2969

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
VS.	)	
A. J. HAMILTON, ET ALS, Respondents.	)	IN EQUITY

REPORT OF SALE

The undersigned Alice J. Duck, the Commissioner heretofore appointed to sell certain real estate for division and distribution among the joint owners thereof, which said real estate is particularly set forth and described in the Decree of Sale rendered in this cause and dated March 20, 1953, and also in the commission which was issued in this cause and addressed to the undersigned, which commission is hereto annexed and referred to as a part of this report, respectfully reports to the Court and your Honor that in pursuance of and in strict accordance with the directions of the said commission and the statutes in such cases made and provided, she did at one o'clock P. M. on the 18th day of May, 1953, sell at public outcry in front of the courthouse of this county the property described in the said commission, all of which sales were to the highest and best bidders for the said property, and were fairly conducted in all respects.

The property so sold, the purchaser thereof and the price bid for each tract is as follows:

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line of the said section, 854 feet to the beginning corner in an old fence line; thence run South 68 degrees West 147.25 feet, thence North 22 degrees 30 minutes West to the South side of a ditch, which marks the South line of the present paved street; thence Southeastwardly along the South line of the said ditch to a point, which is North 25 degrees 30 minutes West of the point or place of beginning; thence South 22 degrees 30 minutes East to the point or place of beginning, which is otherwise described as the East Half of Lot "B", as shown on the map prepared by H. W. Graham, dated February 12, 1953.

Aletha Hall---------- $2500.00

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line of the said section, 854 feet to a corner in an old fence line, thence South 68 degrees West 147.25 feet to a point or place of beginning; thence South 68 degrees West 147.25 feet to an iron pipe on the West side of Hoyle Avenue; thence North 22 degrees 30 minutes West to the South side of a ditch, which marks the South side of the present paved street; thence Eastwardly along the South line of the said ditch to a point, which is North 22 degrees 30 minutes West of the point of beginning; thence South 22 degrees 30 minutes East to the point or place of beginning, being otherwise described as the West Half of Lot "B", as shown on the map prepared by H. W. Graham, dated February 12, 1953.

T. W. Mitchell---------- $2050.00

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on section line 1225 feet and South 86 feet for the beginning corner at the intersection of the West side of Hoyle Avenue and the East side of a 20-foot lane; thence South 730 feet to a corner; thence run North 73 degrees 10 minutes East 287.7 feet to a corner on the West side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the West side of Hoyle Avenue 708 feet, more or less, to the beginning corner, containing 2.3 acres in said Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "A", as shown on the map of the said property, together with other property, prepared by H. W. Graham, dated February 12, 1953.

Baldwin Properties Company, a Corporation-------- $2625.00

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line 1174 feet to the East side of Hoyle Avenue, thence run South 22 degrees 30 minutes East 489.8 feet along the East side of Hoyle Avenue to the beginning corner; thence run North 71 degrees 30 minutes East 363 feet to an iron pipe; thence run North 44 degrees East 78 feet to a corner in an old fence line; thence run South 43 degrees 50 minutes East 120 feet to an old fence corner marked by an iron pipe; thence South 28 degrees 30 minutes East 234 feet, more or less, to a corner marked by an iron pipe; thence run South 73 degrees 10 minutes West along an old fence 500.7 feet to a corner on the East side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the East side of Hoyle Avenue 283.5 feet to the beginning corner, containing 3.8 acres in Section 16, Township 2 South, Range 3 East.

W. R. Stuart---------- $2750.00

Lot Four (4) in Block Ninety-one (91) in the Hand Land Company's Addition to the Town of Bay Minette, according to the official map or plat thereof, which is recorded in Deed Book 4 N. S. at pages 158 et seq., Baldwin County, Alabama Records, EXCEPT that part of the said property which lies within the right-of-way of United States Highway Number 31.

J. R. Crow---------- $4150.00

All of the above described property is situated in Baldwin County, Alabama.

All of the said property described above was sold for an amount not greatly less or disproportionate to its real value.

Each of the said purchasers has complied with the terms of the said sale and has paid the purchase price of the said property so purchased.

The undersigned Commissionner, having fully complied with the directions of the said commission, submits the foregoing as her report of her actions in the premises.

The undersigned prays that she be allowed a reasonable amount for the services rendered by her in the premises; that she be ordered to divide the said funds according to law, and that such other orders be made and decrees rendered as may be requisite and proper in the premises.

Alice J. Lemke

As Commissioner.

Sworn to and subscribed before me on this the 20th day of May, 1953.

Walton Luder

Notary Public, Baldwin County, Alabama.

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
A. J. HAMILTON, ET ALS, Respondents.	)	IN EQUITY

COMMISSION

TO ALICE J. DUCK, GREETING:

WHEREAS, in and by a decree rendered in this cause on this date, you were appointed as Commissioner to sell the following described real property situated in Baldwin County, Alabama, to-wit:

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line of the said section, 854 feet to the beginning corner in an old fence line; thence run North 25 degrees 30 minutes West 120 feet, more or less, to the South side of a ditch, which marks the South line of the present paved street; thence run Southwesterly along the said South line of the said street 290 feet, more or less, to the East side of Hoyle Avenue; thence run South 22 degrees 30 minutes East to an iron pipe corner, which iron pipe corner is South 22 degrees 30 minutes East 119.8 feet from the North line of the said Section 16; thence North 68 degrees East 294.5 feet to the point or place of beginning, containing 0.7 acre, more or less, in Sections 9 and 16, Township 2 South, Range 3 East.

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line 1174 feet to the East side of Hoyle Avenue, thence run South 22 degrees 30 minutes East 489.8 feet along the East side of Hoyle Avenue to the beginning corner; thence run North 71 degrees 30 minutes East 363 feet to an iron pipe; thence run North 44 degrees East 78 feet to a corner in an old fence line; thence run South 43 degrees 50 minutes East 120 feet to an old fence corner marked by an iron pipe; thence South 28 degrees 30 minutes East 234 feet, more or less, to a corner marked by an iron pipe; thence run South 73 degrees 10 minutes West along an old fence 500.7 feet to a corner on the East side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the East side of Hoyle Avenue 283.5 feet to the beginning corner, containing 3.8 acres in Section 16, Township 2 South, Range 3 East.

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on section line 1225 feet and South 86 feet for the beginning corner at the intersection of the West side of Hoyle Avenue and the East side of a 20-foot lane; thence South 730 feet to a corner; thence run North 73 degrees 10 minutes East 287.7 feet to a corner on the West side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the West side of Hoyle Avenue 708 feet, more or less, to the beginning corner, containing 2.3 acres in said Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "A", as shown on the map of the said property, together with other property, prepared by H. W. Graham, Surveyor, dated February 12, 1953.

Lot Four (4) in Block Ninety-one (91) in the Hand Land Company's Addition to the Town of Bay Minette, according to the official map or plat thereof, which is recorded in Deed Book 4 N. S. at pages 158 et seq., Baldwin County, Alabama Records, EXCEPT that part of the said property which lies within the right-of-way of United States Highway Number 31.

The above described property is jointly owned by Baldwin Properties Company, a Corporation, and A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton.

