

1056

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: VIRGINIA BREWTON

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine U. J. ROBINSON, MARSHALL F. ROBINSON and JEROME WEEKS

a witnesses in behalf of U. J. ROBINSON in a cause pending in our Circuit Court in Baldwin County, of said State, wherein U. J. ROBINSON

Complainant and MARSHALL F. ROBINSON, ET AL, AND CERTAIN LANDS

Respondent on oath, to be by you administered, upon them to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness this 13th day of August, 1957

Register

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

U. J. ROBINSON

Complainant

VS.

MARSHALL F. ROBINSON,
ET AL, AND CERTAIN LANDS

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:
VIRGINIA BREWTON

WITNESSES:

U. J. ROBINSON, MARSHALL F.
ROBINSON AND JEROME WEEKS

[Faint, illegible text, likely bleed-through from the reverse side of the page]

Commissioner's Seal

Witnesses' Signatures

U. J. ROBINSON,
Complainant

VS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NUMBER _____

MARSHALL F. ROBINSON, JESSIE
ROBINSON, EMMA V. DIXON, ROB-
ERT DIXON, WANNER DENTON, JOHN
WILLIAMS, as Attorney in Fact
for WANNER DENTON, MIKE HOUSTON,
NATHANIEL HOWARD, LUCY HOWARD,
EMMERLINE HOWARD, EDWARD R. OL-
COTT, WILLIAM GIBSON, GEORGE
FLAGG

The following described property
situated in Baldwin County, Ala-
bama, to-wit:

Starting at the Southwest corner
of the West one-half ($W\frac{1}{2}$) of West
one-half ($W\frac{1}{2}$) of East one-half ($E\frac{1}{2}$)
of Southwest Quarter ($SW\frac{1}{4}$) of South-
west Quarter ($SW\frac{1}{4}$) of Sec. 20, Town-
ship 6 South, Range 2 East, thence
running East 100 feet for a point of
beginning; thence East 100 feet, thence
North 320 feet, thence West 100 feet,
thence South 320 feet to the point of
beginning. Excepting a 30 foot R.O.W.
on the South boundary for a public
road, and a 6 foot R.O.W. on the East
boundary for a public walkway. All
in Baldwin County, Alabama;

And any and all other persons claim-
ing any title to or interest in the
real property described above,
Respondents

FINAL DECREE

This cause coming on to be heard this the 20 day of August,
1957, is submitted for final decree upon Complainant's verified Bill
of Complaint and upon the decree pro confesso rendered therein, and
the answer of the Guardian ad Litem, and the testimony of U. J.
Robinson, Jerome Weeks and Marshall F. Robinson, taken orally before
the Commissioner duly appointed by the Register, and by order of
the Court, and the Certificate of the Register, and the pleadings
and proof, as noted by the Register; and it appearing to the satis-
faction of the Court:

1. That the Complainant, U. J. Robinson, at the time of filing
of his Bill of Complaint in this cause, claimed in his own right a

fee simple title to, and was, in the actual, peaceful possession of the following described lands lying and being situated in the County of Baldwin, State of Alabama, more particularly described as follows:

Starting at the Southwest corner of the West one-half ($W\frac{1}{2}$) of West one-half ($W\frac{1}{2}$) of East one-half ($E\frac{1}{2}$) of Southwest Quarter ($SW\frac{1}{4}$) of Southwest Quarter ($SW\frac{1}{4}$) of Section 20, Township 6 South, Range 2 East, thence running East 100 feet for a point of beginning; thence East 100 feet, thence North 320 feet, thence West 100 feet, thence South 320 feet, to the point of beginning. Excepting a 30 foot R. O. W. on the South boundary for a public road, and a 6 foot R. O. W. on the East boundary for a public walkway. All in Baldwin County, Alabama.

2. That at the time of the filing of said Bill of Complaint no suit was pending to test his title to, interest in, or his right to the possession of said lands.

3. That his said Bill of Complaint was and is duly verified and was filed against said lands, and was to establish the right or title to such lands or interest in and to clear up all doubts or disputes concerning the same, and that said Bill of Complaint did in all respects comply with the provisions of Article 2 of Title 7 of the 1940 Code of Alabama, as amended.

4. That the Complainant executed diligent efforts to ascertain the facts with regard to the Defendants and to give notice of the pendency of the said Bill of Complaint.

5. That notice of the pendency of said Bill of Complaint was drawn and signed by the Register of the Court and said Register did have said notice published once a week for four (4) consecutive weeks in The Fairhope Courier, a newspaper having general circulation and published in the County of Baldwin, Alabama, and authorized by order made in this cause.

6. That a copy of said notice certified by the Register of this Court as being correct was recorded as a Lis Pendens in the Office of the Judge of Probate of said County, and said notice being in strict accord and compliance with the law.

