

3894

ANDY JENSEN
COMPLAINANT

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

VS.

LOTS NUMBERED ONE, TWO, THREE, ELEVEN, TWELVE, THIRTEEN, FOURTEEN, FIFTEEN, SIXTEEN, SEVENTEEN, EIGHTEEN, NINETEEN AND TWENTY ALL IN BLOCK ONE OF THE LAVINA HILTY MARR ADDITION TO THE TOWN OF ELBERTA, ALABAMA AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN MAP BOOK ONE PAGE TWENTY THREE: BALDWIN COUNTY COLONIZATION COMPANY, a corporation, VERA G. BARTLING and her heirs and devisees, if deceased. ELLA MABEL PARDUE, LINDA FAY PARDUE, JANIS PARDUE, ALVIN K. PARDUE, JUDIA PARDUE, ELLA M. PARDUE JR., NORA PARDUE, LEOLA PARDUE PASCHELL, VIOLA PARDUE CLEMMONS, RUTH PARDUE WHITE, PAULINE PARDUE THOMPSON, BARBARA PARDUE THOMPSON, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the above described real estate against which this suit is brought, or any part thereof, and all other persons, firms or corporations.

RESPONDENTS

Now comes the undersigned respondents in the above styled cause and accepts service of a Bill of Complaint heretofore filed in said cause.

The undersigned respondents, Leola P. Paschell, Nora Pardue, and Ella M. Pardue Jr., being minors over the age of fourteen years, hereby nominate's the Honorable Cecil G. Chason, Attorney at Law, Foley, Alabama, to be their guardian ad litem in this cause.

The respondent Ella M. Pardue Sr. hereby accepts service for herself and her minor children, Judia Pardue, Janis Pardue, and Linda fay Pardue, under the age of fourteen years, respondents in this cause and hereby nominate's the Honorable Cecil G. Chason, Attorney at Law, Foley, Alabama, to be their guardian ad litem in this cause.

Leola P. Paschell

Leola P. Paschell, minor over fourteen years of age.

Nora Pardue Robinson

Nora Pardue, minor over fourteen years of age.

Ella M. Pardue Jr.

Ella M. Pardue Jr., minor over fourteen year of age.

Judia Etta Pardue

Judia Pardue, minor under fourteen years of age

Janis Pardue

Janis Pardue, minor under fourteen years of age.

Linda pardue

Linda Fay Pardue, minor under fourteen years of age.

Ella M. Pardue Sr.

Ella M. Pardue Sr.

ANDY JENSEN
COMPLAINANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

VS.

LOTS NUMBERED ONE, TWO, THREE, ELEVEN, TWELVE, THIRTEEN, FOURTEEN, FIFTEEN, SIXTEEN, SEVENTEEN, EIGHTEEN, NINETEEN and TWENTY ALL IN BLOCK ONE OF THE LAVINA HILTY MARR ADDITION TO THE TOWN OF ELBERTA, ALABAMA AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN MAP BOOK ONE PAGE TWENTY THREE: BALDWIN COUNTY COLONIZATION COMPANY, a corporation, VERA G. BARTLING and her heirs and devisees, if deceased. ELLA MABEL PARDUE, LINDA FAY PARDUE, JANIS PARDUE, ALVIN K. PARDUE, JUDIA PARDUE, ELLA M. PARDUE JR., NORA PARDUE, LEOLA PARDUE PASCHELL, VIOLA PARDUE CLEMMONS, RUTH PARDUE WHITE, PAULINE PARDUE THOMPSON, BARBARA PARDUE THOMPSON, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the above described real estate against which this suit is brought, or any part thereof, and all other persons, firms or corporations.

RESPONDENTS

To the Honorable Hubert M. Hall, Judge of the Circuit Court of Baldwin County, Alabama, sitting in Equity:

Your Complainant, ANDY JENSEN, respectfully represents and show to your honor:

1. That he is over the age of twenty-one (21) years and is a resident of Baldwin County, State of Alabama.
2. That the respondent, BALDWIN COUNTY COLONIZATION COMPANY, is a foreign corporation whose address is unknown; That the respondent, VERA G. BARTLING, is a non-resident of the State of Alabama whose address is unknown to the complainant; The complainant further alleges that he has made diligent inquiry and search concerning the two named respondents addresses and he has been and is unable to find their addresses. That the respondent ELLA MABEL PARDUE is over the age of twenty-one years and resides in Elberta, Baldwin County, Alabama. That the respondent PAULINE PARDUE THOMPSON is over the age of twenty-one years and whose address is Route 1, Bailey, Michigan. That the respondent BARBARA PARDUE THOMPSON is over the age of twenty-one years and whose address is General Delivery, Mammoth Springs, Arkansas. That the respondent VIOLA PARDUE CLEMMONS is over the age of twenty-one years and whose address is Elberta, Baldwin County, Alabama. That the respondent RUTH PARDUE WHITE is over the age of twenty-one years and whose address is Tokyo, Japan. That the respondent LEOLA PARDUE PASCHEL is twenty years of age and whose address is Box 717, Langdale, Alabama. That the respondent ALVIN K. PARDUE is eighteen years of age and is now serving in the U. S. Army. He resides at Elberta, Baldwin County, Alabama and his military address is Co G, Student Regtgs 9400, Fort Monmouth, New Jersey. That the respondent NORA PARDUE is sixteen years of age and whose address is Elberta, Baldwin County, Alabama. That the respondent ELLA M. PARDUE JR., is fourteen years of age and whose address is Elberta, Baldwin County, Alabama. That the respondent JUDIA PARDUE is twelve years of age and whose address is Elberta, Baldwin County, Alabama. That the respondent JANIS PARDUE is ten years of age and whose address is Elberta, Baldwin County, Alabama. That the respondent LINDA FAY PARDUE is eight years of age and whose address is Elberta, Baldwin County, Alabama.
3. That the Complainant in his own right claims title to wen said lands and to be entitled to fee simple title thereto free of all liens and encumbrances. He further avers that he is

in actual peaceable possession of said lands and has been in such possession since the fifteenth day of January, 1952 as hereinafter averred.

4. The complainant alleges and avers that he obtained said property and is entitled to the title thereto by virtue of the purchase of said lands from HIRAM PARDUE on the fifteenth day of January 1952. The complainant further avers that the said HIRAM PARDUE purchased said lands from the State of Alabama by Tax Deed dated September 27, 1949 and recorded in Deed Book 145, Page 248. The complainant further avers that he paid to the said HIRAM PARDUE purchase price of said property and took immediate possession of said property at the time of purchase to wit: January 15, 1952, and that your complainant has been in continuous peaceable possession since that time and has made improvements on said lands. The complainant further avers that the said HIRAM PARDUE died on the twenty-sixth day of January 1954 before conveying title to said lands to your complainant. The complainant further avers that the said HIRAM PARDUE left surviving him as his widow, next of kin and heirs at law the above named respondents, ELLA M. PARDUE as widow and LINDA FAY PARDUE, JANIS PARDUE, ALVIN K. PARDUE, JUDIA PARDUE, ELLA M. PARDUE JR., NORA PARDUE, LEOLA PARDUE PASCHELL, VIOLA PARDUE CLEMMONS, RUTH PARDUE WHITE, PAULINE PARDUE THOMPSON, and BARBARA PARDUE THOMPSON as children. The complainant further avers that the said HIRAM PARDUE died intestate and that there has been a probate of his estate entered in the Probate Office of Baldwin County, Alabama and that his widow, ELLA MABEL PARDUE was duly appointed Administratrix of the Estate of HIRAM PARDUE, deceased and who subsequently as Administratrix of the Estate of HIRAM PARDUE, deceased, as guardian for the minor heirs of HIRAM PARDUE, deceased and in her individual capacity conveyed title to said lands to your complainant on January 29, 1955 by virtue of which conveyance title to said lands stands upon the records of the Probate Court of said county in the complainants name.

5. Your complainant avers that said lands were sold on July 8, 1931 to the State of Alabama for taxes then due to the State of Alabama which sale is recorded in State Book 11, Page 184 in the Office of the Judge of Probate of Baldwin County, Alabama, since which time no one but the said HIRAM PARDUE, deceased, his Administratrix have annually assessed or paid taxes on said lands and since which time no one except the said HIRAM PARDUE, deceased and your complainant has had possession of said lands.

6. Your complainant further avers that there is no suit pending to test his interest in, title to or possession of said lands. The complainant further avers that he does not know of anyone or any persons who claim title to, interest in, lien of encumbrances thereon or any part thereof except the above named respondents. The complainant has obtained an abstract that shows that the only possible claimants according to said abstract are the above named respondents. Complainant further avers that he has exercised diligence in trying to ascertain the names of any persons or corporations other than the above named respondents who claim any interest therein but has failed to obtain such information.