NOW, THEREFORE, you are directed, in pursuance of the said decree and the statutes in such cases made and provided, to sell the above described property at public outcry to the highest bidder for cash at the front door of the courthouse in Bay Minette in Baldwin County, Alabama, at one o'clock P. M. on the 18th day of May, 1953, after first giving notice of the time, place and terms of said sale, and a description of the said property, by publication once a week for three successive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama.

You are further directed to make return to this court in writing and under oath of your proceedings in this behalf within thirty days after said sale.

You are further directed to retain the proceeds of the said sales until they shall be duly confirmed and subject to the further orders of this court.

ORDERED, ADJUDGED AND DECREED on this the 20th day of March, 1953.

Hubert M. Stace

Judge.

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
A. J. HAMILTON, ET AL, Respondents.	)	IN EQUITY

DECREE APPOINTING GUARDIAN AD LITEM AND SETTING DATE FOR HEARING.

This cause coming on to be heard on this date is submitted for a decree appointing a Guardian Ad Litem and setting this cause for hearing upon the original Bill of Complaint, Answers of Mary Westbrook, as guardian of Laura Hamilton, a minor, Amanda Lou Stuart, A. J. Hamilton and Mattie Mae Clark, upon consideration of all of which, the Court is of the opinion and finds as follows:

A. A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark, Laura Hamilton, a minor over fourteen years of age, and Mary Westbrook, as guardian of the said minor, Laura Hamilton, are all of the respondents named in this proceeding, and all of them, except Laura Hamilton, a minor over fourteen years of age, have filed answers in this proceeding, in which they have admitted the allegations of the Bill of Complaint and have consented that a decree or decrees be rendered in accordance with the prayer of the said Bill of Complaint without further notice to them, so that no further notice of the filing of the said Bill of Complaint, or of any interlocutory proceedings in this cause, is required to be given to the said respondents, who have filed the said answers.

B. The respondent, Laura Hamilton, is a minor over fourteen years of age, who is a non-resident of the State of Alabama, who may be represented in this proceeding by the appointment of a Guardian Ad Litem without service in the manner provided by Equity Rule Number 7.

C. A Guardian Ad Litem should be appointed to represent the said minor, Laura Hamilton, and a date should be set for hearing this said proceeding.

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. Harry J. Waters, an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, who is not of kin or counsel to any of the parties to this proceeding or in any way interested herein, shall be and he is hereby appointed as Guardian Ad Litem to represent the said minor, Laura Hamilton, and protect her interest in this proceeding.

2. This cause shall be and it is hereby set for hearing at ten o'clock A. M. on the 11th day of March, 1953.

3. Jurisdiction of this cause is reserved for such other and further orders or decrees as may become necessary and proper in the premises.

ORDERED, ADJUDGED AND DECREED on this the 9 day of March, 1953.

Hubert M Hare
Judge.

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant, VS. A. J. HAMILTON, ET ALS, Respondents.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

DECREE

This cause coming on to be heard on this date is submitted for a decree upon the original Bill of Complaint; Answers and Waivers of A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Mary Westbrook, as guardian of Laura Hamilton, a minor, in which and by which they admit all of the allegations of the said Bill of Complaint and consent and agree that a decree be rendered in accordance with the prayer thereof; the decree of this court dated March 9, 1953, setting this cause for hearing and appointing a Guardian Ad Litem to represent Laura Hamilton, a minor over fourteen years of age; the appointment, acceptance and answer of the said Guardian Ad Litem; and the testimony of the complainant's witnesses, all of which was taken in open court in the manner provided by Equity Rule Number 56, as amended, on this date, upon consideration of all of which, the court is of the opinion that the allegations of fact set out in the said Bill of Complaint are true and that the complainant is entitled to the relief prayed for therein; upon consideration of all of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. The complainant, Baldwin Properties Company, a Corporation, and the respondents, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton, are joint owners or tenants in common of the following described real property situated in Baldwin County, Alabama, to-wit:

TRACT ONE

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on the section line 854 feet to the beginning corner in an old fence line; thence run South 68 degrees West 294.5 feet to a corner on the East side of Hoyle Avenue; thence run South 22 degrees 30 minutes East along the East side of Hoyle Avenue 370 feet to a corner; thence run North 71 degrees 30 minutes East 363 feet to the Southwest corner of the Byrd fence; thence run North 44 degrees East 78 feet along the Byrd fence to a corner in the old

fence line; thence run North 43 degrees 50 minutes West 385.6 feet along the old fence line to the beginning corner, containing 3.2 acres, more or less, in Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "C", as shown on the map of the said property, together with other property, prepared by H. W. Graham, Surveyor, dated February 12, 1953,

and that the said Baldwin Properties Company, a Corporation, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton each own an undivided one-fifth interest in the said property.

The said property described above cannot be equitably divided among the said joint owners or tenants in common without a sale thereof and a division of the proceeds, and it is to the best interest of all of the said parties that the said tract of land be sold for division at private sale to Bay Minette Mills, Inc., a Corporation, for the sum of Three Thousand Dollars ($3,000.00) cash, to be paid at the time of the delivery of the deed hereinafter provided for, conveying the said property.

Upon payment of the said sum of $3,000.00 by Bay Minette Mills, Inc., to Alice J. Duck, as Register of this court, title to all of the said property is hereby divested out of the said joint owners, namely, Baldwin Properties Company, a Corporation, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton, and vested in the said purchaser, Bay Minette Mills, Inc., and Alice J. Duck, as Register of this court, shall be and she is hereby fully and completely authorized, empowered, instructed and directed to make, execute and deliver a register's deed to the said purchaser, conveying the said property.

After execution and delivery of the said deed, the said Register shall report her actions in the premises to this court for confirmation.

2. The complainant, Baldwin Properties Company, a Corporation, and the respondents, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton, are joint owners or tenants in common of the other lands described in the Bill of Complaint, which has been filed in this cause, which is the following described property situated in Baldwin County, Alabama, to-wit:

TRACT TWO

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line of the said section, 854 feet to the beginning corner in an old fence line; thence run North 25 degrees 30 minutes West 120 feet, more or less, to the South side of a ditch, which marks the South line of the present paved street; thence run Southwesterly along the said South line of the said street 290 feet, more or less, to the East side of Hoyle Avenue; thence run South 22 degrees 30 minutes East to an iron pipe corner, which iron pipe corner is South 22 degrees 30 minutes East 119.8 feet from the North line of the said Section 16; thence North 68 degrees East 294.5 feet to the point or place of beginning, containing 0.7 acre, more or less, in Sections 9 and 16, Township 2 South, Range 3 East.

TRACT THREE

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line 1174 feet to the East side of Hoyle Avenue, thence run South 22 degrees 30 minutes East 489.8 feet along the East side of Hoyle Avenue to the beginning corner; thence run North 71 degrees 30 minutes East 363 feet to an iron pipe; thence run North 44 degrees East 78 feet to a corner in an old fence line; thence run South 43 degrees 50 minutes East 120 feet to an old fence corner marked by an iron pipe; thence South 28 degrees 30 minutes East 234 feet, more or less, to a corner marked by an iron pipe; thence run South 73 degrees 10 minutes West along an old fence 500.7 feet to a corner on the East side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the East side of Hoyle Avenue 283.5 feet to the beginning corner, containing 3.8 acres in Section 16, Township 2 South, Range 3 East.