7. That it has been more than sixty (60) days since the first publication of said notice and the filing of a certified copy of said notice in the Office of the Judge of Probate of said County where the said lands lie.

8. That no person has intervened in said cause.

9. That a Guardian Ad Litem and an Attorney Ad Litem has been appointed and accepted service and filed an answer in said cause to protect the rights of appropriate parties in said matter.

10. That the Complainant has established, as shown by legal evidence, that he is the owner in fee simple title of the said lands.

11. That all of the allegations of fact contained in Complainant's Bill of Complaint are true.

It is therefore, ORDERED, ADJUDGED AND DECREED by the Court that the Complainant is entitled to the relief prayed for in this said Bill of Complaint, and that the fee simple title claimed by the Complainant in and to the above described lands has been duly proven.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Complainant is the owner of said lands and has the fee simple title thereto, free of all liens and encumbrances, and that all doubts and disputes concerning the same are hereby cleared up.

It is further ORDERED, ADJUDGED AND DECREED by the Court that a certified copy of this decree be recorded in the Office of the Judge of Probate of Baldwin County, Alabama, and that it be indexed in the name of U. J. Robinson in both the Direct Index and the Indirect Index of the Records thereof.

Done this the 20 day of August, 1957.


CIRCUIT JUDGE

FINAL DECREE

* * * * *

U. J. ROBINSON,
Complainant

vs.

MARSHALL F. ROBINSON,
ET AL, AND CERTAIN LANDS,
Respondent

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED
AUG 20 1957
ALICE A. BECK, Register

LEGAL NOTICE

U. J. ROBINSON,	§	
Complainant		IN THE CIRCUIT COURT OF
VS.	§	BALDWIN COUNTY, ALABAMA
		IN EQUITY
MARSHALL F. ROBINSON,	§	
et al, and CERTAIN LANDS		CASE NUMBER _____
Respondents	§	

Notice is hereby given to the heirs or devisees of MARSHALL F. ROBINSON, JESSIE ROBINSON, EMMA V. DIXON, ROBERT E. DIXON, WANNER DENTON, JOHN WILLIAMS as Attorney in Fact for WANNER DENTON, MIKE HOUSTON, NATHANIEL HOWARD, LUCY HOWARD, EMMERLINE HOWARD, EDWARD R. OLCOTT, WILLIAM GIBSON, GEORGE FLAGG, and to all unknown persons, firms and corporations claiming any title to, interest in, lien or encumbrances upon, the lands described below, or any part thereof, that in the Circuit Court of Baldwin County, Alabama, in Equity, there is pending a verified Bill of Complaint filed by U. J. ROBINSON against the following described lands:

Starting at the Southwest corner of the West one-half ($W\frac{1}{2}$) of West one-half ($W\frac{1}{2}$) of East one-half ($E\frac{1}{2}$) of Southwest Quarter ($SW\frac{1}{4}$) of Southwest Quarter ($SW\frac{1}{4}$) of Section 20, Township 6 South, Range 2 East, thence running East 100 ft. for a point of beginning; thence East 100 ft; thence North 320 ft; thence West 100 ft; thence South 320 ft. to the point of beginning. Excepting a 30 ft. R. O. W. on the South boundary for a public road, and a 6 ft. R. O. W. on the East boundary for a public walkway. All in Baldwin County, Alabama.

And against any and all persons claiming any title thereto or interest therein or lien or encumbrance upon said lands or any part thereof, said Bill being filed to establish the right or title to such lands and to clear up all doubts or disputes concerning the same.

Complainant claims title to said lands under and by virtue of a deed of conveyance from MARSHALL F. ROBINSON and JESSIE ROBINSON, which deed is recorded in Deed Book 141, Page 17 of the Probate Records of Baldwin County, Alabama. Complainant alleges that he knows of no one who has paid taxes on said lands, or who have been in possession of the same or any part thereof within the ten (10) years next preceding the filing of the Bill of Complaint, except Complainant and his predecessors in title within the said period.

It is therefore ordered that publication of this notice be made in The Fairhope Courier, 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 any title to, interest in, or lien or encumbrance upon, the above described real estate, or any part thereof, be, and they are hereby required to plead, answer or demur to the Bill of Complaint in this cause within the time required by law.

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

Done at office this the 28^a day of May, 1957.

/S/ ALICE J. DUCK

Alice J. Duck, Register

Ernest M. Bailey
Attorney for Complainant

STATE OF ALABAMA)
)
BALDWIN COUNTY)

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

WITNESS my hand and seal of office this the 28^a day of May, 1957.

