

2934

MOTION FOR DECREE PRO CONFESSO

L. W. FENT AND ALMA FENT,
Complainants,

VS.

L. MAE STODDARD, ET AL.,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY
CASE NO. 2934.

Motion is hereby made for a Decree Pro Confesso against L. Mae Stoddard, W. R. Green, and his heirs or devisees, if deceased, Walter W. Hollis, Elbert King, Fanny Leona King, and against their, and each of their heirs, devisees, grantees, administrators, successors, personal representatives and assigns, and also against any other person, firm or corporation claiming any right, title to, interest in, or encumbrance against said land or any part thereof, on the land involved in this suit, Respondents, in the annexed stated cause, on the ground that more than thirty (30) 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 the said Respondents are non-residents of the State of Alabama and have failed to answer, plead or demur to the bill in this cause, to the date hereof.

This 3 day of March, 1953.

Henry J. Walters
Solicitor for Complainants

RECORDED

MOTION FOR DECREE PRO CONFESSO

L. W. FENT AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2934.

FILED

3-3-53

ALICE J. DUCK, Register

APPOINTMENT, ACCEPTANCE AND ANSWER OF GUARDIAN

AD LITEM

L. W. BERT AND ALMA BERT,

Complainants,

VS.

L. MAE STODDARD, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2934.

It appearing to the Court from the allegations of the Bill of Complaint filed in the above entitled cause and from the averments of the affidavit filed in support of such Bill of Complaint that some of the Respondents are non-residents of the State of Alabama and are unknown parties, it is therefore, by the Court ordered, adjudged and decreed:

That Reuben McKinley be and he is hereby appointed as guardian ad litem for all the unknown parties, Respondents, in this cause, and that he be forthwith notified by the Register of such appointment, and upon his acceptance of this notice, that service be had in this cause by serving a copy of the original Bill of Complaint in this cause on him as guardian ad litem for all unknown parties Respondents.

George W. Darch
Register

Comes Now Reuben T. McKinley and accepts the appointment of guardian ad litem for the unknown heirs in the above styled cause.

Reuben T. McKinley
Guardian ad litem

And for answer to this Bill of Complaint says: That he denies each and every allegation contained therein and demands strict proof thereof.

Reuben T. McKinley
Guardian ad litem

RECORDED

APPOINTMENT, ACCEPTANCE AND
ANSWER OF GUARDIAN AD LITEM

L. W. FENT AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2934.

DECREE PRO CONFESSO

L. W. FENT AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2984.

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 18th day of Dec, 1952 in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, that a copy of said order was posted at the Courthouse door in Bay Minette, Baldwin County, on the 18th day of Dec, 1952.

And it now, further appearing to the Register, Alice J. Duck, that the said L. Mae Stoddard, W. R. Green, and his heirs or devisees, if deceased, Walter W. Hoiles, Elbert King, Fanny Leona King and any and all firms, associations, and corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands involved 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 that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said L. Mae Stoddard, W. R. Green, and his heirs or devisees, if deceased, Walter W. Hoiles, Elbert King, Fanny Leona King and any and all firms, associations, and corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands involved. The Baldwin County Savings & Loan Association is specifically excepted from this Decree Pro Confesso.

This 4th day of March, 1953.

Alice J. Duck
Alice J. Duck

RECORDED

DECREE PRO CONFESSO

L. W. FENT AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD ET AL.,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2934.

MOTION FOR FINAL DECREE

L. W. RENT AND ALMA RENT,

Complainants,

VS.

L. MAE STODDARD, ET ALS.,

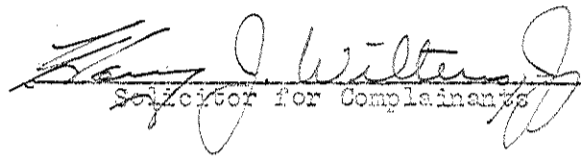
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2934.

Testimony having been taken in this cause and the same being ready for final decree, motion is hereby made that the said cause be set down for final decree this the 7 day of March, 1953.



Attorney for Complainants

RECORDED
MOTION FOR FINAL DECREE

L. W. FENT AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD, ET ALS.,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2934.

FILED

3-9-58.

ALICE J. DUCK, Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Marv J. Brantley

KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine L. W. Pent, Elbert King and Harry J. Wilters, Jr.

as witnesses in behalf of Complainants in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

L. W. Pent and Alma Pent

Complainants
and L. Mae Stoddard et als.,

Respondents

on oath, to be by you administered, upon witnesses, L. W. Pent, Elbert King and Harry J. Wilters, Jr. to take and certify the deposition s of the witness es and return the same to our Court, with all convenient speed, under your hand.

Witness Mar day of March, 1955

W. J. Brantley
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

L. J. Font and Alma Font

Complainant^s

vs.

L. Mae Stoddard et al.,

Defendant^s

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Mary J. Brentley

WITNESSES:

Harry J. Wilton, Jr., L. W. Rent,
and Elbert King

NOTICE OF MOTION FOR ORAL EXAMINATION

L. W. FENT AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. _____.

To the unknown heirs, devisees, personal representatives, alienees and assigns of L. Mae Stoddard, W. R. Green, and his heirs or devisees, if deceased, Walter W. Hollis, Elbert King, Fanny Leona King, and against their, and each of their heirs, devisees, grantees, administrators, successors, personal representatives and assigns, and any and all persons, firms, associations and corporations claiming any title to, interest in, claim, lien or encumbrance on the following described lands, to-wit: Lot 16 in Block 8, Stoddard Grove Addition to Robertsdale, Alabama, as per plat recorded in Map Book 1, page 86, Baldwin County Probate Records, or some parcel or part thereof.

Notice is hereby given that the Complainant in the above styled cause has this day made application for the oral examination of L. W. FENT and Elbert King, witnesses for the Complainant in the above styled cause and has suggested Mary J. Brantley as a suitable person to act as Commissioner in the taking of the depositions of said witnesses.

Witness this 4 day of March, 1953.

Henry J. Walters, Jr.
Solicitor for Complainants

Miss J. Brantley
Register, Circuit Court of
Baldwin County, Alabama.