TRACT FOUR

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on section line 1225 feet and South 86 feet for the beginning corner at the intersection of the West side of Hoyle Avenue and the East side of a 20-foot lane; thence South 730 feet to a corner; thence run North 73 degrees 10 minutes East 287.7 feet to a corner on the West side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the West side of Hoyle Avenue 708 feet, more or less, to the beginning corner, containing 2.3 acres in said Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "A", as shown on the map of the said property, together with other property, prepared by H. W. Graham, Surveyor, dated February 12, 1953.

TRACT FIVE

Lot Four (4) in Block Ninety-one (91) in the Hand Land Company's Addition to the Town of Bay Minette, according to the official map or plat thereof, which is recorded in Deed Book 4 N. S. at pages 158 et seq., Baldwin County, Alabama Records, EXCEPT that part of the said property which lies within the right-of-way of United States Highway Number 31,

and that the said Baldwin Properties Company, a Corporation, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton each own an undivided one-fifth interest in the said property.

The said property cannot be equitably divided among the said joint owners thereof without a sale and division of the proceeds, and that such sale is to the best interest of all parties interested in this proceeding.

The said property is hereby ordered sold for division and for the purpose of effecting such sale, Alice J. Duck, as Register of this court, shall be and she is hereby appointed commissioner to make the sale and is hereby ordered and directed to sell the above described property at public outcry to the highest bidder for cash at the front door of the courthouse at Bay Minette in Baldwin County, Alabama, at one o'clock P. M. on the 18 day of May, 1953, after first giving notice of the time, place and terms of the said sale and a description of the said property, by publication once a week for three successive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama.

The said commissioner shall make report of the said sale to this court within thirty days after the sale is made.

3. Alice J. Duck, as Register of this court, is hereby authorized, empowered, instructed and directed to have a complete Abstract of Title made, covering Tracts Two, Three and Four, as described above, and to have a limited Abstract of Title made, covering Tract Five, as described above, showing the patent and commencing with the deed out of Hand Land Company, conveying the said property, the costs of which abstracts shall be taxed as a part of the costs of this proceeding.

4. The Register of this court shall file a certified copy of this decree for record in the office of the Judge of Probate of Baldwin County, Alabama, and tax the cost of such recording as a part of the costs of this proceeding.

5. Jurisdiction of this cause is reserved for the purpose of making such other and further orders or decrees as may be necessary and proper in the premises.

ORDERED, ADJUDGED AND DECREED on this the 20 day of March, 1953.

/s/ HUBERT M. HALL
Judge

STATE OF ALABAMA)
*
BALDWIN COUNTY)

I, Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the above and foregoing instrument is a true and correct copy of a decree rendered in the case of Baldwin Properties Company, a Corporation, complainant, vs. A. J. Hamilton, et al, respondents, which case is now pending in this court, as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the court on this the 7th day of July, 1953.

Alice J. Duck

As Register of the Circuit Court of Baldwin County, Alabama, in Equity.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 7-7-53 9 A.M.
Recorded Duck book 197 page 152-6
M P Stuart
Judge of Probate

Received from Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, the sum of $2,866.96, being the amount due the undersigned Amanda Lou Stuart, as provided in the final decree rendered on October 14, 1953, in Case Number 2969, Baldwin Properties Company, a Corporation, Complainant, vs. A. J. Hamilton, et als., in the Circuit Court of Baldwin County, Alabama, in Equity.

Dated this 19th day of October, 1953.

Amanda Lou Stuart.

WITNESS:

Alice J. Duck

Received from Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, the sum of $2,866.96, being the amount due the undersigned Amanda Lou Stuart, as provided in the final decree rendered on October 14, 1953, in Case Number 2969, Baldwin Properties Company, a Corporation, Complainant, vs. A. J. Hamilton, et als., in the Circuit Court of Baldwin County, Alabama, in Equity.

Dated this 19th day of October, 1953.

Amanda Lou Stuart.

WITNESS:

Alice J. Duck

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
A. J. HAMILTON, ET ALS, Respondents.	)	IN EQUITY

REQUEST FOR ORAL EXAMINATION

Now comes the complainant and files its written request that the testimony of C. L. White, W. D. Stapleton and Walter M. Lindsey, witnesses for the complainant in the hearing to be had in this cause on this date, be taken in open court in the manner provided by Equity Rule Number 56, as amended.

Dated this 20th day of March, 1953.

J. B. Blackburn

Solicitor for complainant.

REQUEST FOR ORAL EXAMINATION

BALDWIN PROPERTIES COMPANY,
A Corporation,

Complainant,

VS.

A. J. HAMILTON, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Received from Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, the sum of $2,666.96, being the amount due the undersigned Mary Westbrook, as Guardian of Laura Hamilton, a Minor, as provided in the final decree rendered on October 14, 1953, in Case Number 2969, Baldwin Properties Company, a Corporation, Complainant, vs. A. J. Hamilton, et als., in the Circuit Court of Baldwin County, Alabama, in Equity.

Dated this 21 day of October, 1953.

Mary Westbrook
As Guardian of Laura Hamilton,
a Minor

WITNESS:

L. M. Hester, N. P.

Received from Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, the sum of $2,866.96, being the amount due the undersigned A. J. Hamilton, as provided in the final decree rendered on October 14, 1953, in case Number 2969, Baldwin Properties Company, a Corporation, Complainant, vs. A. J. Hamilton, et als., in the Circuit Court of Baldwin County, Alabama, in Equity.

Dated this _____ day of October, 1953.

_____

WITNESS:

_____

Received from Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, the sum of $2,666.96, being the amount due the undersigned Mary Westbrook, as Guardian of Laura Hamilton, a Minor, as provided in the final decree rendered on October 14, 1953, in Case Number 2969; Baldwin Properties Company, a Corporation, Complainant, vs. A. J. Hamilton, et als., in the Circuit Court of Baldwin County, Alabama, in Equity.

Dated this _____ day of October, 1953.

_____
As Guardian of Laura Hamilton,
a Minor

WITNESS:

_____

Received from Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, the sum of $2,866.96, being the amount due the undersigned Mattie Mae Clark, as provided in the final decree rendered on October 14, 1953, in Case Number 2969, Baldwin Properties Company, a Corporation, Complainant, vs. A. J. Hamilton, et als., in the Circuit Court of Baldwin County, Alabama, in Equity.

Dated this _____ day of October, 1953.

_____

WITNESS:

_____

JIMMY FAULKNER
EDITOR AND PUBLISHER

the BALDWIN times

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER

BAY MINETTE, ALABAMA

Legal Notice

NOTICE OF SALE
In The Circuit Court of Baldwin County, Alabama In Equity

BALDWIN PROPERTIES COMPANY,
A Corporation,
Complainant,
VS.
A. J. HAMILTON, ET ALS,
Respondents.