7. The premises considered, complainant files this his verified bill of complaint against respondents LOTS NUMBERED ONE, TWO, THREE, ELEVEN, TWELVE, THIRTEEN, FOURTEEN, FIFTEEN, SIXTEEN, SEVENTEEN, EIGHTEEN, NINETEEN and TWENTY ALL IN BLOCK ONE OF THE LAVINA HILTY MARR ADDITION TO THE TOWN OF ELBERTA, ALABAMA AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN MAP BOOK ONE PAGE TWENTY THREE: BALDWIN COUNTY COLONIZATION COMPANY, a corporation, VERA G. BARTLING and her heirs and devisees, if deceased, and against ELLA MABEL PARDUE, PAULINE PARDUE THOMPSON, BARBARA PARDUE THOMPSON, VIOLA PARDUE CLEMMONS, RUTH PARDUE WHITE and against ALVIN K. PARDUE who is now in the U. S. Army, and against LEOLA P. PASCHEL, NORA PARDUE AND ELLA M. PARDUE JR., who are minors over the age of fourteen years and against JUDIA PARDUE, JANIS PARDUE AND LINDA FAY PARDUE who are minors under the age of fourteen years and against any and all other persons claiming any title thereto, interest in, lien or

encumbrance upon said land, or any part thereof, and to establish the right or title to said land and to clear up all doubts or disputes concerning the same, and that the said parties hereinabove named shall be made respondents to this bill of complaint, and that process be served on them or publication be made requiring them to plead, answer, or demur to the same within the time required by law, or decree pro confesso may be entered against them.

Complainant prays that this court will appoint guardians ad litem for ALVIN K. PARDUE who is now in the U. S. Army, for LEOLA P. PASCHEL, who is a minor over the age of fourteen years, for NORA PARDUE who is a minor over the age of fourteen years, for ELLA M. PARDUE JR., who is a minor over the age of fourteen years, for JUDIA PARDUE who is a minor under the age of fourteen years, for JANIS PARDUE who is a minor under the age of fourteen years for LINDA FAY PARDUE who is a minor under the age of fourteen years and for any unknown parties.

Complainant further prays that this court will find that the rights and interests of all parties to this suit are before the court and will be finally adjudicated by this court's decree. Complainant further prays that this court will make and enter all orders, judgments and decrees that may be meet and proper in the premises, and that upon final hearing of this cause will find and decide and decree that the complainant has an entire and undivided interest in said lands and has a fee simple title thereto, free of all liens and encumbrances.

Complainant further prays that if he is mistaken in the relief asked for, that this court grant such other, further, additional, or different relief as may appear to the court to be just and equitable.



Solicitor for Complainant

VERIFICATION

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Alice J. Duck, Register of the Circuit Court of Baldwin County, State of Alabama, in equity, personally appeared Arthur C. Epperson, attorney of record for the complainant in the above styled cause who first being duly sworn doth depose and said; that he is informed and believes and upon such information and belief says that the facts in the foregoing bill of complaint are true.


Attorney for Complainant

Sworn to and subscribed Before me this the fifteenth day of October, 1956.

Alice J. Duck, Register of the
Circuit Court of Baldwin County,
State of Alabama, in equity.

ANDY JENSEN
COMPLAINANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

VS.

LOTS NUMBERED ONE, TWO, THREE, ELEVEN, TWELVE, THIRTEEN, FOURTEEN, FIFTEEN, SIXTEEN, SEVENTEEN, EIGHTEEN, NINETEEN AND TWENTY ALL IN BLOCK ONE OF THE LAVINA HILTY MARR ADDITION TO THE TOWN OF ELBERTA, ALABAMA AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN MAP BOOK ONE PAGE TWENTY THREE: BALDWIN COUNTY COLONIZATION COMPANY, a corporation, VERA G. BARTLING and her heirs and devisees, if deceased. ELLA MABEL PARDUE, LINDA FAY PARDUE, JANIS PARDUE, ALVIN K. PARDUE, JUDIA PARDUE, ELLA M. PARDUE JR., NORA PARDUE, LEOLA PARDUE PASCHELL, VIOLA PARDUE CLEMMONS, RUTH PARDUE WHITE, PAULINE PARDUE THOMPTSON, BARBARA PARDUE THOMPTSON, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the above described real estate against which this suit is brought, or any part thereof, and all other persons, firms or corporations.

RESPONDENTS

Now comes

BARBARA PARDUE THOMPTSON, PAULINE PARDUE THOMPTSON and VIOLA PARDUE CLEMMONS, respondents in the above styled cause and hereby accepts service of the Bill Of Complaint heretofore filed in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree.

Barbara Pardue Thomptson
Barbara Pardue Thomptson

Pauline Pardue Thomptson
Pauline Pardue Thomptson

Viola Pardue Clemmons
Viola Pardue Clemmons

ANDY JENSEN,
Complainant

VS

CERTAIN LANDS,
Respondents.