C E R T I F I C A T E

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of the motion and application of the Complainant for oral examination of the said L. W. FENT and _____, witnesses for Complainant and that notice of said motion was given to the Respondents by entry on the Order Book of the Register, said entry having been made on the _____ day of _____, 1953.

Register of the Circuit Court of Baldwin
County, Alabama.

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NOTICE OF MOTION FOR ORAL EX-
AMINATION

L. W. FENT AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2934.

FILED

3-4-53
ALICE A. DUCK, Register

517-2

ORDER GRANTING MOTION FOR ORAL EXAMINATION AND APPOINTMENT OF A COMMISSIONER

L. W. FENT AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. _____.

Complainants having on 4 day of March, 1955, filed their motion and request for oral examination of L. W. FENT and _____

Elbert King, witnesses for the Complainants and due and proper notice thereof having been given as required by law on the Order Book of this Court and Mary J. Brantley of the Town of Bay Minette, Alabama, being a suitable person to act as Commissioner to take the depositions of said witnesses.

It is therefore ORDERED, ADJUDGED and DECREED that the said motion for the oral examination of L. W. FENT and Elbert King, witnesses for Complainants, be and is hereby granted.

And that Mary J. Brantley be and she is hereby appointed as Commissioner to take the deposition of said witnesses.

Witness my hand this the 14th day of March, 1955.

W. J. Brantley
Registrar

REGISTER'S CERTIFICATE

I, Alice J. Duck, Register of the Circuit Court of Baldwin County,
In Equity, do hereby certify that the foregoing notice of the time and place
of taking depositions of Complainant's witnesses was filed and entered on the
Order Book of the Register on the _____ day of _____, 1953.

Register

ORDER GRANTING MOTION FOR ORAL EX-
AMINATION AND APPOINTMENT OF A
COMMISSIONER

L. W. FENT AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2934.

FILED

3-4-53

ALICE I. DUCK, Register

TRANSCRIPT OF TESTIMONY

| | | |
|---------------------------|---|--------------------------|
| L. W. FENT AND ALMA FENT, | (| |
| Complainants, | (| IN THE CIRCUIT COURT OF |
| VS. | (| BALDWIN COUNTY, ALABAMA. |
| L. MAE STODDARD, ET AL., | (| IN EQUITY |
| Respondents. | (| CASE NO. _____ |

This day, before me, appeared L. W. FENT, ELBERT KING and HARRY J. WILBERS, JR., witnesses for the Complainant in the above styled cause, Wilbers & Brantley, Attorneys for the Complainant in the above styled cause, and Reuben F. McKinley, Guardian ad Litem for the unknown parties Respondents in the above styled cause.

L. W. FENT, ELBERT KING and HARRY J. WILBERS, JR., then being duly sworn, by me, to speak the truth, the whole truth and nothing but the truth were examined first by the attorneys for the Complainant and then cross examined by the attorney for unknown parties Respondents testified as follows:

DIRECT EXAMINATION BY TOLBERT M. BRANTLEY:

Q. Mr. Fent, your initials are L. W. and your wife is Alma?

A. Yes.

Q. Do you own Lot 16, Block 8 Stoddard Grove Addition to Robertsdale?

A. Yes.

Q. Who did you buy this land from?

A. Mr. King.

Q. When did you buy this land?

A. It was April 18, 1952.

Q. Did you have a search made to find out where L. Mae Stoddard lives?

A. Yes, sir.

Q. Did you make an effort to find out where W. R. Green lives?

A. Yes, we could not find him.

Q. Is he over the age of twenty-one years?

A. Yes sir.

Q. And Walter W. Hoiles, Elbert King and Fanny Leona King are over twenty-one years old and residents of Baldwin County?

A. Yes sir.

Q. Is there any suit pending in any court to test your title?

A. No, sir.

Q. Have you had the instrument recorded by which you received title to this land?

A. Yes sir.

Q. The title now stands on the record in the Office of the Probate Judge in your name?

A. Yes sir.

Q. Have you been familiar with this land for the past ten years?

A. No, I have not.

Q. Does the Baldwin County Savings Loan Association have an interest in this land?

A. Yes sir.

Q. Since the time you have had this land has anyone disputed your title?

A. No, sir.

CROSS-EXAMINATION BY REUBEN F. MOXLEY:

Q. Mr. Fent, what year did you purchase this from Mr. King?

A. 1952.

Q. Did you or Mr. King pay taxes on this land in 1952?

A. Mr. King did.

Q. No one has questioned your title or possession since you took possession of the land?

A. No.

Q. What type of deed did Mr. King give you?

A. Warranty Deed.

DIRECT EXAMINATION BY TOLBERT M. BRANTLEY:

Q. Mr. King, how long have you been familiar with this land Mr. Fent described?

A. Since 1945.

Q. Did you know that land?

A. No.

Q. Did you see it before that time?

A. No, sir not before I bought it.

Q. From the time you bought this land until you sold it did anyone claim an interest in it?

A. No, sir.

Q. Did you improve it or use it?

A. I planted it in corn.

Q. No one has questioned your title in the land from 1945 until you sold it, Mr. King?

A. No.

Q. Entered suit?

A. No.

Q. Any body come to you and say this is my land?

A. No, sir.

DIRECT EXAMINATION BY TOLEBERT M. BRANTLEY:

Q. Is your name Harry J. Wilters?

A. That is right.

Q. Attorney at law?

A. That is right.

Q. Did you have an occasion to make a record search on Lot 16, Block 8, Stoddard Grove Addition to Robertsdale, Alabama?

A. I checked an abstract made by J. A. Ertzinger & Son, Licensed Abstracters, by Walter M. Lindsey. I checked two instruments very closely in the abstract, being pages five and six of the supplemental abstract which was from July 14, 1926, to April 21, 1952. I checked the instruments on record in the Probate Court of Baldwin County, Alabama, shown by the abstract; the first being a tax sale from W. R. Green, by Tax Collector to the State of Alabama. This Tax Sale was made on May 26, 1930, in Sales Book 7, page 45 whereby it shows that Lot 16, Block 8, Stoddard Grove Addition to Robertsdale. I found upon the records two notations: 1. I quote, "application to purchase filed by Walter J. Watson 6/28/50 signed W. R. Stuart, Judge." I found the second notation which read as follows: "Redeemed August 25, 1950, by Elbert King, paying \$11.99, including 1929, 1930, taxes." The second instrument which I checked upon the Probate Records was another tax sale from Walter W. Hoiles, by Tax Collector to the State of Alabama the date of the sale being June 13, 1932, in Sales Book 9, page 125, Lot 16, Block 8 Stoddard Grove Addition to Robertsdale was included in this sale with other property. 2. The first notation appearing on this instrument: "Application to purchase this land from the State filed 1/11/40 by Randolph McGowen, signed by G. W. Eibertson, Judge, by Kessler, clerk." The second notation was as follows: "Redeemed August 13, 1945, by Walter W. Hoiles, paying \$145.22, including 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, taxes."