/S/ ALICE J. DUCK

Alice J. Duck, Register

U. J. ROBINSON,
COMPLAINANT
VS.


MARSHALL F. ROBINSON,
ET AL, AND CERTAIN
LANDS,
RESPONDENTS

¶
¶
¶
¶

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER OF GUARDIAN AD LITEM, JOHN V. DUCK

Come all unknown minors and insane parties, as well as all parties who might be in the military service of the United States, by their Guardian Ad Litem, John V. Duck, and for answer to the Bill of Complaint filed in the above mentioned cause, denies each and every allegation of said Bill and demands strict proof.


JOHN V. DUCK, as Guardian Ad Litem
and as Attorney representing parties
in the military service

CERTIFICATE

I do hereby certify that I have served a copy of the above by delivery to Ernest M. Bailey, Attorney for the Complainant, on this the 3rd day of August, 1957.


JOHN V. DUCK, GUARDIAN AD LITEM

U. J. ROBINSON,
COMPLAINANT

VS.

MARSHALL F. ROBINSON,
ET AL AND CERTAIN LANDS

ANSWER OF GUARDIAN AD LITEM

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

*Filed 8-3-57
W. J. French
Register*

U. J. ROBINSON,
Complainant
VS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

MARSHALL F. ROBINSON,
et al and CERTAIN LANDS,
Respondent

APPOINTMENT OF GUARDIAN
AD LITEM

In this cause it is made to appear to the Register by the Complainant, U. J. Robinson that the Defendants may be unknown minors, insane parties or parties in the military services; and it further appearing that John Duck, an Attorney at Law, is in all respects a suitable person to act as Guardian ad Litem for such parties; and the said John Duck, having filed his consent in writing to act as such;

It is now therefore ordered by the Register of said Court that John Duck be and the same hereby is appointed Guardian ad Litem in this cause for the said parties.

Witness my hand this 18 day of June, 1957.

Kenice J. Duck
REGISTER

CONSENT TO ACT

I, John V. Duck, hereby accept the above appointment as Guardian ad Litem, and consent to act as such in the above cause.

Witness my hand this 18 day of June, 1957.

John V. Duck

IN EQUITY

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

U. J. ROBINSON, Plaintiff

vs.

MARSHALL F. ROBINSON, et al

and CERTAIN LANDS, Respondent

IN EQUITY

U. J. ROBINSON, Plaintiff

vs. MARSHALL F. ROBINSON, et al and CERTAIN LANDS, Respondent

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

U. J. ROBINSON, Plaintiff

vs. MARSHALL F. ROBINSON, et al and CERTAIN LANDS, Respondent

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

U. J. ROBINSON, Plaintiff

vs. MARSHALL F. ROBINSON, et al and CERTAIN LANDS, Respondent

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

U. J. ROBINSON, Plaintiff

vs. MARSHALL F. ROBINSON, et al and CERTAIN LANDS, Respondent

APPOINTMENT AND CONSENT
GUARDIAN AD LITEM

U. J. ROBINSON,
Complainant

vs.

MARSHALL F. ROBINSON, et al
and CERTAIN LANDS
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

U. J. ROBINSON, Plaintiff
vs. MARSHALL F. ROBINSON, et al and CERTAIN LANDS, Respondent
IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
IN EQUITY

U. J. ROBINSON,
Complainant
VS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

MARSHALL F. ROBINSON,
JESSIE ROBINSON, EMMA
V. DIXON, ROBERT E.
DIXON, WANNER DENTON,
JOHN WILLIAMS as Attorney
in Fact for WANNER DENTON,
MIKE HOUSTON, NATHANIEL
HOWARD, LUCY HOWARD, EMMER-
LINE HOWARD, EDWARD R. OLCOTT
WILLIAM GIBSON, GEORGE FLAGG

CASE NO. _____

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

Starting at the Southwest corner
of the West one-half ($W\frac{1}{2}$) of West
one-half ($W\frac{1}{2}$) of East one-half
($E\frac{1}{2}$) of Southwest Quarter ($SW\frac{1}{4}$) of
Southwest Quarter ($SW\frac{1}{4}$) of Sec. 20,
Township 6 South, Range 2 East,
thence running East 100 ft. for a
point of beginning; thence East 100
ft., thence North 320 ft., thence
West 100 ft., thence South 320 ft.
to the point of beginning. Excepting
a 30 ft. R.O.W. on the South boundary
for a public road, and a 6 ft. R.O.W.
on the East boundary for a public walk-
way. All in Baldwin County, Alabama,

Respondents

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

Comes the Complainant, U. J. Robinson, and respectfully shows
unto the Court as follows:

1. That the Complainant is over the age of twenty-one years
and resides in Mobile, Mobile County, Alabama.

2. That the Respondents, Marshall F. Robinson and Jessie Robin-
son are over the age of twenty-one years and are residents of _____
~~Covington, Virginia~~, ~~xxxxxx~~; that the addresses of the other
Respondents named in the Bill of Complaint are unknown to your Com-
plainant and cannot be ascertained through reasonable, diligent
efforts; that your Complainant has obtained an abstract of title to
the property described herein and the Complainant, through his
attorney, has examined the records relating to the said land and

said records indicate that the only possible claimants are the Respondents, their heirs or devisees, if any. Complainant avers that he does not know of any other person, firm or corporation who claims the land that is the subject of this suit, or any title to, interest in, lien or encumbrances thereon, or any part thereof other than the within named Respondents.

