetents, or persons of legal disability of the State of Alabama, who are interested in the lands described in the annexed Bill of Complaint, and that thirty days have elapsed since the perfection of publication was made under the order of this Court, and no answer has been shown by due proof to the Court, and that the parties 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 April, 1959.

MALBIS MEMORIAL FOUNDATION, AS) IN THE CIRCUIT COURT
 TRUSTEE UNDER ITEM FIVE OF THE) OF
 LAST WILL AND TESTAMENT OF)
 GEORGE MARINOS, DECEASED,)
 Complainant,) BALDWIN COUNTY,
 vs.) ALABAMA
)
) IN EQUITY
 ORA M. BARNETT, LANDS DESCRIBED) NUMBER 4608
 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 ORA M. BARNETT, HIRAM M. BARNETT, ANNA BARNETT, HAZEL B. PIGMAN, SIGRID SWANSON, PETER TURPIE, ALVINA D. KRUTZ and MRS. R. A. HASSE, 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 ORA M. BARNETT, HIRAM M. BARNETT, ANNA BARNETT, HAZEL B. PIGMAN, SIGRID SWANSON, PETER TURPIE, ALVINA D. KRUTZ and MRS. R. A. HASSE 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.

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

Edwin J. Curran, Jr.
 EDWIN J. CURRAN, JR.

William H. Hancock
 Notary Public, Mobile County, Alabama

FILED

OCT 21 1959

\$10.00

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

Complainant,

VS.

ORA M. BARNETT, CERTAIN LANDS,
ET AL.,

Respondents.

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

NO. 4608

FILED

SEP 12 1959

ALICE L. DUCK, CLERK
REGISTER

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 Judge of Probate 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 had 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 4608, which involves the East half of the Northwest Quarter of the Northeast Quarter; the South Half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Southwest Quarter of the Northeast Quarter, of Section 27, Township 5 South, Range 3 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 Robert King, dated August 15, 1898, and Recorded in Deed Book 6, at page 76.

Complainant's Exhibit 2, Tax Deed from Ora Barnett, by Judge of Probate to O. F. Windberg, recorded in Deed Book 51, pages 59-60.

Complainant's Exhibit 3, Tax deed from Judge of Probate to F. B Windberg dated June 20, 1931, recorded in Deed Book 51, page 62-63.

Complainant's Exhibit 4, Quitclaim deed, F. E. Windberg, to Martha Windberg, dated May 1, 1933, recorded in Deed Book 54, page 86.

Complainant's Exhibit 5. Tax deed from Judge of Probate to F. E Windberg, dated June 20, 1931, and recorded in Deed Book 51, page 67.

Complainant's Exhibit 6, Warranty deed from Martha V. Windberg, to Windberg Orchard & Nursery Company, dated June 19, 1942, recorded in Deed book 76 at pages 465-466.

Complainant's exhibit 7, Statutory Warranty deed from Southern Alabama Plantation Company to Windberg Orchards, dated January 19, 1942, recorded in deed book 76 page 465.

Complainant's Exhibit 8, Tax deed State of Alabama, to George Marinos dated November 30, 1949, recorded in Deed Book 147 at page 278.

Complainant's Exhibit 9. Last will and testament of Martha Windberg, deceased, recorded in Will Book 4, page 132.

Complainant's Exhibit 10, Quitclaim deed, O. F. Windberg, to Malbis Memorial Foundation, as Trustee, dated March 20, 1959, recorded in deed Book 276, page 249-250.

Complainant's Exhibit 11, Warranty deed, Arthur Windberg, et al. to Windberg Orchards, dated December 24, 1938, recorded in Deed Book 68, page 374.

Complainant's Exhibit 12, Warranty deed, Windberg Orchards to W. C. Beebe, dated December, 1938, recorded in Deed Book 67, pages 365-366

Complainant's Exhibit 13, Statutory Warranty Deed, W. C. Beebe and wife, to Windberg Orchards, dated January 10, 1940, recorded in Deed Book 71, page 112.

Complainant's Exhibit 14, Warranty deed, Windberg Orchards to W. C. Beebe, dated November 17, 1943, recorded in Deed Book 81, page 331.

Complainant's Exhibit 15, Warranty deed, to J. S. Lowrey and George Marinos, dated November 18, 1943, recorded in Deed Book 81, pages 330, & page 331.

Complainant's Exhibit 16. Statutory Warranty deed, J. S. Lowrey, unmarried to George Marinos, dated November 18, 1943, recorded in deed Book 82, pages 122-123.

Complainants Exhibit 17. Last will and testament of George Marinos, deceased. (This will is an exhibit in case # No. 4600.

I would like the record to show that there is recorded in deed Book 84, pages 69-70, oil, gas and mineral lease from George Marinos and wife to P. A. Leckrone, dated October 16, 1943.

There is recorded in Deed Book 185, pages 157-159, oil, gas and mineral lease, George Marinos, and wife to P. A. Leckrone, dated April 4, 1952,

There is recorded in deed Book 209, pages 414-415, a right of way deed from George Marinos and wife to Baldwin County.

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 East half of the Northwest Quarter of the Northeast Quarter, the South half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Northwest Quarter of Southwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 3 East ~~with~~ what did your investigation show as to the assessment and payment of taxes for the past 10 years?

A. This property assessed for the years 1948 through 1956, to George Marinos and the taxes were paid. For the years 1957 and 1958 the property was assessed to Malbis Memorial Foundation, Trustee and taxes paid. We found no other assessments on any of this property, and no tax sales were indicated by the records of the Tax Assessor.

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 Bald-
win 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 ~~xxxxx~~ every parcel of property involved in these law suits?

A. I have - I think a little more than that; I have marked 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 18, 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 Duncanson
Court Reporter

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THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME

GREETING:

WHEREAS, In pursuance of the Act of Congress, approved March 3, 1855, entitled "AN Act in addition to certain acts granting bounty Land to certain Officers and Soldiers who have been engaged in the Military Service of the United States," there has been deposited in the General Land Office Warrant No. 59163, for 120 acres, in favor of Anna Patton, widow of Joseph Patton, Private, Captain McBrides Company, Virginia Militia, War 1812, with evidence that the same has been duly located upon the West Half of the North East quarter and the North East quarter of the North East quarter of Section twenty seven, in Twonship Five South of Range three East of St Stephens Meridian in the District of Lands formerly subject to sale at St Stephens, Alabama, containing one Hundred and twenty acres and thirty six hundredths of an acre, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General, the said Warrant having been duly assigned to Robert G. King, in whose favor said tract has been located.

NOW KNOW YE, That there is, therefore, granted by the United States unto the said Robert G. King, as assignee, as aforesaid, and to his heirs the Tract of land above described: TO HAVE AND TO HOLD the said Tract of land, with the appurtenances, thereof, unto the said Robert G. King, as assignee, as aforesaid, and to his heirs and assigns forever.

IN TESTIMONY WHEREOF, I, William McKinley, President of the United States of America, have caused these letters to be made Patent and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the fifteenth day of August, in the year of our Lord one thousand eight hundred and ninety eight, and of the Independence of the United States the one hundred and twenty third.

By the President William McKinley
By F.M. McKean, Sec'y.

L.S. C.H. Brush, Recorder of the General Land Office.
Recorded in Warrant Vol. 514, Page 428.