Pursuant to the terms and provisions of a decree rendered in this cause on March 20, 1953, the undersigned, as commissioner, will sell at public outcry to the highest bidder for cash at the front door of the courthouse at Bay Minette in Baldwin County, Alabama, at one o'clock P.M. on May 18, 1953, the following described real property situated in Baldwin County, Alabama, to-wit:

From the Northeast corner of section 16, Township 2 South, Range 3 East, run West along the North line of the said section, 854 feet to the beginning corner in an old fence line; thence run North 25 degrees 30 minutes West 120 feet, more or less, to the South side of a ditch, which marks the South line of the present paved street; thence run Southwesterly along the said South line of the said street 290 feet, more or less, to the East side of Hoyle Avenue; thence run South 22 degrees 30 minutes East to an iron pipe corner, which iron pipe corner is South 22 degrees 30 minutes East 119.8 feet from the North line of the said Section 16; thence North 68 degrees East 294.5 feet to the point or place of beginning, containing 0.7 acre, more or less, in Sections 9 and 16, Township 2 South, Range 3 East.

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line 1174 feet to the East side of Hoyle Avenue, thence run South 22 degrees 30 minutes East 489.8 feet along the East side of Hoyle Avenue to the beginning corner; thence run North 71 degrees 30 minutes East 363 feet to an iron pipe; thence run North 44 degrees East 78 feet to a corner in an old fence line; thence run South 43 degrees 50 minutes East 120 feet to an old fence corner marked by an iron pipe; thence South 28 degrees 30 minutes East 234 feet, more or less, to a corner marked by an iron pipe, thence run South 73 degrees 10 minutes West along an old fence 500.7 feet to a corner on the East side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the East side of Hoyle Avenue 283.5 feet to the beginning corner, containing 3.8 acres in Section 16, Township 2 South, Range 3 East.

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on section line 1225 feet and South 86 feet for the beginning corner at the intersection of the West side of Hoyle Avenue and the East side of a 20-foot lane; thence south 730 feet to a corner; thence run North 73 degrees 10 minutes East 287.7 feet to a corner on the West side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the West side of Hoyle Avenue 708 feet, more or less, to the beginning corner, containing 2.3 acres in said Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "A", as shown on the map of the said property, together with other property, prepared by H. W. Graham, Surveyor, dated February 12, 1953.

Lot Four (4) in Block Ninety-one (91) in the Hand Land Company's Addition to the Town of Bay Minette, according to the official map or plat thereof, which is recorded in Deed Book 4 N.S. at pages 158 et seq., Baldwin County, Alabama Records, EXCEPT that part of the said pro-

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

Bald. Properties Co.
vs. A. J. Hamilton

COST STATEMENT

673 WORDS @ 5 cents — — — $ 33.65

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

Jimmy Faulkner
Publisher.

Was published in said newspaper for 3 consecutive weeks in the following issues:

Date of 1st publication Apr. 23, 1953 Vol. 64 No. 14

Date of 2nd publication Apr. 30, 1953 Vol. 64 No. 15

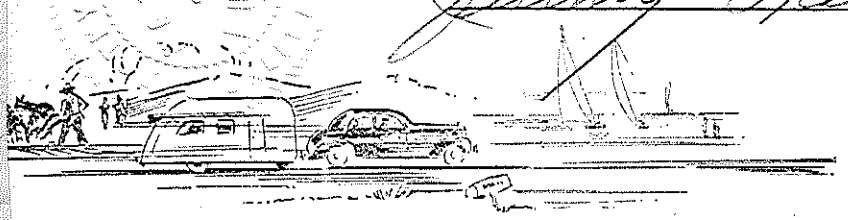
Date of 3rd publication May 7, 1953 Vol. 64 No. 16

Date of 4th publication _____, 195__ Vol. _____ No. _____

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

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



FILED
MAY 9 1953
ALICE J. DUCK, Register

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
A. J. HAMILTON, ET ALS, Respondents.	)	IN EQUITY

REQUEST FOR ORAL EXAMINATION OF WITNESSES

Now comes the complainant and files this, its written request that the testimony of W. C. Beebe, J. A. Wurst, J. B. Blackburn, T. J. Mashburn, Jr., and Alice J. Duck, witnesses for the complainant, be taken in open court in the manner provided by Equity Rule Number 56, as amended, in the hearing to be had in this cause on this date.

Dated this 14th day of October, 1953.

J. B. Blackburn

Solicitor for complainant.

REQUEST FOR ORAL EXAMINATION OF WITNESSES

BALDWIN PROPERTIES COMPANY,
A Corporation,

Complainant

VS.

A. J. HAMILTON, ET ALS,

Respondents

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That the undersigned Morris B. Hamilton and Lucille Hamilton, his wife, are jointly indebted to Baldwin County Bank in the sum of Twenty-One Hundred & NO/100 dollars, evidenced by our promissory note dated November 7th, 1930, and due and payable at Baldwin County Bank on the 7th day of February, 1931, with interest from maturity until paid and whereas, the said Morris B. Hamilton and Lucille Hamilton are desirous of securing the prompt payment of said note when the same falls due. Now, therefore, in consideration of said indebtedness, and to secure the prompt payment of the same at maturity, the said Morris B. Hamilton and Lucille Hamilton have bargained, and sold, and we do hereby grant, bargain, sell and convey unto the said Baldwin County Bank the undivided interest of Morris B. Hamilton in and to the following pieces and parcels of land situated in Baldwin County and State of Alabama, to-wit:

North half of Northwest Quarter Section Thirty-one, Township Three South, Range Three East; South half of Southwest Quarter Section Seventeen, Township Four South, Range Three East; North half of Northwest Quarter Section Twenty, Township Eight South, Range Three East.

Beginning at a point Seventy-five feet South of main line of L & N Railroad about twenty-five feet North of Section line dividing Section Nine and Sixteen Township Two South, Range Three East, thence Southerly Eight Hundred Forty feet, thence Easterly Four Hundred Forty feet, thence Northerly Eight Hundred Forty feet, thence [illegible] Three East. Beginning at Northeast corner of above described lot run East eight Hundred and Forty feet, thence Northeast Eight Hundred Forty-one feet, thence Northwest Three Hundred Forty-five feet, thence Southwest One Hundred Ninety-eight feet to beginning. Section Sixteen, Township Two South, Range Three East.

Beginning at intersection of one-half Section line of Section Sixteen, Township Two South, Range Three East and the West line of old town of Bay Minette with South line of the L & N Right of Way, thence South Sixty degrees West along said Right of Way Three Hundred Seventy feet for a [illegible] Southerly [illegible] degrees East Sixty feet, North East One Hundred Seventy-six feet, thence North Sixty degrees East Sixty feet, North Thirty-one Degrees West One Hundred Ninety-three feet to beginning. Section Sixteen Township Two South Range Three East.

Beginning on one-half section line on West boundary Section Twenty-seven, Township Two South, Range Three East, run East Four and Eighty-five hundredths chains for beginning, thence North Four and Seventy-five hundredths chains East Three and Sixteen hundredths chains North Four and Seven hundred chains East Thirty-one and Sixty-nine hundredths chains South Nine and Sixty hundredths chains West Thirty-four and Eighty-five hundredths chains to beginning. Section Twenty-seven Township Two South, Range Three East, containing thirty acres.

Lot No. 3, Block 27; Lot No. 2, Block 78; Lot No. 4, Block 91; Lot No. 15 and 16 Block No. 105; Lot No. 1, Block No. 94; all of these lots located in the Town of Bay Minette as per plat of record in the office of the Probate Judge of Baldwin County, Alabama.