3. That the land in question is situated in Baldwin County, State of Alabama, and more particularly described as follows:

Starting at the Southwest corner of the West one-half ($W\frac{1}{2}$) of West one-half ($W\frac{1}{2}$) of East one-half ($E\frac{1}{2}$) of Southwest Quarter ($SW\frac{1}{4}$) of Southwest Quarter ($SW\frac{1}{4}$) of Section 20, Township 6 South, Range 2 East, thence running East 100 feet for a point of beginning; thence East 100 feet; thence North 320 feet; thence West 100 feet; thence South 320 feet to the point of beginning. Excepting a 30 foot R. O. W. on the South boundary for a public road, and a 6 foot R. O. W. on the East boundary for a public walkway. All in Baldwin County, Alabama.


4. Complainant claims in his own right the entire fee simple title in and to the above described real estate and in support of such fee simple title, he avers that he purchased said property for a valuable consideration from Marshall F. Robinson and his wife, Jessie Robinson on the 11th day of January, 1947, as evidenced by a deed of conveyance executed the said Marshall F. Robinson and Jessie Robinson in favor of the Complainant as shown in the records in the Office of the Judge of Probate of Baldwin County, Alabama in Deed Book 141 at pages 17-18.

5. Complainant is now and has been, and his predecessors in title have been, in open, notorious, continuous, peaceable and adverse possession of said land for more than ten (10) years preceding the filing of this Bill, and that for more than ten (10) years preceding the date of the filing of this Bill, no one other than the Complainant or his predecessors in title have assessed or paid any taxes on said property.

6. Complainant further avers that there is no suit pending to test the title to said real estate or his interest in or right of possession of same.

The premises considered, the Complainant files this his verified Bill of Complaint against the land hereinabove described and against Marshall F. Robinson, Jessie Robinson, Emma V. Dixon, Robert E. Dixon,

Wanner Denton, John Williams as Attorney in Fact for Wanner Denton, Mike Houston, Nathaniel Howard, Lucy Howard, Emmerline Howard, Edward R. Olcott, William Gibson, George Flagg, if living, or against their heirs or devisees, if deceased, and against all or any other persons claiming any interest in, title to, lien or encumbrances upon said land or any part thereof, for the purpose of establishing Complainant's right of title to said land, and to clear up all doubts or disputes concerning the same, and Complainant further prays that process be served on the parties hereinabove named or publication be made, requiring them to plead, answer or demur to the same within the time required by law, or a Decree Pro Confesso be entered against them, and Complainant further prays that notice be filed in the Lis Pendens records in the Probate Court Office as required by law, and Complainant further prays that this Court forthwith a Guardian ad Litem to represent such of said Respondents who may at this time be under the age of twenty-one years, or who may be incompetent, or who may be in the Armed Services of the United States of America. Complainant further prays that this Court 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 decrees. Complainant further prays that the Court make and enter all decrees, orders, and judgments which may be meet and proper in the premises and that upon a hearing this Court will find, decide and decree that the Complainant is the owner of a fee simple title in and to all of the real estate hereinabove described. Complainant further prays that if he is mistaken in the relief prayed for, this Court will grant such other, further, additional or different relief as may appear to the Court to be just and equitable.


SOLICITOR FOR COMPLAINANT

STATE OF ALABAMA - BALDWIN COUNTY

Before me, the undersigned notary public in and for the state of Alabama at Large, personally appeared U. J. Robinson, who, being by me first duly sworn, deposes and says that the facts alleged in the foregoing instrument are true.


U. J. ROBINSON

Sworn to and subscribed before me this 15 day of June, 1957.


NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 14, 1958.

4056

BILL OF COMPLAINT

* * * * *

U. J. ROBINSON,

COMPLAINANT

VS.

MARSHALL F. ROBINSON,
et al and CERTAIN LANDS,

RESPONDENTS

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

*Filed 5/29/57
Alice J. Welch
Register*

LEGAL NOTICE

U. J. ROBINSON,

Complainant

VS.