Department of the Interior.
General Land Office.

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Washington, D.C., March 13, 1903.

I, W.B. Richards, Commissioner of the General Land Office, do hereby certify that the annexed copies of Patents in favor of William Weeks and Robert G. King, founded on St Stephens, Alabama, Cash Entries Nos. 7203 - 7204, and Warrant Location No. 59163 for 120 acres, Act of 1855, are true and literal exemplification from the record in this Office

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of this office to be affixed, at the City of Washington, on the day and year above written.
W.A. Richards
Commissioner of General Land Office.

(SEAL)
Filed for record March 23rd., 1903, at 4 P.M.
Recorded March 27th., 1903.

Chas Hall, Judge of Probate, per W.

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 Robert G. King

as the same appears of record in my office in Deed Book No. 6

page 76.

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

W R Stuart
Judge of Probate

By: Harry M. Dole Chief Clerk

and all the right, title, interest and claim of the State and County on account of said taxes, or under said decree in and to the following described lands hereinafter referred to, to-wit:

S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 27, T. 5 S. R. 3 E.

lying and being situate in said County and State, to have and to hold the same, the said rights, titles and interests unto himself the said G. F. W. KINSEY and his heirs and assigns forever, but no right, title or interest of any reversioner or remainderman in said land is conveyed hereby.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal, this the 20th. day of June A. D. 1931.

G. W. Humphries, Judge of Probate

(SEAL)

THE STATE OF ALABAMA
BALDWIN COUNTY

I, G. Mac Humphries, a Notary Public in and for said County, in said State, hereby certify that G. W. Humphries, whose name as Judge of Probate is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that, being informed of the contents of this conveyance he, in his capacity as such Judge of Probate, executed the same voluntarily, on the day the same bears date.

Given under my hand, this the 20th. day of June, A. D. 1931.

G. Mac Humphries, Notary Public, Baldwin
County, Alabama.

(SEAL)

The State of Alabama Probate Court
Baldwin County

filed in office this 5 day of July, 1931 at 3:06 A. M. and duly recorded in Deed Book No. 50 N. S. pages 59-60; and I certify that \$---cts 50 license or privilege tax, paid as required by an Act of the Legislature, approved September 14, 1923; G. W. Humphries, Judge of Probate by J. L. Kessler, Clerk.

G. W. Humphries, Judge of Probate

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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 Tax Deed from Hiram Barnett to O.F.E. Winberg

as the same appears of record in my office in Deed Book No. 51

page 59 - 60.

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

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THE STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, on the 22nd. day of April A. D. 1929, a decree was rendered by the Probate Court of said county for the sale of the lands hereinafter described and conveyed for the State and County taxes then due from Ora M. Barnett, the owner of said land for the costs and expenses thereof and thereunder.

AND WHEREAS, thereafter, to-wit, on the 27th. day of May A. D. 1929, said lands were duly and regularly sold by the Tax Collector of said county for said taxes, costs and expenses, and at said sale O. F. E. Winberg became the purchaser of said lands at and for the sum of said taxes, costs and expenses, and forthwith paid said sum to said Tax Collector, and received from said collector a certificate of said purchase.

AND WHEREAS, the time for the redemption of said lands by said owner or other person having an interest therein has elapsed and said certificate of purchase has been returned to the Probate Judge of said county.

NOW, THEREFORE, I, G. W. Humphries, as Probate Judge of said County of Baldwin, under and by virtue of the provisions of Section 266 of an Act of the Legislature of 1919 to provide for the general revenue of the State of Alabama, approved September 15, 1919 and in consideration of the premises above set out, and in further consideration of the sum of one dollar to me in hand paid, have this day granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto O. F. E. Winberg who is the pres-

ent owner and holder of said certificate of purchase all the right, title and interest of the said Ora M. Barnett owner as aforesaid of said land, and all the right, title, interest and claim of the State and County on account of said taxes, or under said decree in and to the following described lands hereinafter referred to, to-wit:

S $\frac{1}{2}$ of N $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 27, T. 5 S. R. 3 E.

lying and being situate in said County and State, to have and to hold the same, the said rights, titles and interests unto himself the said O. F. E. Winberg and his heirs and assigns forever, but no right, title or interest of any reversioner or remainderman in said land is conveyed hereby.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal, this the 20th. day of June A. D. 1931.

G. W. Humphries, Judge of Probate

(SEAL)

THE STATE OF ALABAMA
BALDWIN COUNTY

I, G. Mac Humphries, a Notary Public in and for said county, in said state, hereby certify that G. W. Humphries whose name as Judge of Probate is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that, being informed of the contents of this conveyance he, in his capacity as such Judge of Probate, executed the same voluntarily on the day the same bears date.

Given under my hand, this the 20th. day of June, A. D. 1931.

G. Mac Humphries, Notary Public, Baldwin County, Alabama.

(SEAL)

The State of Alabama Probate Court
Baldwin County

Filed in office this 6 day of July, 1931 at 8:00 A. M. and duly recorded in Deed Book No. 51 N. S. pages 62-3; and I certify that \$---cts 50 license or privilege tax, paid as required by an Act of the Legislature, approved September 14, 1923; G. W. Humphries, Judge of Probate by J. L. Kessler, Clerk.

G. W. Humphries, Judge of Probate

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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 Tax Deed from Ora Barnett to O.F.E. Winberg

as the same appears of record in my office in Deed Book No. 51

pages 62 - 63.

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

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

Comp. Exp. 5 #19-Just

Filed for record May 13, 1933 at 1:30 P. M. Recorded May 13, 1933.

G. W. Humphries, Judge of Probate

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QUIT CLAIM DEED.

STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That O. F. E. Winberg in consideration of the sum of One dollar to me in hand paid by Martha V. Winberg the receipt whereof is hereby acknowledged, I do remise, release, quit-claim and convey to the said Martha V. Winberg all my rights, title, interest and claim, in or to the following described real estate (or lands), to-wit:

SW $\frac{1}{2}$ of NW $\frac{1}{4}$, Section 18, Township 5 South, Range 4 East, and S $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, section 22, township 5 South, range 3 East, and S $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and West 30 acres of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 23, Township 5 South, Range 3 East, and East 30 acres of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 23, Township 5 South, Range 3 East, and N $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 26, Township 5 South, Range 3 East, and S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and S $\frac{1}{2}$ of N $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and S $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 27, Township 5 South, Range 3 East, and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 34, Township 5 South, Range 3 East, and Lots 20, 21, 22, 23 and 24 in Block Sixteen in town of Silverhill, Baldwin County, Alabama.

To have and to hold to the said Martha V. Winberg her heirs and assigns forever.

Given under my hand and seal this 1st. day of May, 1933.

Executed in presence of:

O. F. E. Winberg (SEAL)

Martha Kosina
Mary Vitous

STATE OF ALABAMA
BALDWIN COUNTY

I, Martha Kosina, a Notary Public in and for said County and State, do hereby certify that O. F. E. Winberg, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me, on this day, that being informed of the contents of the said conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 1st. day of May, 1933.

Martha Kosina
My commission expires July
26, 1936

(SEAL)

The State of Alabama Probate Court
Baldwin County

Filed in office this 15 day of May, 1933, at 8:00 A. M. and duly recorded in Deed Book No. 54 N. S. page 86; and I certify that \$ 3 cts 50 license or privilege tax, paid as required by an Act of the Legislature, approved September 14, 1923; G. W. Humphries, Judge of Probate by J. L. Messler, Clerk.

