

41672

STATE OF ALABAMA, BALDWIN COUNTY

Filed 2-24-60 11:00A M

Recorded *deed* book 289 page 254-5 BOOK 289 PAGE 254

*W.R. Stuart*  
Judge of Probate

L. B. BURCH, ) IN THE CIRCUIT COURT OF  
Complainant, )  
vs. ) BALDWIN COUNTY, ALABAMA  
MRS. R. R. RUSSELL, ) IN EQUITY.  
Respondent. )

FINAL DECREE

This cause coming on to be heard on this date is submitted for a final decree upon the original Bill of Complaint; motion for decree pro confesso against the respondent; and decree pro confesso against the respondent, upon consideration of all of which it appears to the court that the complainant is entitled to the relief prayed for by him in his said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The Complainant, L. B. Burch, as against the Respondent, Mrs. R. R. Russell, is the true and lawful owner in his own right of the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at the Northwest corner of the Southeast Quarter of the Northeast Quarter of Section 4, Township 9 South, Range 5 East, and run thence East 330 feet to a point; thence South 15 minutes West 182.4 feet, more or less, to a point on the North right of way line of Alabama Highway No 160; thence South 70° 23' West 350.37 feet along the North right of way line of the said highway; thence North 15' East 293.2 feet, more or less, to the point or place of beginning, being otherwise described as all of that part of the West half of the West half of the Southeast Quarter of the Northeast Quarter of Section 4, Township 9 South, Range 5 East, which lies North of Alabama Highway No. 160, subject, however, to existing easements for road or public utility purposes, recorded or visible on the land.

2. Title to the above described lands is vested in the said complainant, L. B. Burch, and his title thereto is forever quieted against the respondent, Mrs. R. R. Russell, and the said Respondent, Mrs. R. R. Russell is without right, title or interest in and to the said lands, or any part thereof, and has and holds no encumbrance on the said property, or any part thereof, or any interest therein.

3. The Register of this Court shall, within thirty days from the rendition of this decree, file a certified copy hereof for record in the Office of the Judge of Probate of Baldwin County, Alabama, and tax the cost of such recording as a part of the costs of this proceeding.

4. The costs of this proceeding are hereby taxed against the complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 30 day of January, 1960.

(S) HUBERT M. HALL

Judge.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in above stated cause, which said decree is on file and recorded in my office.

WITNESS MY HAND AND SEAL THIS 30 day of Jan. 1960

*Alice J. Duck*  
Register of Circuit Court, in Equity

N<sup>o</sup> 3700

W. R. STUART

PROBATE JUDGE

Received of *Mr. Alvin Duck* Bay Minette, Ala., *2-24-* 19*60*

No.	Deed Tax	Mortgage Tax	Recording Fees		Total	
			\$	Cts.	\$	Cts.
<i>Alvin Duck - v. S. Russell</i>			<i>1</i>	<i>50</i>	<i>1</i>	<i>50</i>

FOR RECORD

TOTAL \$

*W. R. Stuart* *1* *50*  
Clerk of Probate.

4672

L. B. BURCH, ) IN THE CIRCUIT COURT OF  
Complainant, )  
vs. ) BALDWIN COUNTY, ALABAMA  
MRS. R. R. RUSSELL, ) IN EQUITY.  
Respondent. )

FINAL DECREE:

This cause coming on to be heard on this date is submitted for a final decree upon the original Bill of Complaint; motion for decree pro confesso against the respondent; and decree pro confesso against the respondent, upon consideration of all of which it appears to the court that the complainant is entitled to the relief prayed for by him in his said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The Complainant, L. B. Burch, as against the Respondent, Mrs. R. R. Russell, is the true and lawful owner in his own right of the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at the Northwest corner of the Southeast Quarter of the Northeast Quarter of Section 4, Township 9 South, Range 5 East, and run thence East 330 feet to a point; thence South 15 minutes West 182.4 feet, more or less, to a point on the North right of way line of Alabama Highway No 160; thence South 70° 23' West 350.37 feet along the North right of way line of the said highway; thence North 15' East 293.2 feet, more or less, to the point or place of beginning, being otherwise described as all of that part of the West half of the West half of the Southeast Quarter of the Northeast Quarter of Section 4, Township 9 South, Range 5 East, which lies North of Alabama Highway No. 160, subject, however, to existing easements for road or public utility purposes, recorded or visible on the land.

2. Title to the above described lands is vested in the said complainant, L. B. Burch, and his title thereto is forever quieted against the respondent, Mrs. R. R. Russell, and the said Respondent, Mrs. R. R. Russell is without right, title or interest in and to the said lands, or any part thereof, and has and holds no encumbrance on the said property, or any part thereof, or any interest therein.

3. The Register of this Court shall, within thirty days from the rendition of this decree, file a certified copy here-  
of for record in the Office of the Judge of Probate of Baldwin  
County, Alabama, and tax the cost of such recording as a part of  
the costs of this proceeding.

4. The costs of this proceeding are hereby taxed  
against the complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 30  
day of January, 1960.

John A. Hill

Judge.

Filed 1-30-60  
Alice French  
Clerk

m  
FINAL DECREE

L. B. BURCH,

Complainant,

vs.

MRS. R. R. RUSSELL,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon MRS. R. R. RUSSELL to appear within thirty days from the service of this writ in the Circuit Court of Baldwin County, Alabama, in Equity, at the place of holding same, then and there to plead, answer or demur to the Bill of Complaint filed against her by L. B. BURCH.

WITNESS my hand this 4 day of Aug 1959.