MARSHALL F. ROBINSON,
et al, and CERTAIN LANDS

Respondents

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NUMBER 4056

BOOK 253
PAGE 105

Notice is hereby given to the heirs or devisees of MARSHALL F. ROBINSON, JESSIE ROBINSON, EMMA V. DIXON, ROBERT E. DIXON, WANNER DENTON, JOHN WILLIAMS as Attorney in Fact for WANNER DENTON, MIKE HOUSTON, NATHANIEL HOWARD, LUCY HOWARD, EMMERLINE HOWARD, EDWARD R. OLCOTT, WILLIAM GIBSON, GEORGE FLAGG, and to all unknown persons, firms and corporations claiming any title to, interest in, lien or encumbrances upon, the lands described below, or any part thereof, that in the Circuit Court of Baldwin County, Alabama, in Equity, there is pending a verified Bill of Complaint filed by U. J. ROBINSON against the following described lands:

Starting at the Southwest corner of the West one-half ($W\frac{1}{2}$) of West one-half ($W\frac{1}{2}$) of East one-half ($E\frac{1}{2}$) of Southwest Quarter ($SW\frac{1}{4}$) of Southwest Quarter ($SW\frac{1}{4}$) of Section 20, Township 6 South, Range 2 East, thence running East 100 ft. for a point-of beginning; thence East 100 ft; thence North 320 ft; thence West 100 ft; thence South 320 ft. to the point of beginning. Excepting a 30 ft. R. O. W. on the South boundary for a public road, and a 6 ft. R. O. W. on the East boundary for a public walkway. All in Baldwin County, Alabama.

And against any and all persons claiming any title thereto or interest therein or lien or encumbrance upon said lands or any part thereof, said Bill being filed to establish the right or title to such lands and to clear up all doubts or disputes concerning the same.

Complainant claims title to said lands under and by virtue of a deed of conveyance from MARSHALL F. ROBINSON and JESSIE ROBINSON, which deed is recorded in Deed Book 141, Page 17 of the Probate Records of Baldwin County, Alabama. Complainant alleges that he knows of no one who has paid taxes on said lands, or who have been in possession of the same or any part thereof within the ten (10) years next preceding the filing of the Bill of Complaint, except Complainant and his predecessors in title within the said period.

1102-5
It is therefore ordered that publication of this notice be made in The Fairhope Courier, 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 any title to, interest in, or lien or encumbrance upon, the above described real estate, or any part thereof, be, and they are hereby required to plead, answer or demur to the Bill of Complaint in this cause within the time required by law.

BOOK 253 PAGE 105

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

Done at office this the _____ day of May, 1957.

/s/ ALICE J. DUCK
Alice J. Duck, Register

Ernest M. Bailey
Attorney for Complainant

STATE OF ALABAMA)
BALDWIN COUNTY)

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

WITNESS my hand and seal of office this the _____ day of May, 1957.

/s/ ALICE J. DUCK
Alice J. Duck, Register

STATE OF ALABAMA, BALDWIN COUNTY
Filed 6-18-57 2:30 P.M.
Recorded *Ad* Book 253 page 105-6
MR Stewart
Judge of Probate 6

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

No. August 3rd Term, 1957.

U. J. ROBINSON Complainant

MARSHALL F. ROBINSON, et al Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 30th day of May, 1957, in the Fairhope Courier a newspaper published in Fairhope, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 30th day of May, 1957, and for four consecutive weeks thereafter

And it now further appearing to the Register Alice J. Duck, that the said Marshall F. Robinson, Jessie Robinson, Emma V, Dixon, Robert Dixon, Wanner Denton, John Williams, as Attorney in Fact for Wanner Denton, Mike Houston, Nathaniel Howard, Lucy Howard, Emmerline Howard, Edward R. Olcott, William Gibson Flagg, or no other person

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Marshall F. Robinson and other parties named above

This 3rd day of August 1957

Alice J. Duck Register.

The State of Alabama
BALDWIN COUNTY

Circuit Court, In Equity

U. J. ROBINSON

Vs.

MARSHALL F. ROBINSON, et al
and certain lands

Decree Pro Confesso of Publication

Issued August 3rd 1937

W. J. Black
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____ August _____, Term, 1957

U. J. ROBINSON

Complainant

Marshall F. Robinson, Jessie Robinson, ^{Vs.} Emma V. Dixon, et al

Defendant

Motion is hereby made for a Decree Pro Confesso against Marshall F. Robinson, et al

(all Defendants named in the Bill Of Complaint)

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 3rd day of August 1957

746 Code

Ernest H. Barber Solicitor.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

U. J. ROBINSON

Complainant

Vs.