G. W. Humphries, Judge of Probate

-----0000000000-----

ca

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 Quitclaim Deed from O.F.E. Winberg to

Martha Winberg

as the same appears of record in my office in Deed Book No. 54

page 86.

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

W. R. Stuart
Judge of Probate
By: Amy M. Dickson Chief Clerk

#119 - Inst 5
Comp. Exhibit
Case 4608

Deed Book
tax,
September 14, 1925; G. W.

essier, Clerk.

G. W. Humphries, Judge of Probate

-----000000000-----

THE STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, on the 22nd. day of April A. D. 1929, a decree was rendered by the Probate Court of said county for the sale of the lands hereinafter described and conveyed for the State and County taxes then due from Hazel B. Pigman, the owner of said land for the costs and expenses thereof and thereunder.

AND WHEREAS, thereafter, to-wit, on the 27 day of May A. D. 1929, said lands were duly and regularly sold by the Tax Collector of said county for said taxes, costs and expenses, and at said sale C. F. E. Winberg became the purchaser of said lands at and for the sum of said taxes, costs and expenses, and forthwith paid said sum to said Tax Collector, and received from said collector a certificate of said purchase.

AND WHEREAS, the time for the redemption of said lands by said owner or other person having an interest therein has elapsed and said certificate of purchase has been returned to the Probate Judge of said county.

NOW, THEREFORE, I, G. W. Humphries, as Probate Judge of said county of Baldwin, under and by virtue of the provisions of Section 236 of an Act of the Legislature of 1919 to provide for the general revenue of the State of Alabama, approved September 15, 1919, and in consideration of the premises above set out, and in further consideration of the sum of one dollar to me in hand paid have this day granted, bargained, and sold and by these presents do grant, bargain, sell and convey unto C. F. E. Winberg who is the present owner and holder of said certificate of purchase all the right title and interest of the said Hazel B. Pigman owner as aforesaid of said land, and all the right, title, interest and claim of the State and County on account of said taxes, or under said decree in and to the following described lands hereinafter referred to, to-wit:

S. 20 of Q₁ of NW₄ of NE₄ of Sec. 27, T. 5 S. R. 2 E.

lying and being situate in said county and state, to have and to hold the same, the said right, title and interest unto himself the said C. F. E. Winberg and his heirs and assigns forever, but no right, title or interest of any reservation or part therein in said land to remain, &c. &c. &c.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 30th. day of June, A. D. 1931.

G. W. Humphries, Judge of Probate

(3711)
THE STATE OF ALABAMA
BALDWIN COUNTY

I, C. F. E. Winberg, a party of the part and for said county in said state, hereby certify that G. W. Humphries, who was as Judge of Probate is signed to the foregoing certificate and that it is known to me, and acknowledged before me, this day, that, before the date of the date of this certificate, in his capacity as said Judge of Probate, executed the same validly on the day the same be so made.

Given under my hand, this the 30th. day of June, A. D. 1931.

C. F. E. Winberg, Notary Public, Baldwin County, Ala.

(3712)
THE STATE OF ALABAMA
BALDWIN COUNTY

I, G. W. Humphries, Judge of Probate, do hereby certify that the foregoing is a true and correct copy of the original of the same as the same appears in the Deed Book of said county, and I have hereunto set my hand and seal, this day, that, before the date of this certificate, in his capacity as said Judge of Probate, executed the same validly on the day the same be so made.

G. W. Humphries, 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 Tax Deed from Hazel Pigman to O.F.E. Winberg

as the same appears of record in my office in Deed Book No. 51

page 67.

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

#19-Inst 6
Case 4608
Comp Est 6

STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we, Martha V. Winberg and O.F. E. Winberg, her husband, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable considerations to us in hand paid by Winberg Orchards and Nurseries Company, Inc., the receipt of which is hereby acknowledged, do grant, bargain, sell, and convey unto the said Winberg Orchards & Nurseries Company, Inc., All the following described real property situated in the County of Baldwin, State of Alabama, to-wit:

N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$;
NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
S $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sect. 27, Tp. 5 S, R. 3 E.

Together with all and singular, the rights, members, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said Winberg Orchards and Nurseries Company, Inc., its successors and assigns forever. And we do for ourselves, our heirs, executors and administrators, covenant with the said Winberg Orchards and Nurseries Company, Inc. Its successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances and that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors, and administrators shall warrant and defend the same to the said Winberg Orchards and Nurseries Company, Inc., its successors and assigns forever, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, we have hereunto set our hand and seal on this the 19th day of January, 1919.

Martha V. Winberg
O.F. E. Winberg

Seal
Seal

STATE OF ALABAMA
BALDWIN COUNTY

I, W. C. Beebe, a Notary Public in and for said County, in said State, hereby certify that Martha V. Winberg and O.F.E. Winberg, her husband, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

And I do further certify that on the 19 day of January 1942, came before me the within named Martha V. Winberg, known to me to be the wife of the within named O.F.E. Winberg, and who being examined separate and apart from her husband touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord and without fear, constraints or threats on the part of her husband.

Given under my hand and seal on this the 19 day of January, 1942.

W.C. Beebe, Notary Public
Baldwin County, Ala.

Seal

State of Alabama
Baldwin County | Probate Court
Filed in Office this 21 day of Jan. 1942 at 9:20 AM and duly recorded in Deed Book 76NS at page 465-6, and I certify that \$.50 Deed tax, has been paid as required by law.

G.W. Robertson, Judge of Probate

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Exe

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 Warranty Deed from Martha Winberg, et al, to
Winberg Orchards and Nursery Company, Inc.

as the same appears of record in my office in Deed Book No. 76
pages 465 - 466.

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

W. R. Stuart
Judge of Probate

By: Harry M. D'Alia Chief Clerk

Camp Exp 7 #19 - Dist 7
4608

STATE OF ALABAMA
BALDWIN COUNTY

I, Ort H. Ertzinger, a Notary Public in and for said County and State, do hereby certify that on the 17 day of December, 1940, came before me the within named Mattie Sanks known to me to be the wife of the within named Sullivan Sanks who, being examined separate and apart from her husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of the husband.

In Witness Whereof, I hereunto set my hand and official seal this 17 day of December, 1940.

Seal Ort H. Ertzinger

State of Alabama
Baldwin County Probate Court

Filed in office this 21 day of Jan. 1942 at 8:50AM and duly recorded in Deed Book 76NS at page 464-5, and I certify that \$.50 Deed tax, has been paid as required by law.

G.W. Robertson, Judge of Probate
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STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That SOUTHERN ALABAMA PLANTATION COMPANY, A corporation, for and in consideration of the sum of One (\$1.00) Dollars and other good and valuable considerations to it in hand paid by Winbert Orchards & Nurseries Company, Inc. the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the said WINBERG ORCHARDS & NURSERIES COMPANY, INC., its successors and assigns, the following described real property situated in the County of Baldwin, State of Alabama, to-wit:

- S $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$
- SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$
- S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$
- S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$
- S $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27, Tp. 5 S, R. 3 E.

TOGETHER WITH ALL AND SINGULAR the rights, members, tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said Winberg Orchards & Nurseries Company, Inc., its successors and assigns forever.