Also the following described real estate situated in Mobile County, and the State of Alabama, to-wit:

Lots 2-3-4-5-6 Block 88 North Mobile County, Lot 10 of Sub-division of Block 88 Fisher Tract as per map in Book 137 N. S. page 1, Mobile, that certain lot or land beginning at a point on the South line of Georgia Street 326 feet 5 inches East of Southeast corner of Georgia Street and Washington Avenue, thence running Southwardly along a line perpendicular to Georgia Street 276 feet 10 inches to the North line of Tennessee Street, thence running Eastwardly along North line of Tennessee Street 497 feet 3 inches to a point, thence running Northwardly along a line perpendicular to Tennessee Street 276 feet 10 inches to South line Georgia Street, thence running Westwardly along South line of Georgia Street 497 feet 3 inches to the place of beginning. Lot 46 of the Shannon & McKean sub-division as per plat of same recorded in Deed Book 99 N. S. page 303 Probate Records of Mobile County, Alabama. Together with all improvements thereon, which is intended to describe and convey all of my undivided interest in the above described property inherited by me from the Estate of Andrew J. and Mary A. Hamilton, deceased.

warranted free from all incumbrance and against any adverse claims.

TO HAVE AND TO HOLD, the above granted premises unto the said Baldwin County Bank, its successors and assigns forever. And for the purpose of further securing the payment of said note we do hereby agree to pay all the taxes and assessments when imposed legally upon said premises, and should we make default in the payment of same, said Baldwin County Bank may at its option pay the same; all amounts so expended by Baldwin County Bank shall become a debt to Baldwin County Bank attached to the indebtedness, hereby specifically secured, and shall be covered by this mortgage and bear interest from date of payment by said Baldwin County Bank and be due and payable at the maturity of debt.

Upon Condition, However, that if the said Morris B. Hamilton and Lucille Hamilton pay

said note and reimburse said Baldwin County Bank for any amount it may have expended as taxes and insurance and interest thereon, then this conveyance to be null and void; but should default be made in the payment of any sum expended by the said Baldwin County Bank or should said note or any part thereof, or the interest thereon, remain unpaid at maturity, or should the interest of said Baldwin County Bank or its assigns in said property become endangered by reason of the enforcement of any prior lien or encumbrance thereon, so as to endanger the debt hereby secured, then in any one of said events, the whole of said indebtedness shall at once become due and payable, and this mortgage be subject to foreclosure as now provided by law in case of past due mortgages, and the said Baldwin County Bank, its agent or assigns, shall be authorized to take possession of the premises hereby conveyed, and after giving fifteen day's notice, by publication once a week, for three consecutive weeks, of the time, place and terms of sale, by publication in some newspaper published in said county and state, to sell the same in front of the Court House door of said county, at public outcry, to the highest bidder for cash, and apply the proceeds of said sale; First to the expense of advertising, selling and conveying, including a reasonable attorney's fee; Second, to the payment of any amounts that may have been expended or that may then be necessary to expend, in paying insurance, taxes and other incumbrances, with interest thereon; Third, to the payment of said note in full whether the same shall or shall not have fully matured at the date of said sale; but no interest shall be collected beyond the day of sale, and Fourth, the balance, if any, to be turned over to the said Morris B. Hamilton and Lucile Hamilton. And we further agree, that said Baldwin County Bank, its agent or assigns, may bid at said sale and purchase said property, if the highest bidder thereof; and we further agree to pay a reasonable attorney's fee to said Baldwin County Bank or its assigns, for the foreclosure of this mortgage in chancery. Should same be foreclosed said fee to be a part of the debt hereby secured.

Witness our hands and seals this the 7th. day of November, A. D. 1930.

Morris B. Hamilton (SEAL)
Lucile M. Hamilton (SEAL)

STATE OF ALABAMA
BALDWIN COUNTY

I, Winnie G. Scarborough, a Notary Public in and for said County, in said State, hereby certify that Morris B. Hamilton and Lucile Hamilton, his wife, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that being informed of the contents of this conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7th. day of November, A. D. 1930.

Winnie G. Scarborough, Notary Public,
Baldwin County, Alabama.

(SEAL)

STATE OF ALABAMA
BALDWIN COUNTY

I, Winnie G. Scarborough, a Notary Public in and for said County, in said State, hereby certify that on the 7th. day of November, 1930, came before me the within named Lucile Hamilton known to me to be the wife of the within named Morris B. Hamilton, who being examined separate and apart from the husband touching her signature to thewithin conveyance acknowledged that she signed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

In witness whereof, I hereunto set my hand and official seal, this 7th. day of November, A. D. 1930.

Winnie G. Scarborough, Notary Public,
(SEAL) Baldwin County, Alabama.

The State of Alabama Probate Court
Baldwin County
Filed in office this 8 day of Nov. 1930 at 9:00 A. M. and duly recorded in Mtg. Book No. 49 pages 329-0; and I certify that $ 3 cts 15 license or privilege tax, paid as required by an Act of the Legislature, approved August 22, 1923; G. W. Humphries, Judge of Probate by J. L. Kessler, Clerk.

G. W. Humphries, Judge of Probate

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THE STATE OF ALABAMA,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify that the within and foregoing _____ pages contain a full, true and complete copy of the Mortgage from Morris B. Hamilton and Lucile H. Hamilton to Baldwin County Bank

as the same appears of record in my office in Mortgage Book No. 49 Page 329-330

Given under my hand and seal of office, this 11th day of March, 1953.

W R Stuart
Judge of Probate.

STATE OF ALABAMA
BALDWIN COUNTY

MORTGAGE FORECLOSURE DEED

THIS INDENTURE, made and entered into on this the 8th day of July, 1933, by and between the BaldwinCounty Bank, a Corporation, as Mortgagee, hereinafter referred to as the party of the first part and the Baldwin County Bank, a Corporation, hereinafter referred to as the party of the second part, WITNESSETH:

THAT WHEREAS, MORRIS E. HAMILTON AND LUCILE H. HAMILTON, his wife, as mortgagors, did on the 7th day of November, 1930, make, execute and deliver to the Baldwin County Bank, a Corporation, as Mortgagee, that certain mortgage deed dated November 7, 1930, and recorded in Book Number 49 of Mortgages at pages 329-30 in the Probate Records of Baldwin County, Alabama, which conveys the property hereinafter described together with other property which is located in Mobile County, Alabama; and,

WHEREAS, it was provided for, by, in and as a part of the said mortgage that in the event of default in the payment of the indebtedness described in and secured thereby the Mortgagee was and is thereby authorized to sell the said Property at public sale for cash, after having given notice for firteen days thereof by publication once a week for three consecutive weeks of the time, place and terms of sale by publication in some newspaper published in said county and state, and further that the Mortgagee may purchase the said property at such sale if the highest bidder; and,

ng

by

WHEREAS, fifteen days notice was given by publication once a week for three consecutive weeks in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, the county where the land is situated, that the same would be sold at the front door of the Court House in Bay Minette, Baldwin County, Alabama, between the legal hours of sale on July 8th, 1933, the said notice appearing in the issues of said paper of June 15, 1933, June 22, 1933 and June 29, 1933; and,