Q. Do you know this land, Harry?

A. Yes.

Q. How long have you known it?

A. About 10 years.

Q. Do you know whether anyone was making/claim or claiming title or disputing the

ownership of Walter Hoiles, Elbert King and Fanny King during the time they owned it?

A. I never heard any.

Q. Was there any signs on this land to indicate that anyone owned it except Mr. Hoiles?

A. No.

Q. Was there any adverse holders against it at that time?

A. I do not believe there was any.

CROSS-EXAMINATION BY EUGENE F. MCKINLEY:

Q. Mr. Wilters, you say you have checked the records of this land for the last ten years by abstract?

A. By the abstract I have mentioned and the records as pointed out in my testimony.

Q. By the search of the records and abstract you have mentioned have you ascertained whether or not the taxes have been paid either by Mr. King or those through whom he claims for the past ten years?

A. I have ascertained so until 1944 which I stated in my previous testimony, taxes in 1945 were paid at escape #18 by Walter Hoiles in beat 9; 46 by Elbert King in beat 9. As for the year 1952 I ascertained from the Records in the Tax Collector's were paid on December 16, 1952. The taxes in 1953 are assessed to L. W. Fent and his wife, Alma, that is in beat 9.

Q. Through your search of the records, Mr. Wilters, have you ascertained whether or not possession has been in Mr. King by the principle of tacking for the past ten years?

A. I have ascertained that by the abstract.

Q. Were you familiar enough with the land for the past ten years to testify to a reasonable certainty that there were no adverse claimants to this land, other adverse title owners which would show any adverse possession other than them?

A. I never heard of any.

Q. Mr. Wilters, on what do you base your knowledge to said answer?

A. I have lived within a short distance from the land all my life.

RE-DIRECT EXAMINATION BY TOLBERT H. BRANTLEY:

Q. Mr. King, were you in possession of the land in litigation from 1945 to 1950?

A. Yes, sir.

Q. During that time your title was not questioned by anyone?

A. No, sir.

Cross Examination by Reuben F. McKinley

Q. Mr. King, from whom did you purchase the land in question?

A. Walter W. Hoiles.

Q. Mr. King, have you had any occasion to have the record checked to find out whether the taxes have been paid for the last 10 years?

A. Yes, sir.

Q. And have the taxes been paid for the past ten years by you and those through whom you claim?

A. Yes, sir.

Q. Do you know of anyone asserting a claim to this land?

A. Nobody has not said a word about it, nobody has made any claim whatever to me.

Q. How long did you stay in possession of the land?

A. From 1945 until April, 1952.

Q. What kind of conveyance did Mr. Hoiles give you?

A. Warranty deed.

Q. And you were the owner of said land until that year, 1952?

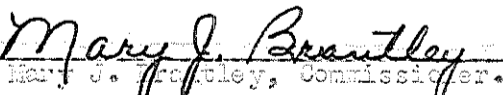
A. Yes, sir.

Q. And you sold the land to Mrs. L. W. Pent and Alma Pent?

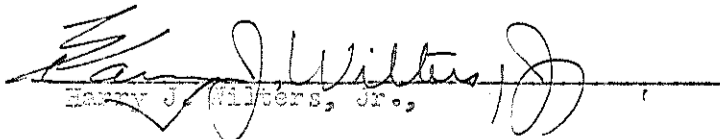
A. Yes, sir.

I, Mary J. Brantley, as Commissioner hereby certify that the foregoing testimony was taken down by me in writing in the words of the witnesses, L. W. Pent, Elbert King and Harry J. Wilters, Jr., on the 7th day of March, 1953, in the office of Wilters & Brantley; that I have personal knowledge of the personal identity of said witnesses; that I am not of counsel nor of kin to any of the parties to said cause; or in any manner interested in the result thereof.

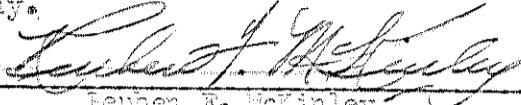
Given under my hand and seal this the 7th day of March, 1953.


Mary J. Brantley, Commissioner.

I, Harry J. Wilters, Jr., one of the Solicitors for the Complainants in the above styled cause, hereby certify that I have read the foregoing transcript of the testimony of L. W. Pent, Elbert King and myself, which was taken before the above named commissioner and hereby certify that it is a true and correct transcript of the testimony.


Harry J. Wilters, Jr.

I, Reuben F. McKinley, Solicitor for the unknown parties Respondents in the above styled cause, hereby certify that I have read the foregoing transcript of the testimony of L. W. Fent, Elbert King and Harry J. Wilton, Jr., which was taken before the above named commissioner and hereby certify that it is ^a true and correct transcript of her testimony.


Reuben F. McKinley

Testimony

L. W. Fent & Alma Fent

Complainants

vs

L. Max Hoddard et al.,

Respondents.

FILED

3753.

ALICE J. DUCK, Register

Legal Notice

LIS PENDENS NOTICE

In The Circuit Court of Baldwin County, Alabama, in Equity
L. W. FENT AND ALMA FENT,
Complainants

Vs.