IN WITNESS WHEREOF, the said Southern Alabama Plantation Company, a corporation, has caused these presents to be signed by O.F. E. Winberg, its President, and its corporate seal to be hereto affixed this the 19 day of January, 1942.

Corporate Seal Southern Alabama, Plantation Company
By O. F. E. Winberg, Its President

State of Alabama
Baldwin County

I, W.C. Beebe a Notary Public in and for said County, in said State, hereby certify that O.F. E. Winberg, whose name as President of Southern Alabama Plantation Company, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, as such officer and with full authority, executed the same voluntarily for and at the act of said corporation.

Given under my hand and seal this the 19 day of January, 1942.

Seal W. C. Beebe, Notary Public
Baldwin County, Ala.

State of Alabama
Baldwin County Probate Court

Filed in office this 21 day of Jan. 1942 at 9:20 AM and duly recorded in Deed Book 76NS at page 465, and I certify that \$.50 Deed Tax, has been paid as required by law.

G.W. Robertson, Judge of Probate
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STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we, Martha V. Winberg and O.F. E. Winberg, her husband, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable considerations to us in hand paid by Winberg Orchards and Nurseries Company, Inc., the receipt of which is hereby acknowledged, do grant, bargain, sell, and convey unto the said Winberg Orchards & Nurseries Company, Inc., All the following described real property situated in the County of Baldwin, State of Alabama, to-wit:

- N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$
- NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$
- S $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$
- N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sect. 27, Tp. 5 S, R. 3 E.

Together with all and singular, the rights, members, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said Winberg Orchards and Nurseries Company, Inc., its successors and assigns forever. And we do for ourselves, our heirs, executors and administrators, covenant with the said Winberg Orchards and Nurseries Company, Inc. its successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances and that we have a good right to sell and convey the same as aforesaid; that we will and our heirs,

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 Statutory Warranty Deed from Southern
Alabama Plantation Company to Winberg Orchards

as the same appears of record in my office in Deed Book No. 76
page 165.

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

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

#19 - Inst 8
Camp Eby
4608

THE STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, on 16 day of April, A. D. 19 28, the Probate Court of Baldwin County rendered a decree for the sale of lands hereinafter described and conveyed, for the payment of State and County taxes then due from Mrs. R. H. Haase the owner of said lands, and for the payment of the fees, costs, and expenses of and under said decree, and the sale had in execution thereof.

AND WHEREAS, thereafter, to-wit, on the 28 day of May, 19 28, under and in pursuance of said decree, said lands were regularly offered for sale by the Tax Collector of Baldwin County for said taxes, fees, costs, and expenses, and no person having bid a sufficient sum for said lands to pay the same, said lands were bid in for the State for the sum of said taxes, fees, costs, and expenses.

AND WHEREAS, the time allowed by law for the redemption of said lands has elapsed since said sale, and the same not having been redeemed, the title thereto under said sale is still in the State.

AND WHEREAS, said lands having been entered upon the books of the State Land Commissioner, and the State Land Commissioner of the State of Alabama, with the approval of the Governor, has fixed the price of said land, and ascertained that the sum of Twenty-five and No/100 (\$25.00) Dollars is sufficient to cover and satisfy all claims of the State and County against said lands for or on account of taxes, interest, fees, and costs, and officers' fees which were due upon or have accrued against said lands, as provided for by law.

AND WHEREAS, application has been made to the State Land Commissioner of the State of Alabama by George Marinos to purchase said lands, and said sum of Twenty-five and No/100 (\$25.00) Dollars therefor has been paid into the State Treasury.

NOW THEREFORE, The State Land Commissioner of the State of Alabama, by virtue of and in accordance with the authority in him vested by law, with the approval of the Governor of Alabama, and in consideration of the premises above set out, has this day granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said George Marinos, without warranty or covenant of any kind on the part of the State, express or implied, all right and title of the State of Alabama in and to said lands, described as follows:

$E\frac{1}{2}$ of $S\frac{1}{2}$ of $NW\frac{1}{4}$ of $SW\frac{1}{4}$ of $NE\frac{1}{4}$, Sec. 27, T 5 S, R 3 E,

STATE OF ALABAMA, BALDWIN COUNTY
Filed 12-12-49 8 AM
Recorded _____ book _____ page _____
and I certify that the following Pr. & Tax has been paid.
Deed Tax _____ 50
Mortgage Tax _____
Judge of Probate
By _____

lying and being situate in said County and State, to have and to hold the same, the said right and title of the State in the lands aforesaid, unto George Marinos and his heirs and assigns forever.

In testimony whereof, I have hereunto set my hand and seal this the 30 day of November, 19 49
Approved _____ Governor
By _____ State Land Commissioner.

THE STATE OF ALABAMA, MONTGOMERY COUNTY.

I, Mary Slade, a Notary Public in and for said County, in said State, hereby certify that Phillip J. Hamm, whose name is signed to the foregoing conveyance as State Land Commissioner, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he, in his capacity as such State Land Commissioner, executed the same voluntarily on the day the same bears date.

Given under my hand this the 30 day of November, 19 49
Mary Slade, Notary Public

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 Tax Deed from State to George Marinos

as the same appears of record in my office in Deed Book No. 147
page 278.

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

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

#19 Inst 9
copy 4608

BOOK 004 PAGE 132

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Martha Victoria Winberg, do hereby certify that the within instrument of writing has this day in said Court, and before me as the Judge thereof, been duly proven to be the genuine Last Will and Testament of Martha Victoria Winberg, Deceased, and that the said Will together with the proof thereof has been recorded in my office in Book of Wills Number 4, at Page 132.

In testimony whereof, I have hereunto set my hand and the Seal of the said Court this Fifteenth day of January, 1959.

Martha Victoria Winberg
Deceased

Louise L. Taylor Fairhope, Ala.
Martha K. Gains Silverhill, Ala.

STATE OF ALABAMA, BALDWIN COUNTY

Filed Feb 17, 1959

Recorded

W. R. Stuart
Judge of Probate

CERTIFICATE

STATE OF ALABAMA
BALDWIN COUNTY

I, W. R. Stuart, Judge of the Probate Court in and for said County and State, do hereby certify that the within instrument of writing has this day in said Court, and before me as the Judge thereof, been duly proven to be the genuine Last Will and Testament of Martha Victoria Winberg, Deceased, and that the said Will together with the proof thereof has been recorded in my office in Book of Wills Number 4, at Page 132.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the said Court this 17th day of February, 1959.

W. R. Stuart
Judge of Probate
1857 Harry M. Doline, Chief Clerk

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 Last Will and Testament of Martha Winberg

as the same appears of record in my office in Will Book No. 4

page 132.

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

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

#19-Just 10

Comp Est 10
P 4608

STATE OF ALABAMA,
COUNTY OF BALDWIN.