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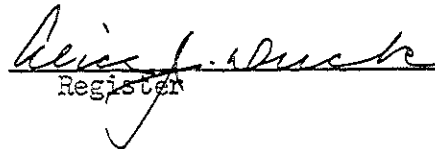
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3894

Leola P. Paschell, Nora Pardue, Ella M. Pardue, Jr., Judia Pardue, Janis
Pardue, and Linda Fay Pardue, being minors over the age of fourteen years
of age, named in the Bill of Complaint filed in the above styled cause, and
who are interested in the results of the above styled cause, do hereby nominate
Honorable Cecil G. Chason, who is a practicing attorney, as guardian ad litem
to represent them in this cause.

This the 20th. day of November, 1956.


Register

Consent To Act

I, Cecil G. Chason, hereby consent to act as guardian ad litem for Leola P.
Paschell, Nora Pardue, Ella M. Pardue, Jr. Judia Pardue, Janis Pardue, and
Linda Fay Pardue, minors, upon hearing of the above cause.

Witness my hand this 20th. day of November, 1956.


Guardian Ad Litem

ANDY JENSEN
COMPLAINANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

VS.

LOTS NUMBERED ONE, TWO, THREE, ELEVEN, TWELVE, THIRTEEN, FOURTEEN, FIFTEEN, SIXTEEN, SEVENTEEN, EIGHTEEN, NINETEEN and TWENTY ALL IN BLOCK ONE OF THE LAVINA MILTY MARE ADDITION TO THE TOWN OF ELBERTA, ALABAMA AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN MAP BOOK ONE PAGE TWENTY THREE: BALDWIN COUNTY COLONIZATION COMPANY, a corporation, VERA G. BARTLING and her heirs and devisees, if deceased. ELLA MABEL PARDUE, LINDA FAY PARDUE, JANIS PARDUE, ALVIN K. PARDUE, JUDIA PARDUE, ELLA M. PARDUE JR., NORA PARDUE, LEOLA PARDUE PASCHELL, VIOLA PARDUE CLEMMONS, RUTH PARDUE WHITE, PAULINE PARDUE THOMPSON, BARBARA PARDUE THOMPSON, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the above described real estate against which this suit is brought, or any part thereof, and all other persons, firms or corporations.

RESPONDENTS

To the Honorable Hubert M. Hall, Judge of the Circuit Court of Baldwin County, Alabama, sitting in Equity:

Your Complainant, ANDY JENSEN, respectfully represents and show to your honor:

1. That he is over the age of twenty-one (21) years and is a resident of Baldwin County, State of Alabama.

2. That the respondent, BALDWIN COUNTY COLONIZATION COMPANY, is a foreign corporation whose address is unknown; That the respondent, VERA G. BARTLING, is a non-resident of the State of Alabama whose address is unknown to the complainant; The complainant further alleges that he has made diligent inquiry and search concerning the two named respondents addressees and he has been and is unable to find their addresses. That the respondent ELLA MABEL PARDUE is over the age of twenty-one years and resides in Elberta, Baldwin County, Alabama. That the respondent PAULINE PARDUE THOMPSON is over the age of twenty-one years and whose address is Route 1, Bailey, Michigan. That the respondent BARBARA PARDUE THOMPSON is over the age of twenty-one years and whose address is General Delivery, Mammoth Springs, Arkansas. That the respondent VIOLA PARDUE CLEMMONS is over the age of twenty-one years and whose address is Elberta, Baldwin County, Alabama. That the respondent RUTH PARDUE WHITE is over the age of twenty-one years and whose address is Tokyo, Japan. That the respondent LEOLA PARDUE PASCHELL is twenty years of age and whose address is Box 717, Langdale, Alabama. That the respondent ALVIN K. PARDUE is eighteen years of age and is now serving in the U. S. Army. He resides at Elberta, Baldwin County, Alabama and his military address is Co G, Student Regtgs 9400, Fort Monmouth, New Jersey. That the respondent NORA PARDUE is sixteen years of age and whose address is Elberta, Baldwin County, Alabama. That the respondent ELLA M. PARDUE JR., is fourteen years of age and whose address is Elberta, Baldwin County, Alabama. That the respondent JUDIA PARDUE is twelve years of age and whose address is Elberta, Baldwin County, Alabama. That the respondent JANIS PARDUE is ten years of age and whose address is Elberta, Baldwin County, Alabama. That the respondent LINDA FAY PARDUE is eight years of age and whose address is Elberta, Baldwin County, Alabama.

3. That the Complainant in his own right claims title to won said lands and to be entitled to fee simple title thereto free of all liens and encumbrances. He further avers that he is

in actual peaceable possession of said lands and has been in such possession since the fifteenth day of January, 1952 as hereinafter averred.