MARSHALL F. ROBINSON, et al

and certain lands

Defendant

Motion for Decree Pro Confesso
on Publication

Filed August 3rd 1957

W. J. Duck

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Private Court

U. J. ROBINSON,
Complainant
VS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

CASE NUMBER _____

MARSHALL F. ROBINSON, JESSIE ROBINSON, EMMA V. DIXON, ROBERT DIXON, WANNER DENTON, JOHN WILLIAMS, as Attorney in Fact for WANNER DENTON, MIKE HOUSTON, NATHANIEL HOWARD, LUCY HOWARD, EMERLINE HOWARD, EDWARD R. CLCOTT, WILLIAM GIBSON, GEORGE FLAGG

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

Starting at the Southwest corner of the West one-half (W $\frac{1}{2}$) of West one-half (W $\frac{1}{2}$) of East one-half (E $\frac{1}{2}$) of Southwest Quarter (SW $\frac{1}{4}$) of Southwest Quarter (SW $\frac{1}{4}$) of Sec. 20, Township 6 South, Range 2 East, thence running East 100 feet for a point of beginning; thence East 100 feet, thence North 320 feet, thence West 100 feet, thence South 320 feet to the point of beginning. Excepting a 30 foot R.O.W. on the South boundary for a public road, and a 6 foot R.O.W. on the East boundary for a public walkway. All in Baldwin County, Alabama;

And any and all other persons claiming any title to or interest in the real property described above,
Respondents

STATE OF ALABAMA, BALDWIN COUNTY
Filed 8-22-57
Recorded *deed*
book 256 page 10 A.M.
75-7
M. O. Stewart
Judge of Probate

BOOK 256 PAGE 15

FINAL DECREE

This cause coming on to be heard this the 20th day of August, 1957, is submitted for final decree upon Complainant's verified Bill of Complaint and upon the decree pro confesso rendered therein, and the answer of the Guardian ad Litem, and the testimony of U. J. Robinson, Jerome Weeks and Marshall F. Robinson, taken orally before the Commissioner duly appointed by the Register, and by order of the Court, and the Certificate of the Register, and the pleadings and proof, as noted by the Register; and it appearing to the satisfaction of the Court:

1. That the Complainant, U. J. Robinson, at the time of filing of his Bill of Complaint in this cause, claimed in his own right a

fee simple title to, and was, in the actual, peaceful possession of the following described lands lying and being situated in the County of Baldwin, State of Alabama, more particularly described as follows:

Starting at the Southwest corner of the West one-half ($W\frac{1}{2}$) of West one-half ($W\frac{1}{2}$) of East one-half ($E\frac{1}{2}$) of Southwest Quarter ($SW\frac{1}{4}$) of Southwest Quarter ($SW\frac{1}{4}$) of Section 20, Township 6 South, Range 2 East, thence running East 100 feet for a point of beginning; thence East 100 feet, thence North 320 feet, thence West 100 feet, thence South 320 feet, to the point of beginning. Excepting a 30 foot R. O. W. on the South boundary for a public road, and a 6 foot R. O. W. on the East boundary for a public walkway. All in Baldwin County, Alabama.

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2. That at the time of the filing of said Bill of Complaint no suit was pending to test his title to, interest in, or his right to the possession of said lands.

3. That his said Bill of Complaint was and is duly verified and was filed against said lands, and was to establish the right or title to such lands or interest in and to clear up all doubts or disputes concerning the same, and that said Bill of Complaint did in all respects comply with the provisions of Article 2 of Title 7 of the 1940 Code of Alabama, as amended.

4. That the Complainant executed diligent efforts to ascertain the facts with regard to the Defendants and to give notice of the pendency of the said Bill of Complaint.

5. That notice of the pendency of said Bill of Complaint was drawn and signed by the Register of the Court and said Register did have said notice published once a week for four (4) consecutive weeks in The Fairhope Courier, a newspaper having general circulation and published in the County of Baldwin, Alabama, and authorized by order made in this cause.

6. That a copy of said notice certified by the Register of this Court as being correct was recorded as a Lis Pendens in the Office of the Judge of Probate of said County, and said notice being in strict accord and compliance with the law.

7. That it has been more than sixty (60) days since the first publication of said notice and the filing of a certified copy of said notice in the Office of the Judge of Probate of said County where the said lands lie.

8. That no person has intervened in said cause.

9. That a Guardian Ad Litem and an Attorney Ad Litem has been appointed and accepted service and filed an answer in said cause to protect the rights of appropriate parties in said matter.

10. That the Complainant has established, as shown by legal evidence, that he is the owner in fee simple title of the said lands.

11. That all of the allegations of fact contained in Complainant's Bill of Complaint are true.

It is therefore, ORDERED, ADJUDGED AND DECREED by the Court that the Complainant is entitled to the relief prayed for in this said Bill of Complaint, and that the fee simple title claimed by the Complainant in and to the above described lands has been duly proven.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Complainant is the owner of said lands and has the fee simple title thereto, free of all liens and encumbrances, and that all doubts and disputes concerning the same are hereby cleared up.