BOOK 276 PAGE 249

KNOW ALL MEN BY THESE PRESENTS that I, O. F. E. WINBERG, for and in consideration of the sum of ONE (\$1) DOLLAR, cash in hand paid to me by MALBIS MEMORIAL FOUNDATION, as Trustee under Item Five of the Last Will and Testament of GEORGE MARINOS, Deceased, the receipt of which is hereby acknowledged, and other good and valuable consideration, do hereby release, remise, quit-claim and convey unto the said MALBIS MEMORIAL FOUNDATION, as Trustee under Item Five of the Last Will and Testament of GEORGE MARINOS, Deceased, all my right, title, interest and claim in and to the following described real estate situated in the County of Baldwin, State of Alabama, to-wit:

Northeast Quarter of Northeast Quarter of Northwest Quarter; South half of Northeast Quarter of Northeast Quarter of Northeast Quarter; South half of Southeast Quarter of Northwest Quarter of Northeast Quarter; South half of North half of Southeast Quarter of Northwest Quarter of Northeast Quarter; and the South half of South half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.

TO HAVE AND TO HOLD the same unto the said MALBIS MEMORIAL FOUNDATION, as Trustee under Item Five of the Last Will and Testament of GEORGE MARINOS, Deceased, and to its successors and assigns forever.

WITNESS MY HAND AND SEAL this the 20th day of March, 1959.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 3-20-59 3:30 PM

O. F. E. Winberg (SEAL)
O. F. E. WINBERG

Recorded _____ book _____ page _____
and I certify that the following Privilege Tax has been paid.

Deed Tax _____ 50

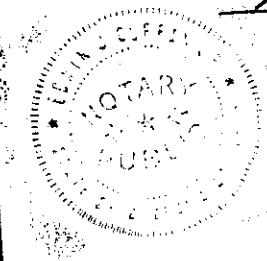
Mortgage Tax _____
M. B. [Signature]
Judge of Probate
By [Signature]

STATE OF ALABAMA,
COUNTY OF BALDWIN.

I, the undersigned Notary Public in and for the State of Alabama at Large, hereby certify that O. F. E. WINBERG, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand this the 20th day of

March, 1959.



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

BOOK 276 PAGE 250

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 Quitclaim Deed from O.F.E. Winberg to Malbis
Memorial Foundation

as the same appears of record in my office in Deed Book No. 276

page s 249 - 250.

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

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

Comp Ep II
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#19 - Inst II

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Ex 8

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 Warranty Deed from Martha Winberg, et al, to
Winberg Orchards

as the same appears of record in my office in Deed Book No. 67

page s 373 - 374.

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

Comp Exp 12
4608

#11 - Inst 12

E10

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Main body of handwritten text in the upper section of the page, including a checkmark.

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Vertical text along the right edge of the page, possibly from an adjacent page or a margin.

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 Warranty Deed from Winberg Orchards to W. C.

Beebe

as the same appears of record in my office in Deed Book No. 67

page s 365 - 366.

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

Comp Exp 13
4608
#19 - Inst 13

111-12; and I certify that \$--- cts to Deed tax has been paid as required by law.
G. W. Robertson, Judge of Probate

G. W. Robertson, Judge of Probate

Ex d

STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, that we, W. C. HARRIS and CLAUDE HARRIS, his wife, in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable considerations to us in hand paid, receipt of which is heroby acknowledged, do hereby grant, sell, assign, and CONVEY unto WINBERG ORCHARDS & NURSERY COMPANY, INC., all the following described real property situated in the County of Baldwin, State of Alabama, to-wit:

SW^{1/4} of SE^{1/4} of S^{1/2} and NE^{1/4} of SW^{1/4} of SW^{1/4} of SW^{1/4} of SW^{1/4} of SW^{1/4} of T^{1/2} S^{1/2}, all in Section 28, Township 5 South, Range 2 East; and

SW^{1/4} of SW^{1/4} of SW^{1/4} and SE^{1/4} of SW^{1/4} of SW^{1/4} of SW^{1/4} of SW^{1/4} of T^{1/2} S^{1/2}, all in Section 15, Township 5 South, Range 2 East; and

SE^{1/4} of NE^{1/4} of SW^{1/4} of SW^{1/4}, all in Section 12, Township 4 South, Range 2 East, and

NE^{1/4} of NE^{1/4} of SW^{1/4} of SW^{1/4} and NE^{1/4} of SE^{1/4} of SW^{1/4} of SW^{1/4} of SW^{1/4} of T^{1/2} S^{1/2}, all in Section 15, Township 4 South, Range 2 East; and

SW^{1/4} of SW^{1/4} and SE^{1/4} of SW^{1/4} of SW^{1/4} of SW^{1/4} of SW^{1/4} of SW^{1/4} of T^{1/2} S^{1/2}, all in Section 15, Township 4 South, Range 2 East, and

SE^{1/4} of NE^{1/4} of SW^{1/4} of SW^{1/4} and SE^{1/4} of SE^{1/4} of SW^{1/4} of SW^{1/4} of SW^{1/4} of T^{1/2} S^{1/2}, all in Section 15, Township 5 South, Range 2 East;

TO HAVE AND TO HOLD unto the said WINBERG ORCHARDS & NURSERY COMPANY, INC., its successors and assigns, forever.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 10th day of January, 1940.

(Signature)

STATE OF ALABAMA
BALDWIN COUNTY

T. C. P. [Name], a Notary Public in and for the County of Baldwin, State of Alabama, do hereby certify that W. C. HARRIS and CLAUDE HARRIS, his wife, were present at the execution of the above recited conveyance and was known to me, a Notary Public, at the time of the execution of the same, and that the contents of the conveyance, they executed the same voluntarily and without any fraud, duress, or threat.

And I do further certify that on this 10th day of January, 1940, I did examine the within named CLAUDE HARRIS, her wife, and she being duly sworn, she acknowledged that she executed the above recited conveyance, and acknowledged that she signed the same of her own free will and without any fraud, duress, or threat on the part of her husband.

Given under my hand and seal of office on this 10th day of January, 1940.

(Signature)

Notary

STATE OF ALABAMA
BALDWIN COUNTY

Filed in office this 10th day of January, 1940, at the County Seat of Baldwin, Alabama, and Book 11 N S page 111; and I certify that the same is a true and correct copy of the original.

G. W. Robertson, Judge of Probate

Ex 9

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 Statutory Warranty Deed from W. C. Beebe to
Winberg Orchards

as the same appears of record in my office in Deed Book No. 71

page 112.

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

W R Stuart
Judge of Probate
By: Hary M. D'Almeida Chief Clerk

19 - Inst 14

Copy Exp 14
4608

G. W. Robertson, Judge of Probate.
-----00000000-----

STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That Winberg Orchards & Nurseries Company, Inc., Grantors, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration to us in hand paid by W. C. Beebe, Grantee, the receipt of which is hereby acknowledged, do hereby GRANT, BARGAIN, SELL AND CONVEY, unto the said Grantee, the following described property in Baldwin County, State of Alabama, to-wit:

NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$;
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$;
E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$;
Section 22, Tp. 5 S. R. 3 E. containing 17 $\frac{1}{2}$ acres;

W $\frac{1}{2}$ of E $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$;
Section 23, Tp. 5 S. R. 3 E. containing 10 acres;

SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$;
NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$;
NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$;
Section 26, Tp. 5 S. R. 3 E. containing 30 acres;

NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
S $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 25 acres;

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$;
SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$;
SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 20 acres;

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$;
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 10 acres;

E $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 20 acres;

E $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$;
SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$;
SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 35 acres;
NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
W $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
W $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 20 acres.

SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$;
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 10 acres.