4. The complainant alleges and avers that he obtained said property and is entitled to the title thereto by virtue of the purchase of said lands from HIRAM PARDUE on the fifteenth day of January 1952. The complainant further avers that the said HIRAM PARDUE purchased said lands from the State of Alabama by Tax Deed dated September 27, 1949 and recorded in Deed Book 145, Page 246. The complainant further avers that he paid to the said HIRAM PARDUE purchase price of said property and took immediate possession of said property at the time of purchase to wit: January 15, 1952, and that your complainant has been in continuous peaceable possession since that time and has made improvements on said lands. The complainant further avers that the said HIRAM PARDUE died on the twenty-sixth day of January 1954 before conveying title to said lands to your complainant. The complainant further avers that the said HIRAM PARDUE left surviving him as his widow, next of kin and heirs at law the above named respondents, ELLA M. PARDUE as widow and LINDA FAY PARDUE, JANIS PARDUE, ALVIN K. PARDUE, JUDIA PARDUE, ELLA M. PARDUE JR., NORA PARDUE, LEOLA PARDUE PASCHELL, VIOLA PARDUE CLEMMONS, RUTH PARDUE WHITE, PAULINE PARDUE THOMPSON, and BARBARA PARDUE THOMPSON as children. The complainant further avers that the said HIRAM PARDUE died intestate and that there has been a probate of his estate entered in the Probate Office of Baldwin County, Alabama and that his widow, ELLA MABEL PARDUE was duly appointed Administratrix of the Estate of HIRAM PARDUE, deceased and who subsequently as Administratrix of the Estate of HIRAM PARDUE, deceased, as guardian for the minor heirs of HIRAM PARDUE, deceased and in her individual capacity conveyed title to said lands to your complainant on January 29, 1955 by virtue of which conveyance title to said lands stands upon the records of the Probate Court of said county in the complainants name.

5. Your complainant avers that said lands were sold on July 8, 1931 to the State of Alabama for taxes then due to the State of Alabama which sale is recorded in State Book 11, Page 184 in the Office of the Judge of Probate of Baldwin County, Alabama, since which time no one but the said HIRAM PARDUE, deceased, his Administratrix have annually assessed or paid taxes on said lands and since which time no one except the said HIRAM PARDUE, deceased and your complainant has had possession of said lands.

6. Your complainant further avers that there is no suit pending to test his interest in, title to or possession of said lands. The complainant further avers that he does not know of anyone or any persons who claim title to, interest in, lien of encumbrances thereon or any part thereof except the above named respondents. The complainant has obtained an abstract that shows that the only possible claimants according to said abstract are the above named respondents. Complainant further avers that he has exercised diligence in trying to ascertain the names of any persons or corporations other than the above named respondents who claim any interest therein but has failed to obtain such information.

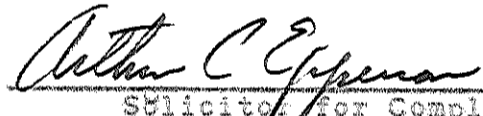
7. The premises considered, complainant files this his verified bill of complaint against respondents LOTS NUMBERED ONE, TWO, THREE, ELEVEN, TWELVE, THIRTEEN, FOURTEEN, FIFTEEN, SIXTEEN, SEVENTEEN, EIGHTEEN, NINETEEN and TWENTY ALL IN BLOCK ONE OF THE LAVINA MILTY MARR ADDITION TO THE TOWN OF ELBERTA, ALABAMA AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN MAP BOOK ONE PAGE TWENTY THREE; BALDWIN COUNTY COLONIZATION COMPANY, a corporation, VERA G. BARTLING and her heirs and devisees, if deceased, and against ELLA MABEL PARDUE, PAULINE PARDUE THOMPSON, BARBARA PARDUE THOMPSON, VIOLA PARDUE CLEMMONS, RUTH PARDUE WHITE and against ALVIN K. PARDUE who is now in the U. S. Army, and against LEOLA P. PASCHEL, NORA PARDUE AND ELLA M. PARDUE JR., who are minors over the age of fourteen years and against JUDIA PARDUE, JANIS PARDUE AND LINDA FAY PARDUE who are minors under the age of fourteen years and against any and all other persons claiming any title thereto, interest in, lien or

encumbrance upon said land, or any part thereof, and to establish the right or title to said land and to clear up all doubts or disputes concerning the same, and that the said parties hereinabove named shall be made respondents to this bill of complaint, and that process be served on them or publication be made requiring them to plead, answer, or demur to the same within the time required by law, or decree pro confesso may be entered against them.

Complainant prays that this court will appoint guardians ad litem for ALVIN K. PARDUE who is now in the U. S. Army, for LEOLA P. PASCHER, who is a minor over the age of fourteen years, for MORA PARDUE who is a minor over the age of fourteen years, for ELLA M. PARDUE JR., who is a minor over the age of fourteen years, for JUDIA PARDUE who is a minor under the age of fourteen years, for JANIS PARDUE who is a minor under the age of fourteen years for LINDA FAY PARDUE who is a minor under the age of fourteen years and for any unknown parties.