WHEREAS, at the said sale so held only that part of the property which is located in Baldwin

County, Alabama, a more particular description of which hereinafter appears was sold and said property was first offered for sale in parcels but there being no bidder or bidders for any part of the said property in Baldwin County, Alabama, it was then offered for sale en masse, and at the said sale so held the Baldwin County Bank, a Corporation, became the purchaser of the said property at and for the sum of $2121.52, that being the highest, best and last bid for same, which, however, did not discharge the entire mortgage debt due by the said mortgagors to the said Mortgagee; and,

WHEREAS, the Baldwin County Bank, a Corporation, has fully complied in all respects with its said bid and has paid the said sumof $2121.52 in cash to the Baldwin County Bank, a Corporation as Mortgagee conducting the sale, the receipt whereof is hereby acknowledged; and,

WHEREAS, all of the above being in strict conformity and compliance with the terms, conditions and powers contained in the said mortgage:

NOW, THEREFORE, in consideration of the premises and the sum of $2121.52 this day cash in hand paid to the Baldwin County Bank, a Corporation, as Mortgagee conducting the sale, receipt whereof is hereby acknowledged, the party of the first part has and by these presents does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said party of the second part, the following described real property situated in Baldwin County, Alabama, to-wit:

The undivided interest of Morris B. Hamilton in and to the North half of the Northwest Quarter Section Thirty-one, Township Three South, Range Three East; South Half of Southwest Quarter Section Seventeen, Township Eight South, Range Three East; South Half of Northwest Quarter Section Twenty, Township Eight South, Range Three East;

Beginning at a point Seventy-five feet South of main line of L & N Railroad about twenty-five feet North of Section line dividing Section Nine and Sixteen Township Two South, Range Three East, thence run Southerly eight hundred forty feet, thence Easterly Four Hundred Thirty feet, thence Northerly Eight Hundred Forty feet, thence West One Hundred Thirty-Six feet to beginning, Section Sixteen, Township Two South, Range Three East.; Beginning at Northeast corner of above described lot run East Eight Hundred and Forty feet, thence Northeast Eight Hundred Forty-one feet, thence Northwest Nine Hundred Forty-five feet, thence Southwest One Hundred Eighty-eight feet to beginning, Section Sixteen, Township Two South, Range Three East.

Beginning at intersection of one-half Section line of Section Sixteen, Township Two South, Range Three East and the West line of Old Town of Bay Minette with Survey line of the L & N Railroad-of-way, thence South Sixty degrees West along said Right-of-way Three Hundred Seventy feet for a beginning corner, thence South Sixty Degrees West Sixty feet, thence South Thirty-one Degrees East One Hundred Seventy-six feet, thence North Sixty Degrees East Sixty feet, North Thirty-one Degrees West one Hundred Eighty-three feet to beginning, Section Sixteen Township Two South, Range Three East.

Beginning on one-half section line on West boundary Section Twenty-seven, Township Two South, Range Three East, run East Four and Eighty-five Hundredths chains for a beginning, thence North Four and Seventy-five hundredths chains East Three and Sixteen hundredths chains North Four and Seven tenth chains East Thirty-one and Sixty-nine hundredths chains South Nine and Sixty hundredths chains West Thirty four and Eighty-five hundredths chains to beginning Section Twenty-seven Township Two South, Range Three East, containing thirty acres.

Lot No. 3, Block 27
Lot No. 2, Block 78
Lot No. 4, Block 91
Lot No. 15 and 16 Block No. 105
Lot No. 1, Block No. 94, all of these lots located in the Town of Bay Minette, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama.

TO HAVE AND TO HOLD, unto the said party of the second part, its successors and assigns, as fully and completely as the party of the first part could or ought to convey the same under the terms and powers of the said mortgage and the statutes in such cases made and provided.

IN WITNESS WHEREOF, the party of the first part has caused its corporate seal to be hereto affixed and this instrument to be executed by C. S. Tomkins as its President and attested by S. F. Holmes, as its Cashier, on this the day and year first above written.

BALDWIN COUNTY BANK, a Corporation, (SEAL)
BY C. S. TOMKINS
AS its President

Corp. Seal
ATTEST:
S. F. HOLMES
As its Cashier

STATE OF ALABAMA
BALDWIN COUNTY

I, ORA SIMMON, a Notary Public, within and for said County in said State, hereby certify

that C. S. Tompkins, whose name as President and S. F. Holmes, whose name as Cashier of the Baldwin County Bank, a Corporation, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they as such officers and with full authority, executed the same voluntarily for and as the act of the said corporation.

Given under my hand and official seal on this the 8th day of July, 1933.

ORA SIRMON
Notary Public, Baldwin County, Alabama

Seal

STATE OF ALABAMA
BALDWIN COUNTY PROBATE COURT

Filed for record July 19, 1940 at 9 A M and duly recorded August 1, 1940.

G.W. Robertson, Judge of Probate

G. W. Robertson, Judge of Probate

Ex'd

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THE STATE OF ALABAMA,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify that the within and foregoing _____ pages contain a full, true and complete copy of the Mortgage Foreclosure Deed from Bladwin County Bank to Baldwin County Bank

as the same appears of record in my office in Deed Book No. 72 Page 270-2

Given under my hand and seal of office, this 11th day of March, 19-53

W R Stuart
Judge of Probate.

Received from Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, check for the sum of $1500.00 which is paid and accepted in full settlement of attorney's fee due the undersigned in case No. 2969, Baldwin Properties Company, a Corporation, complainant, vs. A. J. Hamilton et als, respondents, in the Circuit Court of Baldwin County, Alabama, in Equity, as provided in and by the final decree rendered in the said cause on October 14, 1953.

_____

BAY MINETTE, ALA. MAY 12, 1953.

MRS ALICE DUCK
CLERK OF CIRCUIT COURT
BALDWIN COUNTY, ALA.

IN ACCOUNT WITH

J. A. ERTZINGER & SON

ABSTRACTS, INSURANCE, BONDS

ERTZINGER BUILDING
ESTABLISHED 1909

TWO ABSTRACTS OF TITLE ON HAMILTON HEIRS PROPERTY - - - - - - $260.00

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY
VS.	)	
A. J. HAMILTON, ET ALS, Respondents.	)	

ANSWER

Now comes Mattie Mae Clark, and for answer to the Bill of Complaint filed in this cause admits each and all of the allegations thereof and consents and agrees that a decree or decrees be rendered, granting the relief prayed for by the complainant in the said Bill of Complaint.

This respondent waives notice of any and all interlocutory proceedings of every kind and nature which may be necessary in this cause, including notice of any and all hearings in this cause, notice of appointment of Commissioner, notice of reference, and notice of filing of Register's report.

Dated on this the 5 day of March, 1953.

Mattie Mae Clark

WITNESSES:

Louise Dusenbury

H M Toll

NS 2969

FILED

3-9-52

NEW YORK, N.Y.

STATE OF ALABAMA)
*
BALDWIN COUNTY)

The undersigned Baldwin Properties Company, a Corporation, the complainant in Case No. 2969, in which A. J. Hamilton, et als, are respondents, in the Circuit Court of Baldwin County, Alabama, in Equity, does hereby acknowledge receipt of the sum of $2866.96 to it paid by Alice J. Duck, as Register of the said court, in settlement of the amount due it as provided in and by Paragraph Numbered 4 of the final decree rendered in the said cause and dated October 14, 1953.