TOGETHER WITH ALL AND SINGULAR the rights, members, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said Grantee, his heirs and assigns forever. And we do covenant with the said Grantee that we are lawfully seized in fee simple of the said premises, that we are in the quiet and peaceable possession of the same, that we have a good right to sell and convey the same as aforesaid, that said premises are free from all liens and encumbrances and that we will and our successors and assigns shall forever warrant and defend the title to and the possession of the same unto the said Grantee, his heirs and assigns against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, WINBERG ORCHARD & NURSERIES COMPANY, INC., has caused these presents to be executed by O. F. E. Winberg, its President, and its corporate seal to be hereto affixed on this the 17 day of November, 1943.

SEAL
\$.55 USIR Stamps Attached Cancelled

Winberg Orchard & Nurseries Co., Inc.,
By O. F. E. Winberg
Its President

STATE OF ALABAMA
BALDWIN COUNTY
I, H. M. Hall, a Notary Public, in and for said County, in said State, hereby certify that O. F. E. Winberg, whose name as President of the Winberg Orchards & Nurseries Company, Inc., is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal on this the 17th day of November, 1943.

SEAL

H.M. Hall
Notary Public, Baldwin County, Ala.,

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 Warranty Deed from Winberg Orchards to

W. C. Beebe

as the same appears of record in my office in Deed Book No. 81

page 331.

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

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

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STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we W. C. Beebe and Clarice Beebe, his wife, Grantors, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration to us in hand paid by J. S. Lowery and George Marinos receipt of which is hereby acknowledged, do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantees, the following described property in Baldwin County, State of Alabama, to-wit:

NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$;
NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$;
E $\frac{1}{2}$ of S $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$;
Section 22, Tp. 5 S. R. 3 E. containing 17 $\frac{1}{2}$ acres;

W $\frac{1}{2}$ of E $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$
Section 23, Tp. 5 S. R. 3 E. containing 10 acres;

SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$;
NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$;
NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$;
Section 26, Tp. 5 S. R. 3 E. containing 30 acres;

NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
S $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
S $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 25 acres;

S $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$;
SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$;
S $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 20 acres;

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$;
S $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 10 acres;

E $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 20 acres;

E $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$;
S $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$;
SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 35 acres;

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
W $\frac{1}{2}$ of S $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
W $\frac{1}{2}$ of N $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
S $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 20 acres,
S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$;
S $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 10 acres.

TOGETHER WITH ALL AND SINGULAR the rights, members, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said Grantees, their heirs and assigns, forever. And we do covenant with the said Grantees that we are lawfully seized in fee simple of the said premises, that we are in the quiet and peaceable possession of the same, that we have a good right to sell and convey the same as aforesaid, that said premises are free from all liens and encumbrances, and that we will and our heirs and assigns shall forever warrant and defend the title to and the possession of the same unto the said Grantees, their heirs and assigns against the lawful claims of all persons whomsoever, except this conveyance is subject to all taxes and tax sales which the Grantees assume.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this the 18 day of November, 1943.

\$.55 USIR Stamps Attached Cancelled

W.C. Beebe
Clarice Beebe

Seal
Seal

STATE OF ALABAMA
BALDWIN COUNTY

I, B. W. Hall, a Notary Public, in and for said County, in said State, hereby certify that W.C. Beebe and Clarice Beebe, his wife, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that being informed of the contents of said conveyance, they executed the same voluntarily on the day the same bears date.

And I do further certify that on the 18 day of November, 1943, came before me the within named Clarice Beebe, known to me to be the wife of the within named W. C. Beebe, and who being examined separate and apart from her husband, touching her signature to the within conveyance acknowledged that she signed the same of her own free will and accord, and without fear, constraints or threats on the part of her husband.

Given under my hand and seal on this the 18 day of November, 1943.

SEAL

H.W. Hall

STATE OF ALABAMA
BALDWIN COUNTY

Filed Nov. 19, 1943 at 10:40 A.M. and recorded in Deed Book 81 at page 330-1 I certify that
\$.50 Deed Tax has been paid as required by law.

G. W. Robertson, Judge of Probate.

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STATE OF ALABAMA

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 Warranty Deed from Beebe to Lowrey and

Marinos

as the same appears of record in my office in Deed Book No. 81

page s 330 - 331.

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

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

DEED
STATE OF ALABAMA
COUNTY

ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of One Dollar and good and valuable consideration to him in hand paid by Hattie Oleme Presley, my wife, receipt whereof is hereby acknowledged W. N. Presley, also known as Neal Presley do bargain, sell and convey unto the said Hattie Oleme Presley, my wife the following described lands situated in Baldwin County, Alabama, to-wit:

Lots twentyseven (27) twenty-nine (29) thirty (30), thirty-one (31) and thirty-four (34) in Block 2 of the R. E. Lee Subdivision to the town of Bay Minette, located in section 10, township 2 south range 3 east.

DO GRANT AND TO HOLD to the said Hattie Oleme Presley, my wife and to her heirs and assigns forever. And I do covenant with the said Hattie Oleme Presley, my wife that I am seized in fee simple of the above described premises; that I have the right to sell and convey the same; that the said premises are free from all incumbrances; and that I will, and my heirs executors and administrators shall forever WARRANT AND DEFEND the same to the said Hattie Oleme Presley, my wife and to her heirs and assigns, against the lawful claims of all persons whomsoever.

Witness my hand and seal this 30th day of August, 1941.

W. N. Presley L. S.
H. Ertzinger
NOTARY PUBLIC
STATE OF ALABAMA
BALDWIN COUNTY

I, H. Ertzinger, a Notary Public, in and for said County and State, hereby certify that the said W. N. Presley, also known as Neal Presley, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Witness my hand and official seal this 30th day of August, 1941.

H. Ertzinger
Notary Public

STATE OF ALABAMA
BALDWIN COUNTY

On and to force of law this 24th day of Jan. 1944 at 3 P.M. and recorded in Deed Book 82 at page 121, and I certify that \$.50 Tax has been paid as required by law.

G. W. Robertson, Judge of Probate.
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STATE OF ALABAMA
BALDWIN COUNTY

ALL MEN BY THESE PRESENTS: THAT I, J. S. Lowrey, single, Grantor, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration to me in hand paid by George Marino, Grantee, receipt of which is hereby acknowledged does hereby GRANT, SELL, and CONVEY unto the said Grantee, all of my undivided one-half interest in the following described lands in Baldwin County, Alabama, to-wit:

NE 1/4 of SE 1/4 of SW 1/4;
NW 1/4 of NW 1/4 of SE 1/4 of SW 1/4;
E 1/2 of S 1/2 of NW 1/4 of SE 1/4 of SW 1/4;
Section 22, Tp. 5 S. R. 3 E. containing 17 1/2 acres;

W 1/2 of E 1/2 of NW 1/4 of SW 1/4;
Section 23, Tp. 5 S. R. 3 E. containing 10 acres;

SE 1/4 of NE 1/4 of NW 1/4;
NW 1/4 of NE 1/4 of NW 1/4;
NE 1/4 of SW 1/4 of NW 1/4;
Section 26, Tp. 5 S. R. 3 E. containing 30 acres;

NW 1/4 of SW 1/4 of SW 1/4;
S 1/4 of NE 1/4 of SW 1/4 of SW 1/4;
S 1/4 of SE 1/4 of SW 1/4 of SW 1/4;
N 1/2 of SW 1/4 of SW 1/4 of SW 1/4;
Section 27, Tp. 5 S. R. 3. E. containing 25 acres;