Alice J. Duck  
Register

Respondent resides in  
Bay Minette, Alabama.

FILED  
AUG 4 1959  
ALICE J. DUCK, CLERK  
REGISTER

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

Your Orator, L. B. Burch, presents this Bill of Complaint against Mrs. R. R. Russell and, thereupon, your Orator complains and shows unto the court and your Honor as follows:

1. Your Orator is over twenty-one years of age and is a resident of Birmingham, Jefferson County, Alabama. The respondent, Mrs. R. R. Russell, is over twenty-one years of age and is a resident of Baldwin County, Alabama.

2. Your Orator claims to own and is in the actual, quiet and peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at the Northwest corner of the Southeast Quarter of the Northeast Quarter of Section 4, Township 9 South, Range 5 East, and run thence East 330 feet to a point; thence South 15 minutes West 182.4 feet, more or less, to a point on the North right of way line of Alabama Highway No. 160; thence South 70 degrees 23 minutes West 350.37 feet along the North right of way line of the said highway; thence North 15 minutes East 293.2 feet, more or less, to the point or place of beginning, being otherwise described as all of that part of the West Half of the West Half of the Southeast Quarter of the Northeast Quarter of Section 4, Township 9 South, Range 5 East, which lies North of Alabama Highway No. 160, subject, however, to existing easements for road or public utility purposes, recorded or visible on the land.

3. The respondent claims, or is reputed to claim, some right, title or interest in or encumbrance on the said land. No suit is pending to enforce or test the validity of such title, interest in, lien or encumbrance on the said lands, and your Orator brings this Bill of Complaint against the said respondent to settle the title to the said land and clear up all doubt and dispute concerning the same. Your Orator here and now calls upon the said respondent to set forth and specify her right, title or interest in, lien or encumbrance on the said land, or any part thereof, and how and by what instrument the same is derived and created.

#### PRAYER FOR PROCESS

Your Orator prays that the said Mrs. R. R. Russell be made a party respondent to this Bill of Complaint and that she be

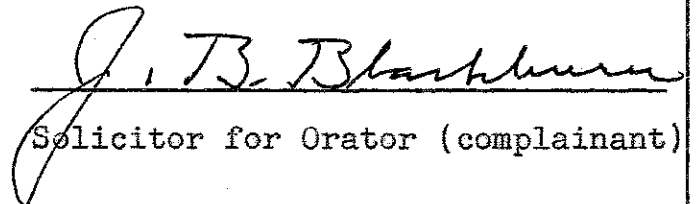


brought into court by the usual and proper process.

PRAYER FOR RELIEF

Your Orator prays that upon a final hearing of this cause the court will make and enter a decree against the said respondent, quieting your Orator's title to the said lands, adjudging and decreeing that he is the owner thereof in his own right, that title thereto is in him, forever quieting his title against the said respondent, adjudging that she is without right, title or interest in and to the said lands, and has and holds no encumbrance thereon; and further, that she be permanently and perpetually enjoined from trespassing on the said lands, or any part thereof.

Your Orator further prays for such other, further and general relief as he may be equitably entitled to, the premises considered.

  
Solicitor for Orator (complainant)

L. B. BURCH,	↓	IN THE CIRCUIT COURT OF
Complainant,	↓	
vs.	↓	BALDWIN COUNTY, ALABAMA
MRS. R. R. RUSSELL,	↓	IN EQUITY.
Respondent.	↓	

MOTION FOR DECREE PRO CONFESSO

Now comes the Complainant in the above styled cause and shows unto the Register that a summons directed to the Respondent, Mrs. R. R. Russell, together with a copy of the Bill of Complaint in this cause was personally served on the Respondent on August 10, 1959, and the said Respondent has to the date hereof, failed to plead, answer or demur to the Bill of Complaint, all of which appears of record in this cause.

WHEREFORE, Complainant moves that a decree pro confesso be entered against said Respondent.

DATED this 27 day of January, 1960.

FILED

JAN 27 1960

ALICE L. DUCK, CLERK  
REGISTER

J. B. Blackburn  
Solicitor for Complainant.

MOTION FOR DECREE PRO CONFESSO

L. B. BURCH,

Complainant,

vs.

MRS. R. R. RUSSELL,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

FILED

JAN 27 1960

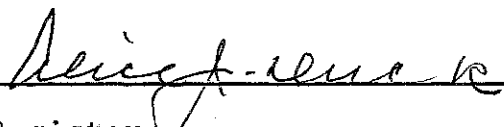
MICHAEL DUCK, CLERK  
REGISTERED

L. B. BURCH,	)	IN THE CIRCUIT COURT OF
Complainant,	)	
vs.	)	BALDWIN COUNTY, ALABAMA
MRS. R. R. RUSSELL,	)	IN EQUITY.
Respondent.	)	

DECREE PRO CONFESSO:

In this cause, it being made to appear to the court that the Respondent, Mrs. R. R. Russell, was served with a summons together with a copy of the Bill of Complaint in this cause on August 10, 1959, and said Respondent has to the date hereof failed to plead, answer or demur to said Bill of Complaint, it is therefore, on motion of Complainant's Solicitor, ORDERED AND DECREED that the said Bill of Complaint in this cause be, and it hereby is, in all things, taken as confessed against the said Mrs. R. R. Russell.

DATED this 27 day of January, 1960.

  
 \_\_\_\_\_  
 Register.

DECREE PRO CONFESSO

L. B. BURCH,

Complainant,

vs.

MRS. R. R. RUSSELL,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

FILED

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