The undersigned Baldwin Properties Company, a Corporation, also acknowledges receipt of the sum of $472.35 due to it for taxes; the sum of $120.00 due to it for the amount paid for a deed from Wm. J. Watson and wife, and Tilford Blackmon and wife, as provided in the said decree, and the sum of $2.00 for recording the said deed.

Dated this 19th day of October, 1953.

BALDWIN PROPERTIES COMPANY,
A Corporation,

By C. S. White
As its Secretary-Treasurer.

Received from Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, check for the sum of $1500.00 which is paid and accepted in full settlement of attorney's fee due the undersigned in case No. 2969, Baldwin Properties Company, a Corporation, complainant, vs. A. J. Hamilton et als, respondents, in the Circuit Court of Baldwin County, Alabama, in Equity, as provided in and by the final decree rendered in the said cause on October 14, 1953.

J. B. Blackburn
By Mary Lou Blackburn

THE STATE OF ALABAMA,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify that the within and foregoing _____ pages contain a full, true and complete copy of the Deed from H. H. Levins and Ella Levins to A. J. Hamilton

as the same appears of record in my office in Deed Book No. 16 Page 431-2

Given under my hand and seal of office, this 11th day of March, 1953.

W R Stuart
Judge of Probate.

THE STATE OF ALABAMA
BALDWIN COUNTY

I, Andrew J. Hamilton, of Baldwin County, Alabama, being in failing health, but of sound mind and memory, do make and publish this my last will and testament, hereby revoking all former wills by me at any time heretofore made.

First: My will is that all my just debts and funeral expenses shall, by my executrix hereinafter named, be paid out of my estate, as soon after my decease as convenient.

Second: I will, give and devise to my wife, Mary T. Hamilton and to my children by her all of my lands and real estate to share and share alike of which I shall die siezed and possessed, to have and to hold unto my said wife, Mary T. Hamilton and to my children by her and to their heirs and assigns forever, and it is my will and request that all of my lands and real estate be not sold during the minority of any of my said children by my said wife, Mary T. Hamilton.

Third: And I also give and bequeath to my wife, Mary T. Hamilton, and my children by her, all money, promissory notes and all personal and mixed property of which I shall die seized and possessed to share and share alike, to have and to hold forever, except One Hundred dollars in money which said One Hundred dollars in money I do hereby give and bequeath to my adopted son Charles W. Hamilton, to be paid to him as soon after my decease as convenient, for his own use and benefit.

Forth: I do hereby nominate and appoint my wife, Mary T. Hamilton Executrix of this my last Will and testament, without bond.

Fifth: And I do also nominate and appoint my wife, Mary T. Hamilton to be guardian of the persons and of the property of my children without bond.

Witness my hand this 9th day of March, 1910.

Andrew J. Hamilton

Signed and witnessd by us in the presence of Andrew J. Hamilton at his request and by his directions.

Chas. Hall

W. H. Irwin

Filed in office of Probate Judge, Baldwin County, Ala., April 11th, 1910.

J.H.H. Smith, Probate Judge
By J. L. Kessler, Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY PROBATE COURT

In the matter of the Probate of the last Will and testament of Andrew J. Hamilton, deceased.

Before me, J.H.H. Smith, Judge of said Court personally appeared in open Court, Chas. Hall and W. H. Irwin, who having been by me first duly sworn and examined, did and do depose and say on oath that they as subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of Andrew J. Hamilton, deceased, late an inhabitant of this county, that said Andrew J. Hamilton, since deceased, signed and executed said instrument on the day the same bears date and declared the same to be his last Will and Testament, and that affiants set their signature thereto, on the day the same bears

date, as subscribing witnesses to the same in the presence of said Andrew J. Hamilton, and at his request, and that such other witness subscribed his name as a witness in his presence and in the presence of said Andrew J. Hamilton. That said Andrew J. Hamilton was of sound mind and disposing memory, and in the opinion of deponents, fully capable of making his will, at the time the same was so made as aforesaid. Affiants further state that said Andrew J. Hamilton was on the day of the said date of said will, of the full age of twenty-one years and upwards.

Chas. Hall

W. H. Irwin

Subscribed and sworn to before me, this 28th day of April, 1910.

J. H. H. Smith
Judge of Probate

THE STATE OF ALABAMA
BALDWIN COUNTY

I, J.H.H. Smith, Judge of Probate in and for said County and State, do hereby certify that the within instrument of writing, has this day in said Court and before me as the Judge thereof, been duly proven by proper testimony, to be the genuine last Will and testiment of Andrew J. Hamilton, deceased, and that the said will, together with the proof thereof, has been recorded in my office in Book "B" of Wills at pages 192 and 1903.

In witness all of which, I have hereto set my hand and seal of said Court, this 30th day of April A.D. 1910.

SEAL

J.H.H. Smith
Judge of Probate

STATE OF ALABAMA,
Baldwin County.

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify that the within and foregoing One and one-half typewritten pages contain a full, true and complete copy of the Last Will and Testament, Proof of Will, and Certificate of Proof, of Andrew J. Hamilton, deceased,

as the same appears of record in my office in Will Book No. "B" Page 192-3

Given under my hand and seal of office, this 10 day of March, 19 53.

W R Stuart
Judge of Probate.

Form 1096
(Revised)

United States Post Office

JUL 22 1953

_____, _____, 19

Received of Alice J Dueck clk, the sum of

Twenty & 35/100 Dollars, $20 35

for Duck Stamps

Clay J Smith
Postmaster.

By H E Nelson

U. S. GOVERNMENT PRINTING OFFICE 16—48041-1

1. Mrs. Mary Westbrooks
Richland, Georgia

2. A. J. Hamilton
Freehold, New Jersey
Star Rt.

3. Mrs. Mattie Mae Clark
1502 Brown St.,
Mobile, Ala.

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This deed made the 14th day of January 1910, between H H Levins and Ella Levins, his wife of the first part and A J Hamilton of the second part, Witnesseth, that the parties of the first part in consideration of One Dollar and other valuable considerations, to them in hand paid by the party of the second part, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do grant, bargain, sell, convey and deliver unto the said party of the secons part, his heirs and assigns forever, all that real property in Baldwin County, Alabama, described as follows to wit:

Lot Numbered Four(4), in Block Numbered Ninety-one(91) in the Town of Bay Minette, Alabama, according to the official map of said Town now of record in the Office of the Judge of Probate of Baldwin County, Alabama.

Together with all appurtenances thereunto belonging, to have and to hold forever and against any person lawfully claiming the same, said parties of the first part shall forever warrant and defend.

In Witness Whereof the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presenceof

H H Levins (SEAL)
Ella Levins (SEAL)

State of Alabama)
Baldwin County)

I, Walter R White, a Notary Public in and for said County and State, hereby certify that H H Levins and Ella Levins, his wife, whose names are signed to the foregoing conveyance and who are known to me acknowledged before me on this day that being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand this 14 day of January 1910,

(SEAL)

Walter R White, Notary Public,
Baldwin Co Ala,

State of Alabama)
Baldwin County)

I, Walter R White, a Notary Public in and for said County and State, do hereby certify that on the --- day of January 1910, came before me the within named Ella Levins known to me to be the wife of the within named H H Levins, who being examined separate and apart from her husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

In Witness Whereof I hereunto set my hand this 14 day of January 1910,

Walter R White, Notary Public,
Baldwin Co, Ala,

Filed for record October 4 1910,
Recorded October 7 1910,
J H H Smith, Judge of Probate.