S 1/2 of NW 1/4 of SE 1/4 of SW 1/4;
SW 1/4 of SE 1/4 of SW 1/4;
S 1/2 of SE 1/4 of SE 1/4 of SW 1/4;
Section 27, Tp. 5 S.R. 3. E. containing 20 acres;

N 1/4 of NE 1/4 of NE 1/4 of SW 1/4;
S 1/4 of SE 1/4 of NE 1/4 of SW 1/4;
Section 27, Tp. 5 S. R. 3 E. containing 10 acres;

E 1/2 of NE 1/4 of NW 1/4;
Section 27, Tp. 5 S. R. 3 E. containing 20 acres;

E 1/2 of NW 1/4 of NE 1/4;
S 1/4 of NW 1/4 of NW 1/4 of NE 1/4;
SW 1/4 of NW 1/4 of NE 1/4;
Section 27, Tp. 5 S. R. 3 E. containing 35 acres;

N 1/4 of NE 1/4 of SW 1/4 of NE 1/4;
N 1/2 of NW 1/4 of NW 1/4 of NE 1/4;
W 1/4 of S 1/4 of NW 1/4 of SW 1/4 of NE 1/4;
W 1/4 of N 1/4 of SW 1/4 of SW 1/4 of NE 1/4;
S 1/2 of SW 1/4 of SW 1/4 of NE 1/4;
Section 27, Tp. 5 S R. 3 E. containing 20, acres.

S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$;
S $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$;
Section 27, Tp. 5 S. R. 3 E. containing 10 acres;

TO HAVE AND TO HOLD with the appurtenances thereunto belonging unto the said Grantee, his heirs and assigns forever.

IN WITNESS WHEREOF: I have hereunto set my hand and seal on this the 18 day of November, 1943.

J. S. Lowrey Seal

STATE OF ALABAMA
BALDWIN COUNTY

I, W. C. Beebe, a Notary Public, in and for said County, in said State, hereby certify that J. S. Lowrey, single, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that being informed of the contents of said conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 18 day of November, 1943.

SEAL

W. C. Beebe
Notary Public, Baldwin County, Ala.,

STATE OF ALABAMA
BALDWIN COUNTY

Filed Jan. 24, 1944 at 2 A.M. and recorded in Deed Book 22 at page 121-2, I certify that \$1.00 Deed Tax has been paid as required by law.

C.W. Robertson, Judge of Probate.

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NOTARY DEED
STATE OF ALABAMA
BALDWIN COUNTY
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STATE OF ALABAMA
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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 Statutory Warranty Deed from Lowrey to
Marinos

as the same appears of record in my office in Deed Book No. 82

page s 121 - 122.

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

PENDENS NOTICE

In the Circuit Court of Baldwin County, Alabama, in Equity No. 4608. Malbis Memorial Foundation, as Trustee under Item Five of the Last Will and Testament of George Marinos, deceased, Complainant, versus Ora M. Barnett, Lands Described in the Bill of Complaint, et al, Respondents.

Notice is hereby given to ORA M. BARNETT, or, if deceased, his or her heirs or devisees, HIRAM M. BARNETT and ANNA BARNETT, or if deceased, their heirs or devisees, HAZEL B. PIGMAN, or, if deceased, her heirs or devisees, SIGRID SWANSON, or, if deceased, his or her heirs or devisees, PETER TURPIE, or if deceased, his heirs or devisees, ALVINA D. KRUTZ, or, if deceased, her heirs or devisees, MRS. R. A. HASSE, or if deceased, her heirs or devisees, the residences and post office address of said parties and the names and addresses of their heirs or devisees, if any be deceased, being unknown and not ascertainable after diligent search and inquiry; 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 subject only to (a) a power line easement to the Alabama Power Company, dated September 3, 1936, and recorded in Deed Book 60, page 360, and (b) an oil, gas and mineral lease from George Marinos and wife to P. A. Leckrone, dated April 4, 1952, and recorded in Deed Book 185, pages 157-159, and assigned by Leckrone to Humble Oil and Refining Company, dated June 19, 1952, and recorded in Deed Book 189, pages 138-139, the following described real property situated in the County of Baldwin, State of Alabama, viz.:

East half of the Northwest Quarter of the Northeast Quarter; the South half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter; and the Southeast of the Northwest of Southwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 3 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. Tax Deed from Hiram M. Barnett and Anna M. Barnett, by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931 and recorded in Deed Book 51, pages 59-60, conveying the South half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.
2. Tax Deed from Ora M. Barnett by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931, and recorded in Deed Book 51, pages 62-63, conveying the South half of North half of Southeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.
3. Tax Deed from Hazel Pigman by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931, and recorded in Deed Book 51, page 67, conveying the South half of Southeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.
4. Quitclaim Deed from O.F.E. Winberg to Martha Winberg, dated May 1, 1933, and recorded in Deed Book 54, page 86, conveying the property described in 1, 2, and 3, above.
5. Warranty Deed from Martha V. Winberg and O.F.E. Winberg and Winberg Orchards and Nurseries Company, Inc., dated January 19, 1942, and recorded in Deed Book 76, pages 465-466, conveying the North half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.
6. Statutory Warranty Deed from Southern Alabama Plantation Company to Winberg Orchards and Nurseries Company, Inc., dated January 19, 1942, and recorded in Deed Book 76, page 455, conveying the South half of Southwest Quarter of Southwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.
7. Tax Deed from State of Alabama, by Phillip J. Hamm, State Land Commissioner, to George Marinos, dated November 30, 1949, and recorded in Deed Book 147, page 278, conveying the East half of South half of Northwest Quarter of Southwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East.
8. Last Will and Testament of Martha Winberg, deceased, recorded in Will Book 4, page 132.

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 #4608

COST STATEMENT

1292 WORDS @ 6 1/2 cents \$ 83⁹⁸

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	<u>June 11</u>	, 195 <u>9</u>	Vol. <u>71</u>	No. <u>22</u>
Date of 2nd publication	<u>June 18</u>	, 195 <u>9</u>	Vol. <u>71</u>	No. <u>23</u>
Date of 3rd publication	<u>June 25</u>	, 195 <u>9</u>	Vol. <u>71</u>	No. <u>24</u>
Date of 4th publication	<u>July 2</u>	, 195 <u>9</u>	Vol. <u>71</u>	No. <u>25</u>

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

Darwin Martin
Notary Public, Baldwin County.

E. R. Morrisette, Jr.
Editor.

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

Complainant,

No. 4608

vs.

ORA M. BARNETT, LANDS DE-)
SCRIBED 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
unknown Respondents in this cause; and also appointed
Attorney 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
Relief Act.

Dated June 23, 1959.

Robert M. Hill
JUDGE

MALBIS MEMORIAL FOUNDATION, AS TRUSTEE UNDER ITEM FIVE OF THE LAST WILL AND TESTAMENT OF GEORGE MARINOS, DECEASED,)	IN THE CIRCUIT COURT
)	OF
Complainant,)	
vs.)	BALDWIN COUNTY,
)	ALABAMA
ORA M. BARNETT, or, if deceased, his or her heirs or devisees, HIRAM M. BARNETT and ANNA BARNETT, or, if deceased, their heirs or devisees, HAZEL B. PIGMAN, or, if deceased, her heirs or devisees, SIGRID SWANSON, or if deceased, his or her heirs or devisees, PETER TURPIE, or, if deceased, his heirs or devisees, ALVINA D. KRUTZ, or, if deceased, her heirs or devisees, MRS. R. A. HASSE, or if deceased, her heirs or devisees,)	IN EQUITY
LANDS DESCRIBED IN THE BILL, and any other persons, firms or corpora- tions claiming any title to or in- terest in the lands described in the Bill,)	NUMBER 4608
)	IN REM
Respondents.)	