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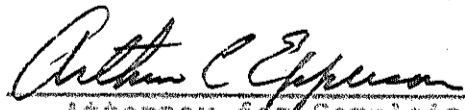

Solicitor for Complainant

VERIFICATION

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Alice J. Duck, Register of the Circuit Court of Baldwin County, State of Alabama, in equity, personally appeared Arthur C. Epperson, attorney of record for the complainant in the above styled cause who first being duly sworn doth depose and said; that he is informed and believes and upon such information and belief says that the facts in the foregoing bill of complaint are true.


Attorney for Complainant

Sworn to and subscribed before me this the fifteenth day of October, 1966.

Alice J. Duck, Register of the
Circuit Court of Baldwin County,
State of Alabama, in equity.

ANDY JENSEN
COMPLAINANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

VS.

IN EQUITY

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RESPONDENTS

To the Honorable Hubert M. Hall, Judge of the Circuit Court of Baldwin County, Alabama, sitting in Equity:

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3. That the Complainant in his own right claims title to won said lands and to be entitled to fee simple title thereto free of all liens and encumbrances. He further avers that he is

in actual peaceable possession of said lands and has been in such possession since the fifteenth day of January, 1952 as hereinafter averred.

4. The complainant alleges and avers that he obtained said property and is entitled to the title thereto by virtue of the purchase of said lands from HIRAM PARDUE on the fifteenth day of January 1952. The complainant further avers that the said HIRAM PARDUE purchased said lands from the State of Alabama by Tax Deed dated September 27, 1949 and recorded in Deed Book 145, Page 248. The complainant further avers that he paid to the said HIRAM PARDUE purchase price of said property and took immediate possession of said property at the time of purchase to wit: January 15, 1952, and that your complainant has been in continuous peaceable possession since that time and has made improvements on said lands. The complainant further avers that the said HIRAM PARDUE died on the twenty-sixth day of January 1954 before conveying title to said lands to your complainant. The complainant further avers that the said HIRAM PARDUE left surviving him as his widow, next of kin and heirs at law the above named respondents, ELLA M. PARDUE as widow and LINDA FAY PARDUE, JANIS PARDUE, ALVIN K. PARDUE, JUDIA PARDUE, ELLA M. PARDUE JR., NORA PARDUE, LEOLA PARDUE PASCHELL, VIOLA PARDUE CLEMMONS, RUTH PARDUE WHITE, PAULINE PARDUE THOMPSON, and BARBARA PARDUE THOMPSON as children. The complainant further avers that the said HIRAM PARDUE died intestate and that there has been a probate of his estate entered in the Probate Office of Baldwin County, Alabama and that his widow, ELLA MABEL PARDUE was duly appointed Administratrix of the Estate of HIRAM PARDUE, deceased and who subsequently as Administratrix of the Estate of HIRAM PARDUE, deceased, as guardian for the minor heirs of HIRAM PARDUE, deceased and in her individual capacity conveyed title to said lands to your complainant on January 29, 1955 by virtue of which conveyance title to said lands stands upon the records of the Probate Court of said county in the complainants name.

5. Your complainant avers that said lands were sold on July 8, 1931 to the State of Alabama for taxes then due to the State of Alabama which sale is recorded in State Book 11, Page 184 in the Office of the Judge of Probate of Baldwin County, Alabama, since which time no one but the said HIRAM PARDUE, deceased, his Administratrix have annually assessed or paid taxes on said lands and since which time no one except the said HIRAM PARDUE, deceased and your complainant has had possession of said lands.

6. Your complainant further avers that there is no suit pending to test his interest in, title to or possession of said lands. The complainant further avers that he does not know of anyone or any persons who claim title to, interest in, lien of encumbrances thereon or any part thereof except the above named respondents. The complainant has obtained an abstract that shows that the only possible claimants according to said abstract are the above named respondents. Complainant further avers that he has exercised diligence in trying to ascertain the names of any persons or corporations other than the above named respondents who claim any interest therein but has failed to obtain such information.