L. MAE STODDARD, ET AL.
Respondents

It having been made to appear, in the above styled cause by proper affidavit that L. Mae Stoddard is over the age of twenty-one years and a non-resident of Baldwin County, Alabama, whose address is believed to be 1961 Selby Street, West Los Angeles, California. That W. R. Green is over the age of twenty-one and a non-resident of the State of Alabama and whose address cannot be ascertained after a diligent search and inquiry; that Walter W. Hoiles is over the age of twenty-one and a resident of Baldwin County, Alabama; that Elbert King is over the age of twenty-one years and a resident of Baldwin County, Alabama; that Fanny Leona King is over the age of twenty-one and a resident of Baldwin County, Alabama; that the Baldwin County Savings & Loan Association is a corporation of Baldwin County, Alabama, with its office in Robertsdale, Alabama; that L. W. Fent and Alma Fent are over the age of twenty-one years and a resident of Baldwin County, Alabama and are the owners in fee simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

LOT 16 IN BLOCK 8, STODDARD GROVE ADDITION TO ROBERTSDALE, ALABAMA, AS PER PLAT RECORDED IN MAP BOOK 1, PAGE 86, BALDWIN COUNTY PROBATE RECORDS.

That your Complainants acquired title to the said lands by a conveyance from Elbert King and Fanny Leona King, his wife, dated April 18, 1952 and recorded in the office of the Probate Judge of Baldwin County, Alabama in Deed Book 178, pages 424-5-6; that no person is known to have paid any taxes on said land or to have been in possession thereof, within ten years next preceding the filing of the bill of complaint, excepting Elbert King, Fanny Leona King and Walter W. Hoiles.

It is therefore ordered and notice is hereby given that the said L. Mae Stoddard, W. R. Green, Walter W. Hoiles, Elbert King, Fanny Leona King and the Baldwin County Savings & Loan Association, a corporation, the unknown heirs, devisees, personal representatives, grantees, successors, and assigns of L. Mae Stoddard, W. R. Green and his heirs or devisees, if deceased, Walter W. Hoiles, Elbert King, Fanny Leona King, and the Baldwin County Savings & Loan Association, a corporation, and any other person, firms or corporations claiming any title to, interest in, lien or encumbrances upon said lands, or any part thereof, to appear in the Circuit Court of Baldwin County, Alabama, in Equity, and plead, answer or demur to the bill of complaint on or before the 19 day of January, 1953, or upon their having failed to do so, upon the expiration of thirty days from said date, a decree pro confesso shall be taken against them, and that this cause shall be at issue.

IT IS FURTHER ORDERED that this order and notice be published in the Baldwin Times, Bay Minette, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 13th day of December, 1952.

ALICE J. DUCK
Register.

Harry J. Wilters, Jr.
Solicitor for the Complainant 48.4tc.

JIMMY FAULKNER
EDITOR AND PUBLISHER

THE BALDWIN COUNTY'S- BEST NEWSPAPER BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Jimmy Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

L. W. Fent vs.

L. Mae Stoddard

COST STATEMENT

618 WORDS @ 6 1/2 cents --- \$ 30 ¹⁷

I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner
Publisher.

Was published in said newspaper for _____ consecutive weeks in the following issues:

Date of 1st publication Dec. 18, 1952 Vol. 63 No. 48

Date of 2nd publication Dec. 25, 1952 Vol. 63 No. 49

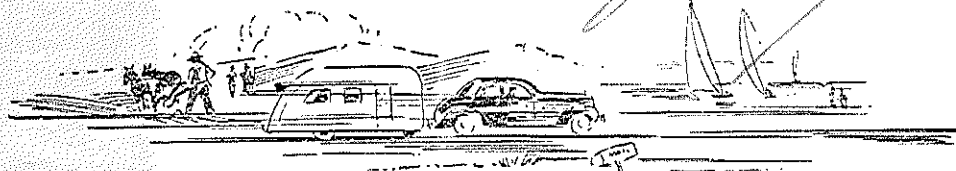
Date of 3rd publication Jan. 1, 1953 Vol. 63 No. 50

Date of 4th publication Jan. 8, 1953 Vol. 63 No. 51

Subscribed and sworn before the undersigned this 8 day of Jan, 1953

Saraty Marti
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



1300
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CONFIDENTIAL

1300

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

FILED

1-9-53-

MAGE I. BUCK, Register

CONFIDENTIAL

1300

MOTION FOR ORAL EXAMINATION OF WITNESSES

L. W. FENT AND ALMA FENT,

Complainant,

VS.

L. MAE STODDARD, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2934.

Comes the Complainant in the above styled cause and requests that oral examination of L. W. FENT and Albert King, as witnesses for the Complainant who reside in Baldwin County, State of Alabama, and suggest Mary J. Brantley of the Town of Bay Minette, Alabama, as a suitable person to act as Commissioner to take the depositions of said witnesses.

Witness my hand this the 7 day of March, 1953.

Mary J. Wilkins
Attorney for Complainants

Comes now Robert F. McKeel, as guardian ad litem for the unknown parties Respondents in the above styled cause and accepts service of this motion for oral examination of witnesses and waives any further service or notice of this said motion.

Robert F. McKeel
Guardian ad litem for unknown parties
Respondents.

MOTION FOR ORAL EXAMINATION OF
WITNESSES.

L. W. FENT AND ALMA FENT,

Complainants.

VS.

L. MAE STODDARD ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2934.

FILED

3-4-52

ALICE J. DUCK, Register

NOTICE OF TIME AND PLACE OF TAKING TESTIMONY

L. W. FENT, AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD, ET AL.,

Respondents.

¶
¶
¶
¶
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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. _____

The Solicitor for Complainants in the above styled cause hereby gives to the said L. Mae Stoddard, W. R. Green, and his heirs or devisees, if deceased, Walter W. Hoiles, Elbert King and Fanny Leona King and each of their heirs, devisees, grantees, administrators, successors, personal representatives and assigns notice that the depositions of L. W. FENT and _____ witnesses for the Complainant, will be taken before Mary J. Brantley, Commissioner heretofore named by this Honorable Court, on the 7 day of March, 1953, at Bay Minette, Ala.
Witness my hand this the 4 day of March, 1953.

Henry J. Wilton, Jr.
Solicitor for Complainant

ACCEPTANCE OF NOTICE BY GUARDIAN AD LITEM

Now comes Leuben A. McFuley, Guardian Ad Litem for the unknown parties Respondents in the above styled cause, and accepts service of the foregoing motion.