It is further ORDERED, ADJUDGED AND DECREED by the Court that a certified copy of this decree be recorded in the Office of the Judge of Probate of Baldwin County, Alabama, and that it be indexed in the name of U. J. Robinson in both the Direct Index and the Indirect Index of the Records thereof.

Done this the 20th day of August, 1957.

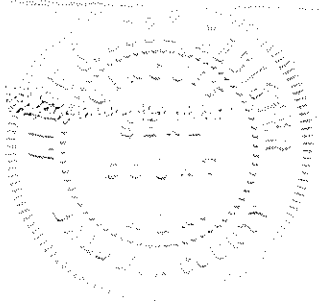
Hubert M. Hall

CIRCUIT JUDGE

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

WITNESS MY HAND AND SEAL THIS THE 20 day of Aug. 1957

Alice J. Duck
Register of Circuit Court, in Equity



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ELIANT DECREE

U. J. ROBINSON

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U. J. ROBINSON

U. J. ROBINSON



Register of Circuit Court, Baldwin County, Alabama
1923

WITNESSE MY HAND AND SEAL THIS 14TH DAY OF FEBRUARY 1923
at the City of Baldwin, Alabama, this 14th day of February, 1923.
J. W. DICK, Register of the Circuit Court of Baldwin County, Alabama.

FINAL DECREE

U. J. ROBINSON,
COMPLAINANT
VS.
MARSHALL F. ROBINSON,
ET AL. AND CERTAIN LANDS,
RESPONDENTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

* * * * *
Judge of Probate of Baldwin County, Alabama, and that it be in-
* a certified copy of this decree be recorded in the Office of the

It is further ORDERED, ADJUDGED AND DECREED by the Court that
deeds and disputes concerning the same are hereby cleared up.
title thereto, free of all liens and encumbrances, and that all
the Complainant is the owner of said lands and has the fee simple
If it is further ORDERED, ADJUDGED AND DECREED by the Court that
Complainant in and to the above described lands has been
Bill of Complaint, and that the fee simple title claimed by
the Complainant is entitled to the relief prayed for in this said
It is therefore ORDERED, ADJUDGED AND DECREED by the Court that
the Bill of Complaint be dismissed.

Robinson

Mrs. Alice Dick
Bm

11. That all of the allegations of fact contained in Complainant's
Bill of Complaint be dismissed.

12. That the Complainant has established, as shown by the
evidence, that he is the owner in fee simple title of the said
to protect the rights of appropriate parties in said matter,
appointed and accepted service and filed an answer in said cause
of that a Guardian Ad Litem and an Attorney Ad Litem has been

U. J. ROBINSON vs. MARSHALL F. ROBINSON, ET AL. AND CERTAIN LANDS

TESTIMONY OF U. J. ROBINSON:

My name is U. J. Robinson. I am over the age of twenty-one years and am a resident of Mobile, Mobile County, Alabama.

I am the Complainant in these proceedings to quiet the title to the property described in the Bill of Complaint. I acquired title to the property from my son, Marshall F. Robinson and his wife, Jessie Robinson, on January 11, 1947. The original deed obtained from my son in January, 1947 incorrectly described the property in that a West call was left out of the deed. I obtained a new deed from my son, Marshall F. Robinson and Jessie Robinson, his wife, on February 18, 1957, which deed corrected the error in the original deed. The property described in the Bill of Complaint is the correct description of the property owned by me.

On acquiring the property in January of 1947, I immediately went into possession of the described premises and have been in continuous possession of the said land to the present date. Since going into possession of the land in January, 1947, I have continuously paid taxes on the property.

I have had an abstract prepared to the property and I know of no other person than those named in the Bill of Complaint who may have a claim to the property described in said Bill. I do not know the addresses or residences of those individuals named in the Bill of Complaint other than Marshall F. Robinson and Jessie Robinson. I have, through my attorney, made a reasonable and diligent effort to ascertain the names or addresses of parties named in the Bill of Complaint and have been unable to do so. I do not know if any of the parties are living or dead.


U. J. ROBINSON

CROSS-EXAMINATION BY GUARDIAN AD LITEM, JOHN V. DUCK

Q. Have any of the parties named in the Bill of Complaint filed an answer to the Bill?

A. No.

Q. Do you know of any adverse claim against the property at this time?

CONTINUATION OF CROSS EXAMINATION BY GUARDIAN AD LITEM:

A. No.

Q. Is the property the same as stated in the Bill of Complaint?

A. Yes.

Q. Were the taxes assessed in your name from 1947 to the present date?

A. Yes.

NO FURTHER QUESTIONS

Sworn to and subscribed before me this 14th day of August, 1957.

