

466B

ROCK CEMETERY, Burial Ground, )  
EX PARTE ) IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
IN EQUITY

DECREE

This matter coming on to be heard on the verified petition of Miss Glenna Poos and others, for the appointment of Trustees for Rock Cemetery, Burial Ground, and the same being considered the Court is of the opinion that the petitioners are entitled to the relief prayed for;

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that H. D. WALLACE, WILLARD CREAMER and VICTOR KUBINA, are hereby appointed Trustees for Rock Cemetery, Burial Ground, as described in Deed dated March 15th, 1905, and recorded in the Office of the Judge of Probate, Baldwin County, Alabama, in Deed Book 9 NS, pages 292-293; and the said Trustees and their successors in office are hereby authorized and empowered to fill vacancies occurring in their number and to have and exercise full and unlimited jurisdiction, power and authority over the said Burial Ground.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that a certified copy of this decree be recorded in the Office of the Judge of Probate, Baldwin County, Alabama, and that the petitioners pay the cost of this proceeding, for which let execution issue.

Done this the 1<sup>st</sup> day of August, 1959.

Hubert M. Hall  
Judge

ROCK CEMETERY, Burial Ground,        )  
EX PARTE                                    ) IN THE CIRCUIT COURT OF  
  ) BALDWIN COUNTY, ALABAMA,  
  ) IN EQUITY

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

Come now your Petitioners, Raymond Merchant, Merrill Ard, Albert Toler, Verdie Nims, Volley Patton, Tommie Wallace, George Giles, Durwood Lewis, Nellie Rosen, John Kukle, Louise Bye, Clarence Honzik, Chester Mattingly, Izena Levis, Minnie Dorman, Merrill Arnold, Mrs. Rudolph White, Elva Waters, Olen Hughen, Clara Spader, Evelyn Sawyer, Susie Saucier, Ailene Karnes, Dorothy Lee, Jimmie Gilbert, Mrs. Allen Denham, Victor Kubina, E. G. Poos, Williard Creamer, Edna Irwin, Lillie Nix, Hattie Fitkin and Miss Glenna Poos, and respectfully show unto your Honor as follows:

FIRST

That on to-wit: March 15th, 1905, James M. Smith, of Silverhill, Baldwin County, Alabama, executed warranty deed to Rock Cemetery, Burial Ground, recorded in the Office of the Judge of Probate, in Deed Book 9 N. S., pages 292-293, conveying the following described land situated in Baldwin County, Alabama, to-wit:

Commencing at a stake 528 feet North following Section line from the Southwest corner of the Southwest quarter of Section 33, Township 5 South, Range 4 East, thence East 272 feet, thence North 412 feet, thence West 272 feet, thence South 412 feet following section line to place of beginning, all being in Southwest quarter of the Southwest quarter of Section 33, Township 5 South, Range 4 East of St. Stephens Meridian in Alabama.

SECOND

That R. Ard and E. B. Harris were named and constituted as Trustees for the said burial ground, that they are both dead, that no successors in trust have been appointed to succeed them.

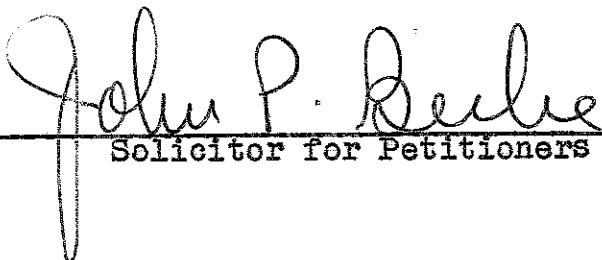
THIRD

That a large number of persons have been buried in said cemetery, the exact number of whom are unknown, but among them are relatives of each of these petitioners.

FOURTH

That it is necessary and proper that Trustees be appointed for the said burial ground, that H. D. Wallace, Willard Creamer and Victor Kubina are suitable persons to serve as Trustees of the said burial ground, that under Sections 72-74, Title 58, Chapter 9 of the Code of Alabama for 1940, authorizes and empowers the Judge of this Honorable Court to designate and appoint Trustees for such burial ground, and to authorize and empower them to fill vacancies occurring in such body of Trustees.

NOW THEREFORE, these petitioners pray this Honorable Court will appoint, name and constitute H. D. Wallace, Willard Creamer and Victor Kubina, as Trustees for Rock Cemetery, Burial Ground, and to authorize and empower the said Trustees to fill vacancies occurring among their number and to have and exercise full and unlimited jurisdiction, power and authority over the said Burial Ground.

  
Solicitor for Petitioners

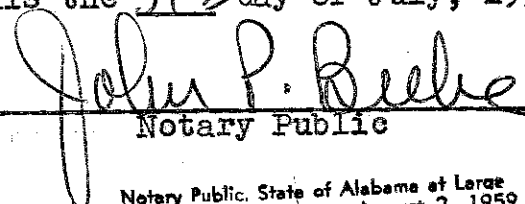
STATE OF ALABAMA

BALDWIN COUNTY

Before me the undersigned Notary Public in and for said State and County, this day personally appeared Miss Glenna Poos, who is known to me and who being by me duly sworn deposes and says: that she has read and knows the facts alleged in the foregoing petition and that the facts so alleged in the said petition are true and correct.

  
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Sworn to and subscribed before me this the 31<sup>st</sup> day of July, 1959.

  
Notary Public

Notary Public, State of Alabama at Large  
My commission expires August 2, 1959  
Bonded by Employers Liability Assurance  
Corporation

FILED

AUG 1 1959

ALICE J. DUCK, Register