Leuben A. McFuley
Guardian Ad Litem for the unknown parties Respondents.

NOTICE OF TIME AND PLACE OF TAKING

TESTIMONY

L. W. FENT AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD, ET ALS.,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2934.

FILED

3-4-53

ALICE J. DUCK, Register

FINAL DECREE

| | | |
|---------------------------|---|--------------------------|
| L. W. FENT AND ALMA FENT, |) | |
| Complainants, |) | IN THE CIRCUIT COURT OF |
| VS. |) | BALDWIN COUNTY, ALABAMA. |
| L. MAE STODDARD, ET ALS., |) | IN EQUITY |
| Respondents. |) | CASE NO. 2934. |

This cause coming on to be heard is submitted for final decree upon behalf of the Complainants, upon the original Bill of Complaint and upon the service, pleading and proof as noted by the Register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of the said Bill of Complaint against the said lands and the named Respondents, W. R. Green and his heirs or devisees, if deceased, and any and all persons, firms and corporations claiming any right, title to, interest in, or encumbrance against said land or any part thereof, has been given in the manner required by law, and that the Complainants are entitled to the relief as prayed for in their Bill of Complaint.

It is therefore FOUND, ASCERTAINED, ORDERED, ADJUDGED and DECREED by the Court that the Complainants, L. W. Fent and Alma Fent, are over the age of twenty-one years and residents of Baldwin County, Alabama; that at the time of the filing of said Bill of Complaint and at the time of the submission of this cause for final decree, the Complainants were in the actual and peaceable possession, claiming to own the same absolutely and in fee simple, (excepting, however, that certain lien or claim that the Baldwin County Savings and Loan Association had and has upon said land) all that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Lot 16 in Block 8, Stoddard Grove Addition to Robertsdale, Alabama,
~~as per plat recorded in Map Book 1, page 86, Baldwin County Probate~~
Records.

That the Complainants obtained title to said land by conveyance from Elbert King and Fanny Leona King, his wife, dated April 18, 1952, and recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 178, pages 424-5 & 6; that the title to said land and each parcel thereof stands in the names

of Complainants upon the Records of Baldwin County, Alabama; that for more than ten years next preceding the filing of the Bill of Complaint no person other than the Complainants and those through whom they claim title to said land or any part thereof have assessed or paid taxes thereon.

It is further ORDERED, ADJUDGED and DECREED that the said L. W. Fent and Alma Fent at the time of the filing of the Bill of Complaint in this cause and at this time had and has the fee simple title to the above described land (subject, however, to that certain claim, heretofore referred to, the Baldwin County Savings and Loan Association has upon said land) and to each and every part and parcel thereof and that neither of said Respondents, L. Mae Stoddard, W. R. Green, his heirs or devisees, if deceased, Walter W. Hoiles, Elbert King and Fanny Leona King, and any and all persons, firms or corporations claiming any right, title to, interest in or encumbrance against said land or any part thereof, except the said Baldwin County Savings and Loan Association's claim heretofore referred to; has any right, title or interest in the above described land.

It is further ORDERED, ADJUDGED and DECREED that the title hereby be quieted and established in and declared to be in the said L. W. Fent and Alma Fent, shall inure to the benefit of all persons deriving title to said land or any part therein from or through the said L. W. Fent and Alma Fent, and that said title so quieted and established in them shall be treated and considered as established in favor of the said L. W. Fent and Alma Fent and all persons deriving title through them, except as to the claim of the Baldwin County Savings and Loan Association heretofore referred to has on said land.

It is further ORDERED, ADJUDGED and ADJUDGED that a certified copy of this decree be, by the Register of this Court, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in which County the said land lies, within thirty days from the date of this decree, and that the cost thereof be taxed as a part of the cost in this proceeding for which let execution issue.

Done at Bay Minette, Alabama, this the 13 day of March, 1953.

Hubert M. Haer
Judge

FINAL DECREE

L. M. BENT AND ALMA BENT,

Complainants,

VS.

L. MAE STONEMAN, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALWYN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2984.

FILED

3-16-53

ALICE J. DICK, Register

L. W. FENT et als

vs.

L. MAE STODDARD et als

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, _____
Testimony of L. J. Fent and Harry J. Wilters and Elbert King

Decree Pro Confesso on Publication and Personal Service

and in behalf of Defendant upon _____ Answer of Guardian Ad Litem

Albert M Brantley

Wilters and Brantley

Wilton

Register.

M

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this 7th

day of March, 1943

W. J. Smith
Register.

L. W. FENT AND ALMA FENT

COMPLAINANTS

VS

L. MAE STODDARD, ET AL,

RESPONDENTS

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

LIS PENDENS NOTICE

It having been made to appear, in the above styled cause by proper affidavit that L. Mae Stoddard is over the age of twenty-one years and a non-resident of Baldwin County, Alabama, whose address is believed to be 1961 Selby Street, West Los Angeles, California, That W. R. Green is over the age of twenty-one and a non-resident of the State of Alabama and whose address cannot be ascertained after a diligent search and inquiry; that Walter W. Hoiles is over the age of twenty-one and a resident of Baldwin County, Alabama; that Elbert King is over the age of twenty-one years and a resident of Baldwin County, Alabama; that Fanny Leona King is over the age of twenty-one and a resident of Baldwin County, Alabama; that the Baldwin County Savings & Loan Association, is a corporation of Baldwin County, Alabama, with its office in Robertsdale, Alabama; that L. W. Fent and Alma Fent are over the age of twenty-one years and a resident of Baldwin County, Alabama and are the owners in fee simple of and in the actual possession of the following described lands situated in Baldwin County, Alabama, to-wit:

Lot 16 in Block 8, Stoddard Grove Addition to Robertsdale, Alabama, as per plat recorded in Map Book 1, page 86, Baldwin County Probate Records.