DECREE PRO CONFESSO

In this cause, it appearing from the certificate of the Register that notice of the pendency of this cause has been given by publication once a week for four consecutive weeks in the Baldwin Times, a newspaper published in Baldwin County, Alabama, and that a copy of said notice certified by the Register as being correct was filed for record as a Lis Pendens in the Office of the Probate Judge, Baldwin County, Alabama, and that sixty (60) days have expired since the first publication of said notice and the filing of the certified copy of said notice in the Probate Court of Baldwin County, Alabama; and it appearing to the Court that no appearance, answer or demurrer has been filed to said Bill of Complaint;

NOW, THEREFORE, upon motion of Complainant, MALBIS MEMORIAL FOUNDATION, as Trustee under Item Five of the Last Will and Testament of George Marinos, deceased, it is ORDERED that the allegations of said Bill of Complaint be, and hereby are, taken as confessed against ORA M. BARNETT, HIRAM M. BARNETT, ANNA BARNETT, HAZEL B. PIGMAN,

SIGRID SWANSON, PETER TURPIE, ALVINA D. KRUTZ, and MRS. R. A. HASSE, if living, or, if deceased, against the heirs and devisees of Ora M. Barnett, Hiram M. Barnett, Anna Barnett, Hazel B. Pigman, Sigrid Swanson, Peter Turpie, Alvina D. Krutz, and Mrs. R. A. Hasse, who may not be minors, incompetents or in the Armed Forces of the United States of America, 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

AL

Jul 8/18/57
Wm. H. Hall
Rm.

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.)
 ORA M. BARNETT, LANDS DESCRIBED) IN EQUITY
 IN THE BILL, ET AL,) NUMBER 4608
 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 1-16
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 H. Ruck
 Register

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

Complainant,

vs.

ORA M. BARNETT, or if deceased,
his or her heirs or devisees, HIRAM
M. BARNETT and ANNA BARNETT, or if
deceased, their heirs or devisees,
HAZEL B. PIGMAN, or if deceased, her
heirs or devisees, SIGRID SWANSON, or
if deceased, his or her heirs or devi-
sees, PETER TURPIE, or if deceased, his
heirs or devisees, ALVINA D. KRUTZ, or,
if deceased, her heirs or devisees, MRS.
R. A. HASSE, or if deceased, her heirs
or devisees, the 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 4608

)
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, O. 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:

East half of the Northwest Quarter of the Northeast Quarter; the South half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter; and the Southeast Quarter of the Northwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 3 East,

subject only to

- (a) a power line easement to the Alabama Power Company, dated September 3, 1936, and recorded in Deed Book 60, page 360, and
- (b) an oil, gas and mineral lease from George Marinos and wife to P. A. Leckrone, dated April 4, 1952, and recorded in Deed Book 185, pages 157-159, and assigned by Leckrone to Humble Oil and Refining Company, dated June 19, 1952, and recorded in Deed Book 189, pages 138-139;

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) Tax Deed from Hiram M. Barnett and Anna M. Barnett, by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931 and recorded in Deed Book 51, pages 59-60, conveying the South half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East,

(b) Tax Deed from Ora M. Barnett by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931, and recorded in Deed Book 51, pages 62-63, conveying the South half of North half of Southeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East,

(c) Tax Deed from Hazel B. Pigman by G. W. Humphries, Judge of Probate, to O.F.E. Winberg, dated June 20, 1931, and recorded in Deed Book 51, page 67, conveying the South half of Southeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East,

(d) Quitclaim Deed from O.F.E. Winberg to Martha Winberg, dated May 1, 1933, and recorded in Deed Book 54, page 86, conveying the property described in (a), (b), and (c) above,

(e) Warranty Deed from Martha V. Winberg and O.F.E. Winberg to Winberg Orchards and Nurseries Company, Inc., dated January 19, 1942, and recorded in Deed Book 76, pages 465-466, conveying the North half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East,

(f) Statutory Warranty Deed from Southern Alabama Plantation Company to Winberg Orchards and Nurseries Company, Inc., dated January 19, 1942, and recorded in Deed Book 76, page 465, conveying the South half of Southwest Quarter of Southwest Quarter of Northeast Quarter of Section 27, Township 5 South, Range 3 East,

(g) Tax Deed from State of Alabama, by Phillip J. Hamm, State Land Commissioner, to George Marinos, dated November 30, 1949, and recorded in Deed Book 147, page 278, conveying the East half of South half of Northwest Quarter of Southwest Quarter of Northeast Quarter, Section 27, Township 5 South, Range 3 East,

(h) Last Will and Testament of Martha Winberg, deceased, recorded in Will Book 4, page 132,

(i) Quitclaim Deed from O.F.E. Winberg, a widower, to Malbis Memorial Foundation, as Trustee under Item Five of the Last Will and Testament of George Marinos, deceased, dated March 20, 1959, and recorded in Deed Book 276, pages 249-250, pertaining to the property described in (a), (b) and (c), above,

(j) Warranty Deed from Martha V. Winberg and O.F.E. Winberg to Winberg Orchards and Nurseries Company, Inc., dated December 24, 1938, and recorded in Deed Book 67, pages 373-374, conveying the North half of South half of Northeast Quarter of Northwest Quarter of Northeast Quarter of Section 27, Township 5 South Range 3 East,

(k) Warranty Deed from Winberg Orchards and Nurseries Company to W. C. Beebe, dated December, 1938, and recorded in Deed Book 67, pages 365-366, conveying same property as in (j) above,

(l) Statutory Warranty Deed from W. C. Beebe and wife to Winberg Orchards and Nurseries Company, Inc., dated January 10, 1940, and recorded in Deed Book 71, page 112, conveying the same property as in (j) above,

(m) Warranty Deed from Winberg Orchards and Nurseries Company, Inc., to W. C. Beebe, dated November 17, 1943, and recorded in Deed Book 81, page 331, conveying all property described in this decree except that described in (g) above,

(n) Warranty Deed from W. C. Beebe to J. S. Lowrey and George Marinos, dated November 18, 1943, and recorded in Deed Book 81, pages 330-331, conveying all property described in this decree except that described in (g) above,

(o) Statutory Warranty Deed from J. S. Lowrey, unmarried to George Marinos, dated November 18, 1943, and recorded in Deed Book 82, pages 121-122, conveying all property described in this decree except that described in (g) above,

(p) 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:

East half of the Northwest Quarter of the Northeast Quarter; the South half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter; and the Southeast Quarter of the Northwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 3 East,

with the exception 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 only to the easement and oil, gas and mineral lease hereinabove referred to, and that its title thereto be, and the same hereby is, confirmed and established, and 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.

Robert M. Lee
CIRCUIT JUDGE

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FILED
OCT 21 1959
ALICE J. DUCK, CLERK
REGISTER