Virginia Brewton
VIRGINIA BREWTON, COMMISSIONER

TESTIMONY OF
U. J. ROBINSON

* * * * *

U. J. ROBINSON,
COMPLAINANT
VS.

MARSHALL F. ROBINSON,
ET AL AND CERTAIN LANDS,
RESPONDENTS

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED

AUG 20 1957

ALICE J. BUCK, Register

U. J. ROBINSON vs. MARSHALL F. ROBINSON, ET AL, AND CERTAIN LANDS

TESTIMONY OF MARSHALL F. ROBINSON:

My name is Marshall F. Robinson. I am a resident of Covington, Virginia and I am over the age of twenty one years.

I acquired title to the property described in the Bill of Complaint on December 5, 1944 from Emma V. Dixon. I did not know the property prior to that date. On January 11, 1947, I conveyed the property to my father, U. J. Robinson, who is the present owner. I paid taxes on the property in the years 1944 to 1946.

During my period of ownership of the property I know of no adverse claim to my interest. I was in open, notorious and exclusive possession of the property until the same was conveyed to my father, U. J. Robinson, in 1947.


MARSHALL F. ROBINSON

CROSS-EXAMINATION BY GUARDIAN AD LITEM, JOHN V. DUCK

Q. Were the property taxes assessed in your name, during your period of ownership?

A. Yes.

Q. You know of no adverse claim to your ownership?

A. No.

NO FURTHER CROSS-EXAMINATION

Sworn to and subscribed before me this 14th day of August, 1957.


VIRGINIA BREWTON
COMMISSIONER

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TESTIMONY OF
MARSHALL F. ROBINSON

* * * * *

U. J. ROBINSON,
COMPLAINANT
VS.

MARSHALL F. ROBINSON,
ET AL AND CERTAIN LANDS

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQ UITY

FILED
AUG 20 1957
ALICE L. BECK, Register

U. J. ROBINSON vs. MARSHALL F. ROBINSON, ET AL. AND CERTAIN LANDS

TESTIMONY OF JEROME WEEKS:

My name is Jerome Weeks. I am over the age of twenty-one years and a resident of Baldwin County, Alabama. I have known the land described in the Bill of Complaint for more than forty (40) years. At the time that I first knew the land it was owned by Emerline Howard. To the best of my knowledge, the land was owned by Wanner Denton prior to Emerline Howard's ownership. When I was approximately fifteen (15) or sixteen (16) years old, there was a chimney and well on this particular piece of property. It was said that Wanner Denton's home had been at that place.

Emerline Howard was the owner when I first knew the land and died, to the best of my knowledge, in about the year 1924-25. Nathaniel Howard was the only child of Emerline Howard. Nathaniel Howard exerted ownership over the land for a short period of time following his mother's death and the property was conveyed to Robert E. Dixon and Emma V. Dixon, his wife, by Nathaniel Howard and Lucy Howard, his wife, I am informed that the deed was dated August 17, 1926 and recorded in Deed Book 40 at pages 579-80. To the best of my knowledge, Robert E. Dixon and Emma V. Dixon had no children. To the best of my knowledge, Robert E. Dixon died in about 1935 or 1936.

Marshall F. Robinson acquired title to the property from Emma V. Dixon and exerted ownership over the property until he conveyed to his father, U. J. Robinson, the present owner of the property, in the year 1947.

The parties which I have stated above were, each individual, in open, notorious and exclusive possession of the property and I have never known of any adverse claim to this property to the individuals whom I have stated were in ownership.


JEROME WEEKS


CROSS-EXAMINATION BY GUARDIAN AD LITEM,
JOHN V. DUCK

Q. Do you know of any adverse owners to those individuals whom you have stated who were in actual possession of the premises?

A. No.

NO FURTHER CROSS-EXAMINATION

Sworn to and subscribed before me this 14th day of August, 1957.


VIRGINIA BREWTON, COMMISSIONER

TESTIMONY OF JEROME WEEKS

* * * * *

U. J. ROBINSON,

COMPLAINANT

VS.

MARSHALL F. ROBINSON,
ET AL AND CERTAIN LANDS

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED
AUG 20 1957
ALICE J. DUCK, Register

U. J. ROBINSON

vs.

MARSHALL F. ROBINSON,
ET AL AND CERTAIN LANDS

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

DECREE PRO CONFESSO AND TESTIMONY OF U. J. ROBINSON,

MARSHALL F. ROBINSON AND JEROME WEEKS

and in behalf of Defendant upon _____ GUARDIAN AD LITEM

Samuel M. Bailey
Solicitor for Complainant

Wiley J. Weeks
Register.
ATTORNEY AND GUARDIAN AD LITEM

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

U. J. ROBINSON

vs.

MARSHALL F. ROBINSON, ET AL,
AND CERTAIN LANDS

NOTE OF TESTIMONY

Filed in Open Court this **FILED**
day of **AUG 20 1957**, 194

ALICE J. DUCK, Register Register.

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