7. The premises considered, complainant files this his verified bill of complaint against respondents LOTS NUMBERED ONE, TWO, THREE, ELEVEN, TWELVE, THIRTEEN, FOURTEEN, FIFTEEN, SIXTEEN, SEVENTEEN, EIGHTEEN, NINETEEN and TWENTY ALL IN BLOCK ONE OF THE LAVINA MILTY MARR ADDITION TO THE TOWN OF ELBERTA, ALABAMA AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN MAP BOOK ONE PAGE TWENTY THREE; BALDWIN COUNTY COLONIZATION COMPANY, a corporation, VERA G. BARTLING and her heirs and devisees, if deceased, and against ELLA MABEL PARDUE, PAULINE PARDUE THOMPSON, BARBARA PARDUE THOMPSON, VIOLA PARDUE CLEMMONS, RUTH PARDUE WHITE and against ALVIN K. PARDUE who is now in the U. S. Army, and against LEOLA P. PASCHEL, NORA PARDUE AND ELLA M. PARDUE JR., who are minors over the age of fourteen years and against JUDIA PARDUE, JANIS PARDUE AND LINDA FAY PARDUE who are minors under the age of fourteen years and against any and all other persons claiming any title thereto, interest in, lien or

encumbrance upon said land, or any part thereof, and to establish the right or title to said land and to clear up all doubts or disputes concerning the same, and that the said parties hereinabove named shall be made respondents to this bill of complaint, and that process be served on them or publication be made requiring them to plead, answer, or demur to the same within the time required by law, or decree pro confesso may be entered against them.

Complainant prays that this court will appoint guardians ad litem for ALVIN K. PARDUE who is now in the U. S. Army, for LEOLA P. PASCHEL, who is a minor over the age of fourteen years, for NORA PARDUE who is a minor over the age of fourteen years, for ELLA M. PARDUE JR., who is a minor over the age of fourteen years, for JUDIA PARDUE who is a minor under the age of fourteen years, for JANIS PARDUE who is a minor under the age of fourteen years for LINDA FAY PARDUE who is a minor under the age of fourteen years and for any unknown parties.

Complainant further prays that this court will find that the rights and interests of all parties to this suit are before the court and will be finally adjudicated by this court's decree. Complainant further prays that this court will make and enter all orders, judgments and decrees that may be meet and proper in the premises, and that upon final hearing of this cause will find and decide and decree that the complainant has an entire and undivided interest in said lands and has a fee simple title thereto, free of all liens and encumbrances.

Complainant further prays that if he is mistaken in the relief asked for, that this court grant such other, further, additional, or different relief as may appear to the court to be just and equitable.

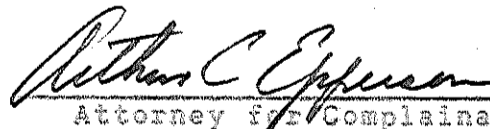

Solicitor for Complainant

VERIFICATION

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Alice J. Duck, Register of the Circuit Court of Baldwin County, State of Alabama, in equity, personally appeared Arthur C. Epperson, attorney of record for the complainant in the above styled cause who first being duly sworn doth depose and said; that he is informed and believes and upon such information and belief says that the facts in the foregoing bill of complaint are true.


Attorney for Complainant

Sworn to and subscribed before me this the fifteenth day of October, 1956.

Alice J. Duck, Register of the
Circuit Court of Baldwin County,
State of Alabama, in equity.

ANDY JENSEN
COMPLAINANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

VS.

IN EQUITY

LOTS NUMBERED ONE, TWO, THREE, ELEVEN, TWELVE, THIRTEEN, FOURTEEN, FIFTEEN, SIXTEEN, SEVENTEEN, EIGHTEEN, NINETEEN and TWENTY ALL IN BLOCK ONE OF THE LAVINA HILTY MARR ADDITION TO THE TOWN OF ELBERTA, ALABAMA AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN MAP BOOK ONE PAGE TWENTY THREE: BALDWIN COUNTY COLONIZATION COMPANY, a corporation, VERA G. BARTLING and her heirs and devisees, if deceased, ELLA MABEL PARDUE, LINDA FAY PARDUE, JANIS PARDUE, ALVIN K. PARDUE, JUDIA PARDUE, ELLA M. PARDUE JR., NORA PARDUE, LEOLA PARDUE PASCHELL, VIOLA PARDUE DLEMMONS, RUTH PARDUE WHITE, PAULINE PARDUE THOMPTSON, BARBARA PARDUE THOMPTSON, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the above described real estate against which this suit is brought, or any part thereof, and all other persons, firms or corporations.

RESPONDENTS

TO: The above named respondents; and/or to their heirs, devisees, distributes respectively, and to any and all persons claiming any title to; interest in, or lien or encumbrance upon the following described real estate or any part thereof and to all other persons firms or corporations; said real estate being situated in Baldwin County, Alabama, and described as follows:

Lots One (1), Two (2), Three (3), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), and Twenty (20) in block One (1) of Lavina Hilty Marr Addition to the Town of Elberta, Alabama as per plat thereof recorded in the Office of the Judge of Probate of Baldwin County, Alabama in Map Book One (1) page twenty-three (23)

Take notice that ANDY JENSEN has this day filed his verified bill of complaint is said Court against the above named and against any and all persons, firms or corporations claiming any title to, interest in, encumbrance upon the above described property or any part thereof or interest therein, and against all other persons, firms or corporations and against the lands for the purpose of establishing title of said lands in the said Andy Jensen and to clear up all doubts and disputes concerning the same and that said suit is now pending in said Court.