That your Complainants acquired title to the said lands by a conveyance from Elbert King and Fanny Leona King, his wife dated April 18, 1952 and recorded in the office of the Probate Judge of Baldwin County, Alabama in Deed Book 178, pages 424-5-6; that no person is known to have paid any taxes on said land or to have been in possession thereof, within ten years next; preceding the filing of the bill of complaint, excepting Elbert King, Fanny Leona King and Walter W. Hoiles.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 12-17-57 J.P.
Witnessed Lis Pend. book 2 page 425-6
Judge of Probate

BOOK 002 PAGE 423

It is therefore ordered and notice is hereby given that the said L. Mae Stoddard, W. W. Green, Walter W. Hoiles, Elbert King, Fanny Leona King and the Baldwin County Savings & Loan Association, a corporation, the unknown heirs, devisees, personal representatives, grantees, successors, and assigns of L. Mae Stoddard, W. W. Green and his heirs or devisees, if deceased, Walter W. Hoiles, Elbert King, Fanny Leona King, and the Baldwin County Savings & Loan Association, a corporation, and any other person, firms or corporations claiming any title to, interest in, lien or encumbrances upon said lands, or any part thereof, to appear in the Circuit Court of Baldwin County, Alabama, in Equity, and plead, answer or demur to the bill of complaint on or before the 19 day of January, 1953, or upon their having failed to do so, upon the expiration of thirty days from said date, a decree pro confesso shall be taken against them, and that this cause shall be at issue.

IT IS FURTHER ORDERED that this order and notice be published in the Baldwin Times, Bay Minette, Alabama, once a week for four consecutive weeks.

IN WITNESS WHEREOF, I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, have hereunto set my hand and seal of office on this the 13th day of December, 1952.

Alice J. Duck
Register

HARRY J. WILTERS, JR.
Solicitor for the Complainant

STATE OF ALABAMA
BALDWIN COUNTY

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing is a full, true, correct and complete copy of notice given by publication in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, in the cause of L. W. Fent and Alma Fent, Complainant vs L. Mae Stoddard, et al, Respondent, and filed for record in the office of the Judge of Probate of Baldwin County, Alabama, the county in which said lands lie, in accordance with the provisions of the laws of the State of Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office on this the 13th day of December, 1952.

Alice J. Duck
Register

17

70 2934

L. W. EBERT, ET AL,

COMPLAINANTS

VS

L. MAE STODDARD, ET AL,

RESPONDENTS.

LIS PENDENS NOTICE

J. 426-6

FILED

DEC 13 1952

ALICE J. DUCK, Register

R. 1.50
Mr. Duck

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA.

You are hereby commanded to summons Mrs. L. Mae Stoddard, W. R. Green, and his heirs or devisees, if deceased, Walter W. Hoiles, Elbert King, Fanny Leona King and the Baldwin County Savings & Loan Association, a corporation, the unknown heirs, devisees, grantees, personal representatives and assigns of L. Mae Stoddard, W. R. Green, Walter W. Hoiles, Elbert King, Fanny Leona King and the Baldwin County Savings & Loan Association, a corporation, to appear and plead, answer or demur, within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by L. W. Flent and Alma Flent as Complainants against L. Mae Stoddard, et al, as Respondents.

WITNESS my hand this the 13th day of December, 1952.

Alma Flent
Register

L. W. FLENT AND ALMA
FLENT

COMPLAINANTS

VS

L. MAE STODDARD, ET AL,

RESPONDENTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO HONORABLE TELEMAN J. WASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainants, L. W. Flent and Alma Flent, presents this their bill of complaint against the following described lands situated in Baldwin County, Alabama, to-wit:

Lot 16 in Block 8, Stoddard Drive Addition to Robertdale, Alabama, as per plat recorded in Map Book 1, page 86, Baldwin County Probate Records.

and also against L. Mae Stoddard, W. R. Green, and his heirs or devisees, if deceased, Walter W. Hoiles, Elbert King, Fanny Leona King and the Baldwin County Savings & Loan Association, a corporation, and against their, and each of their heirs, devisees, grantees, administrators, successors, personal representatives and assigns, and also against any other person, firm or corporation claiming any right, title to, interest in, or encumbrance against said land or any part thereof, and respectfully represents and shows unto your Honor as follows:

1.

That your Complainants are over twenty-one years of age and a resident of Baldwin County, Alabama.

2.

That Mrs. L. Mae Stoddard is over the age of twenty-one years, and a non-resident of the State of Alabama, and whose address is believed to be ~~1961 Selby Street, West Los Angeles, California.~~ That W. R. Green is over the age of twenty-one years and a non-resident of the State of Alabama and whose address cannot be ascertained after a diligent search and inquiry; that Walter W. Hoiles, Elbert King and Fanny Leona King are over twenty-one years of age and are residents of Baldwin County, Alabama. The Baldwin County Savings & Loan Association, is a corporation of Baldwin County, with its office in Robertsdale, Alabama.

3.

That Your Complainants are the owners in fee simple and in the actual possession of the lands herein described in Baldwin County, Alabama, and being as follows:

Lot 16 in Block 8, Stoddard Grove Addition to Robertsdale, Alabama, as per plat recorded in Map Book 1, page 88, Baldwin County Probate Records.

4.

That no suit is pending to test the Complainants' title to, interest in or rights of possession to said lands; that the Complainants therefore calls upon the Respondents and each of them to set forth and specify what right, title, interest in, lien or encumbrances they have upon said lands or any part or parcel thereof and by what instrument or instruments the same is derived and/or created.

5.

~~That your Complainant acquired title to the said lands by conveyance from Elbert King and Fanny Leona King, his wife, dated April 18, 1952 and recorded in the office of the Probate Judge of Baldwin County, Alabama, in Deed Book 178, pages 424-5-6.~~

6.

That the title to said lands claimed by your Complainants stand upon the records of the Probate Court of Baldwin County, Alabama, in the names of L. W. Flent and Alma Flent.

7.

That no one has at any time within ten years next preceding the filing of this bill of complaint, paid any taxes upon said lands, or had any possession thereof other than your Complainant, Elbert King, Fanny Leona King and Walter W. Hoiles.

8.

That the only person shown by the records of Baldwin County, Alabama to claim said lands or any part thereof or any interest therein are your Complainants, the Baldwin County Savings and Loan Association, a corporation, L. Mae Stoddard, and W. E. Green.

9.