Complainant alleges in said bill of complaint that title to said lands stands in the name of the complainant on the records of the Judge of Probate, Baldwin County, Alabama, and said bill of complaint further alleges that Andy Jensen claims title to said lands through and by virtue of purchase from Hiram Pardue on the fifteenth day of January 1952 and being let into peaceable and quiet, exclusive possession of said property and real estate by the said Hiram Pardue who held title to said property at that time by virtue of tax deed issued to said Hiram Pardue by the State Land Commissioner on September 27, 1949 and recorded in the Office of the Judge of Probate November 6, 1949 in Deed Book 145 page 248. Complainant further alleges that Hiram Pardue died without formally conveying legal title to said complainant but that Ella Mabel Pardue, as Administratrix of the Estate of Hiram Pardue, deceased conveyed title to said Andy Jensen by deed dated January 29, 1955 and duly recorded in the office of the Judge of Probate of Baldwin County, Alabama. The complainant further alleges that no one except the said Hiram Pardue and his Administratrix has annually assessed or paid taxes on said real estate for the preceding ten years or had

possession of said property except for the complainant and said Hiram Pardue for the past ten years, or any part thereof, Complainant further alleges that after making diligent inquiry and search he has not been able to find out any information about the respondents Vera G. Bartling and Baldwin County Colonization Company.

It is further ordered by the undersigned Register that publication of this notice be made in the Onlooker, a newspaper published and having a general circulation in Baldwin County, Alabama, once a week for four consecutive weeks, and that all those to whom this notice is addressed and any and all persons claiming title to, interest in, or lien or encumbrance upon, the above described real estate, or any part thereof, or any interest therein, be and they are hereby required to plead, answer or demur to the bill of complaint in this cause on or before the nineteenth day of November, 1956 or thirty days thereafter a decree pro confesso may be entered.

It is further ordered that a copy of this notice certified by the undersigned Register, as being correct, shall also be recorded as a lis pendan in the Office of the Probate Judge of Baldwin County, Alabama.

Done at Office this fifteenth day of October 1956.

Alice J. Duck
REGISTER

STATE OF ALABAMA
BALDWIN COUNTY

I, The undersigned Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, doe hereby certify that the above and foregoing is a true and correct copy of this notice to be published to the respondents in the above and foregoing cause.

Witness my hand and seal of office this the fifteenth day of October 1956.

Alice J. Duck
REGISTER

STATE OF ALABAMA, BALDWIN COUNTY
Filed 11-20-56 2 P.M.
Recorded Lia Ord book 4 page 317-18
W. Stewart
Judge of Probate
5

ANDY JENSEN
COMPLAINANT

VS.

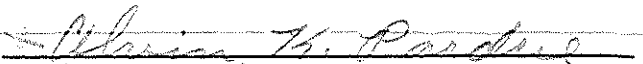
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

LOTS NUMBERED ONE, TWO, THREE, ELEVEN, TWELVE, THIRTEEN, FOURTEEN, FIFTEEN, SIXTEEN, SEVENTEEN, EIGHTEEN, NINETEEN AND TWENTY ALL IN BLOCK ONE OF THE LAVINA HILTY MARR ADDITION TO THE TOWN OF ELBERTA, ALABAMA AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN MAP BOOK ONE PAGE TWENTY THREE: BALDWIN COUNTY COLONIZATION COMPANY, a corporation, VERAL G. BARTLING and her heirs and devisees, if deceased. ELLA MABEL PARDUE, LINDA FAY PARDUE, JANIS PARDUE, ALVIN K. PARDUE, JUDIA PARDUE, ELLA M. PARDUE JR., NORA PARDUE, LEOLA PARDUE PASCHELL, VIOLA PARDUE CLEMMONS, RUTH PARDUE WHITE, PAULINE PARDUE THOMPSON, BARBARA PARDUE THOMPSON, and any and all persons, firms or corporations claiming any title to, interest in, lien or encumbrance upon the above described real estate against which this suit is brought, or any part thereof, and all other persons, firms or corporations.

RESPONDENTS

Now comes Alvin K. Pardue, the undersigned respondent in the above styled cause and accepts service of a Bill of Complaint heretofore filed in said cause.

The undersigned respondent, being minor over the age of fourteen years, hereby nominate's the Honorable Cecil G. Chason, Attorney at Law, Foley, Alabama, to be his guardian ad litem in this cause.


Alvin K. Pardue