That your Complainants has made and caused to be made a diligent search and inquiry having the records searched at Bay Minette, Alabama and also inquiring of various parties in and around Robertsdale, Alabama, where the land is located to ascertain the whereabouts of the Respondents if living or dead, their heirs, devisees, grantees, successors, personal representatives and assigns, but after such diligent search the information is unknown.

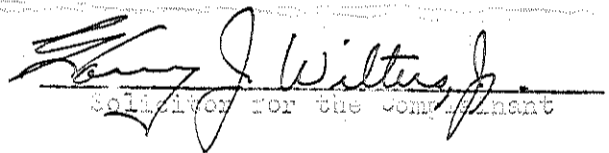
WHEREFORE, the premises considered, your complainants pray that your Honor will by proper process make the said L. Mae Stoddard, W. E. Green, and his heirs or devisees, if dead, Walter W. Hoiles, Elbert King, Fanny Leona King and the Baldwin County Savings & Loan Association, a corporation, the unknown heirs, devisees, grantees, personal representatives, successors, and assigns of L. Mae Stoddard, W. E. Green, and his heirs or devisees, if dead, Walter W. Hoiles, Elbert King, Fanny Leona King and the Baldwin County Savings & Loan Association, a corporation, and any other person, firm or corporation claiming any right, title to, interest in or encumbrance upon the said lands in Baldwin County, Alabama, to-wit:.

Lot 16 in Block 8, Stoddard Grove Addition to Robertsdale, Alabama, as per plat recorded in Map Book 1, page 86, Baldwin County Probate Records.

or any part thereof, parties respondent to this bill of complaint, and require them, and each of them to appear and answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

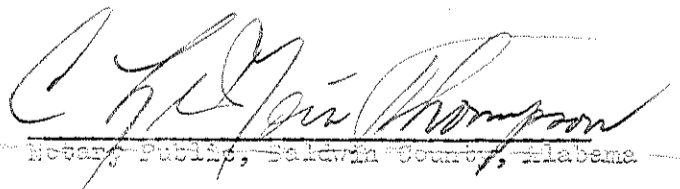
Complainant further prays that upon a final hearing hereof your Honor will make and enter a decree ascertaining and determining that the fee simple title, free from all liens and encumbrances, to the lands herein described and to each and every part and parcel thereof, is vested in your Complainants, L. W. Flent and Alma Flent, and that neither L. Mae Stoddard, W. R. Green, and his heirs or devisees, Walter W. Hoiles, Elbert King, Fanny Leona King, Baldwin County Savings & Loan Association, a corporation, the unknown heirs, devisees, personal representatives, successors, grantees, and assigns of L. Mae Stoddard, W. R. Green, and his heirs or Devisees, Walter W. Hoiles, Elbert King, Fanny Leona King, Baldwin County Savings & Loan Association, a corporation; nor any other person, firm or corporation has any right, title to, interest in or encumbrance upon the lands or any part or parcel thereof, and that any and all doubts and disputes concerning the land be cleared up.

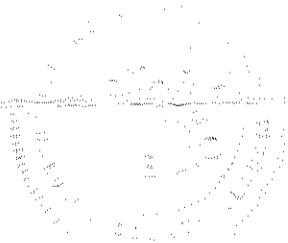
Your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.


Solicitor for the Complainant

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for the County, in said State, personally appeared Harry J. Wilters, Jr., who is known to me, and who having been by me first duly sworn, deposes and says that he is Solicitor for the Complainant in the above styled cause, is authorized to make this affidavit; that from all information obtainable the facts contained in the foregoing bill of complaint are true and correct.


Notary Public, Baldwin County, Alabama

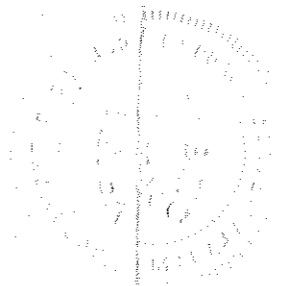


RECORDED
M 2934

Received in Sheriff's Office
this 3 day of Dec, 1952
TAYLOR WILKINS, Sheriff

Executed Dec, 16, 1952.
By Serving copy on
Walter W. Hoiles
Elbert King
Fanny Leona King
Baldwin County
Savings & Loan Association
George Page, mgr.

L. W. ELIOT, ET AL,
COMPLAINANTS
VS
L. MAE STODDARD, ET AL,
RESPONDENTS,
BILL OF COMPLAINT



4

Sheriff
Taylor Wilkins
By
Edleigh Steadham

FILED
DEC 13 1952
ALICE J. DUCK, Register

FINAL DECREE

L. W. FENT AND ALMA FENT,

Complainants,

VS.

L. MAE STODDARD, ET ALS.,

Respondents.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY
CASE NO. 2934.

This cause coming on to be heard is submitted for final decree upon behalf of the Complainants, upon the original Bill of Complaint and upon the service, pleading and proof as noted by the Register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of the said Bill of Complaint against the said lands and the named Respondents, W. R. Green and his heirs or devisees, if deceased, and any and all persons, firms and corporations claiming any right, title to, interest in, or encumbrance against said land or any part thereof, has been given in the manner required by law, and that the Complainants are entitled to the relief as prayed for in their Bill of Complaint.

It is therefore FOUND, ASCERTAINED, ORDERED, ADJUDGED and DECREED by the Court that the Complainants, L. W. Fent and Alma Fent, are over the age of twenty-one years and residents of Baldwin County, Alabama; that at the time of the filing of said Bill of Complaint and at the time of the submission of this cause for final decree, the Complainants were in the actual and peaceable possession, claiming to own the same absolutely and in fee simple, (excepting, however, that certain lien or claim that the Baldwin County Savings and Loan Association had and has upon said land) all that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Lot 16 in Block 8, Stoddard Grove Addition to Robertsedale, Alabama, as per plat recorded in Map Book 1, page 86, Baldwin County Probate Records.

That the Complainants obtained title to said land by conveyance from Elbert King and Fanny Leona King, his wife, dated April 18, 1952, and recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 173, pages 424-5 & 6; that the title to said land and each parcel thereof stands in the names

W. R. STUART

PROBATE JUDGE

No. **2647**

Bay Minette, Ala., 12-17, 1952

Received of Mrs. Duck

| No. | | Deed Tax | | Mortgage Tax | | Recording Fees | | Total | |
|-------------|---|----------|------|--------------|------|----------------|-----------|----------|-----------|
| | | \$ | Cts. | \$ | Cts. | \$ | Cts. | \$ | Cts. |
| <u>2647</u> | <u>W. R. Stuart v. S. L. Mae Stuart</u> | | | | | <u>1</u> | <u>50</u> | <u>1</u> | <u>50</u> |
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FOR RECORD

W. R. Stuart TOTAL \$ 1.50
Judge of Probate.

W. R. STUART

PROBATE JUDGE

3544

No. _____ Bay Minette, Ala., 3-20, 1953

Received of Mrs. Duck

| No. | Deed Tax | | Mortgage Tax | | Recording Fees | | Total | |
|---|----------|------|--------------|------|-------------------|------|-------------------|------------------|
| | \$ | Cts. | \$ | Cts. | \$ | Cts. | \$ | Cts. |
| <p><i>Final Decree -</i> <i>L. W. Fentley L. Mae Stoddard et al</i></p> | | | | | <p><i>150</i></p> | | <p><i>150</i></p> | |
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FOR RECORD

TOTAL \$ _____
W. R. Stuart
 Judge of Probate.

4924 MARSHALL & BRUCE-NASHVILLE

Ed

2934

Form 3811
Rev. 1-4-40

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 L Mae Stoddard

(Signature or name of addressee)

Deliver to Addressee Only

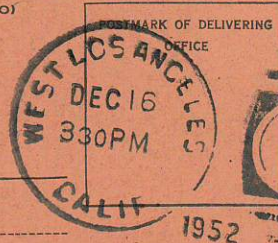
2 _____
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 12-16, 1952

FILED
DEC 24 1952
MAIL ROOM, POSTER

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
(GPO)



Return to *Arcie J. Neuch*
(NAME OF SENDER)

Street and Number,
or Post Office Box, } *Box 239*

REGISTERED ARTICLE
No. *481* Post Office *Bay Minette*

INSURED PARCEL
No. _____ State *Ala.*

16-12421

FINAL DECREE

| | | |
|---------------------------|--|--------------------------|
| L. W. FENT AND ALMA FENT, | | |
| Complainants, | | IN THE CIRCUIT COURT OF |
| VS. | | BALDWIN COUNTY, ALABAMA. |
| L. MAE STODDARD, ET ALS., | | IN EQUITY |
| Respondents. | | CASE NO. 2934. |

This cause coming on to be heard is submitted for final decree upon behalf of the Complainants, upon the original Bill of Complaint and upon the service, pleading and proof as noted by the Register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of the said Bill of Complaint against the said lands and the named Respondents, W. R. Green and his heirs or devisees, if deceased, and any and all persons, firms and corporations claiming any right, title to, interest in, or encumbrance against said land or any part thereof, has been given in the manner required by law, and that the Complainants are entitled to the relief as prayed for in their Bill of Complaint.

It is therefore FOUND, ASCERTAINED, ORDERED, ADJUDGED and DECREED by the Court that the Complainants, L. W. Fent and Alma Fent, are over the age of twenty-one years and residents of Baldwin County, Alabama; that at the time of the filing of said Bill of Complaint and at the time of the submission of this cause for final decree, the Complainants were in the actual and peaceable possession, claiming to own the same absolutely and in fee simple, (excepting, however, that certain lien or claim that the Baldwin County Savings and Loan Association had and has upon said land) all that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Lot 16 in Block 8, Stoddard Grove Addition to Robertsdale, Alabama, as per plat recorded in Map Book 1, page 86, Baldwin County Probate Records.

That the Complainants obtained title to said land by conveyance from Elbert King and Fanny Leona King, his wife, dated April 18, 1952, and recorded in the Office of the Probate Judge of Baldwin County, Alabama, in Deed Book 178, pages 424-5 & 6; that the title to said land and each parcel thereof stands in the name

of Complainants upon the Records of Baldwin County, Alabama; that for more than ten years next preceding the filing of the Bill of Complaint no person other than the Complainants and those through whom they claim title to said land or any part thereof have assessed or paid taxes thereon.

It is further ORDERED, ADJUDGED and DECREED that the said L. W. Fent and Alma Fent at the time of the filing of the Bill of Complaint in this cause and at this time had and has the fee simple title to the above described land (subject, however, to that certain claim, heretofore referred to, the Baldwin County Savings and Loan Association has upon said land) and to each and every part and parcel thereof and that neither of said Respondents, L. Mae Stoddard, W. R. Green, his heirs or devisees, if deceased, Walter W. Hoiles, Elbert King and Fanny Leona King, and any and all persons, firms or corporations claiming any right, title to, interest in or encumbrance against said land or any part thereof, except the said Baldwin County Savings and Loan Association's claim heretofore referred to, has any right, title or interest in the above described land.

It is further ORDERED, ADJUDGED and DECREED that the title hereby be quieted and established in and declared to be in the said L. W. Fent and Alma Fent, shall inure to the benefit of all persons deriving title to said land or any part therein from or through the said L. W. Fent and Alma Fent, and that said title so quieted and established in them shall be treated and considered as established in favor of the said L. W. Fent and Alma Fent and all persons deriving title through them, except as to the claim of the Baldwin County Savings and Loan Association heretofore referred to has on said land.

It is further ORDERED, ADJUDGED and ADJUDGED that a certified copy of this decree be, by the Register of This Court, recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in which County the said land lies, within thirty days from the date of this decree, and that the cost thereof be taxed as a part of the cost in this proceeding for which let execution issue.

Done at Bay Minette, Alabama, this the 13th day of March, 1953.

H. 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 on hand in my office.

WITNESS MY HAND AND SEAL THIS THE 13 day of Mar, 1953

Alice J. Duck
Register of Circuit Court, in Equity

STATE OF ALABAMA, BALDWIN COUNTY
Filed 3-20-53 9:30 A.M.
Recordedbook.....page.....
W. R. Stuart
Judge of Probate

E. S.