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MGP
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STATE OF ALABAMA)
BALDWIN COUNTY)

THIS INDENTURE, made and entered into on this the 14th day of October, 1941, by and between Addie Lee Farish, as Director of the Department of Commerce and as Superintendent of Banks of the State of Alabama, and the Baldwin County Bank, a Corporation, hereinafter referred to as the parties of the first part, and the Baldwin Properties Company, a Corporation, hereinafter referred to as the party of the second part, WITNESSETH:

THAT WHEREAS, the Baldwin County Bank, a Corporation, as the same existed at that time closed on January 27, 1932, and was at that time surrendered to the then Superintendent of Banks of the State of Alabama for liquidation, which liquidation continued by the Superintendent of Banks of the State of Alabama until on to-wit, October 14, 1932, on which said date a Decree was rendered inand by the Circuit Court of Baldwin County, Alabama, in the matter of Liquidation and Reorganization of the said Baldwin County Bank, which said decree authorized and directed the reorganization and reopening of the Baldwin County Bank, a Corporation under its Original charter and provided that the said reorganized bank would thereafter handle the liquidation of the assets of the said bank which closed on January 27, 1932; and

WHEREAS, the said reorganized bank reopened on November 1, 1932 and since the said date has handled the liquidation of the said assets under the direction of the various superintendents of banks of the State of Alabama in the manner provided by the former orders and decrees rendered in and by the Circuit Court of Baldwin County, Alabama, Sitting in Equity, in the Liquidation and Reorganization of the Baldwin County Bank, being case Number 1030 on the docket in said Court; and

WHEREAS, a Decree was rendered in and by the Circuit Court of Baldwin County, Alabama, Sitting in Equity, in the matter of the Liquidation and Reorganization of the Baldwin County Bank, a Corporation on September 30, 1941, which authorized a sale and conveyance of the assets belonging to the said liquidation, all of which will fully appear from the said Decree, a certified copy of which was filed for record in the Probate Records of Baldwin County, Alabama, on October 13, 1941, and which is recorded in Deed Book Number 76 N. S. at page 115:

NOW THEREFORE, the parties of the first part, for and in consideration of the premises, for the purpose of making the sale and conveyance as provided in the above described Decree, and in consideration of the sum of Ten Thousand Three Hundred Seven and 17/100 Dollars ($10,307.17) to them this day in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, have and do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said party of the second part all right, title and interest of the parties of the first part or either of them in and to all of the following described property situated in the State of Alabama, to-wit:

1. All of the real property described in Exhibit "A" hereto attached and by reference made a part hereof as though fully incorporated herein, each sheet of which is indentified by the signatures of the parties of the first part.

2. It is the intention of the parties of the first part by this instrument to conveyand there is hereby conveyed to the said party of the second part, all real property of every kind and nature wheresoever situated now belonging to or now forming a part of the assets in liquidation of the said Baldwin County Bank, a Corporation, regardless of whether or not the same is described in the said Exhibit "A" hereto attached.

TO HAVE AND TO HOLD unto the said party of the second part, its successorsand assigns forever, as fully and completely as the parties of the first part could or ought to convey the same under and by virtue of the power and authority vested in them in and by the provisions of the above described Decree of the Circuit Court of Baldwin County, Alabama, Sitting in Equity.

IN WITNESS WHEREOF, Addie Lee Farish, as Director of the Department of Commerce and as Superintendent of Banks of the State of Alabama, has hereunto set her hand and affixed her official seal, and the Baldwin County Bank, a Corporation, has caused its corporate seal to be hereto affixed and this instrument to be executed by S. F. Holmes, as its President, and attested by C. L. White as its Cashier, as parties of the first part, on this the day and year first above written.

USIR Stamps $10.00 Cancelled

Addie Lee Farish (SEAL)
As Director of the Department of Commerce and as Superintendent of Banks of the State of Alabama.

SEAL

ATTEST: C. L. White, As its Cashier

BALDWIN COUNTY BANK, a Corporation
(SEAL)
By S. F. Holmes, as its President

STATE OF ALABAMA)
MONTGOMERY COUNTY)

I, Philippa F. Marks, a Notary Public, within and for said County in said State, hereby certify that Addie Lee Farish, whose name as Director of the Department of Commerce and as Superintendent of Banks of the State of Alabama is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she, in her capacity as such Director of the Department of Commerce and as Superintendent of Banks of the State of Alabama, exectued the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 14th day of October, 1941.

SEAL

Philippa F. Marks, Notary Public
Montgomery County, Alabama

STATE OF ALABAMA)
BALDWIN COUNTY)

I, Ora S. Nelson, a Notary Public, within and for said County in said State, hereby certify that S.F. Holmes, whose name as President, and C. L. White, whose name as Cashier of the Baldwin County Bank, a Corporation, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they, as such officers, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal on this the 14th day of October, 1941.

Ora S. Nelson, Notary Public, Baldwin County
Alabama

EXHIBIT "A"

TRACT 1: Lots numbered Five (5), Six (6) and Seven (7) in Block Numbered One Hundred Five (105) in the Hand Land Company's Addition to the Town of Bay Minette, Alabama.
(Bay Minette Land Company)

TRACT 2: Begin at a stake on the West line of the Bay Minette and Fort Morgan Railroad at a point where the South line of Section Sixteen (16) intersects the said right-of-way line, thence Southerly along ~~xxxxxxxxxxxxxxxxxxxxxx~~ said right-of-way line 1306 feet, thence Westerly Nine Hundred Nine (909) feet, thence Northerly Thirteen Hundred (1300) feet, thence Easterly on South line of Section Sixteen (16) Ten Hundred Ninety-one (1091) feet to place of beginning, in Section Twenty-one (21), Township Two (2) South Range Three (3) East, except two (2) acres in the Southeast Corner of the said tract heretofore sold the Baldwin Cooperage Company by deed dated September 17, 1940 and recorded in Deed Book Number 73 N. S. at pages 417-18, Baldwin County Records, to which reference is hereby made for a more particular description of the said excepted property.
(Fairgrounds)

TRACT 3: An undivided one-fifth interest in and to all of the real property described in this said Tract 3, being the following described property, to-wit:

The North Half of the Northwest Quarter of Section Thirty-one (31), Township Three (3) South, Range Three (3) East.

Beginning at a point Seventy-five (75) feet South of main line of L. & N. Railroad about Twenty-five (25) feet North of Section line dividing Sections Nine (9) and Sixteen (16), Township Two (2) South, Range Three (3) East, thence run Southerly Eight Hundred Forty (840) feet, thence Easterly Four Hundred Fifty (450) feet, thence Northerly Eight Hundred Forty (840) feet, thence West One Hundred Thirty-six (136) feet to beginning, in Section Sixteen (16), Township Two (2) South Range Three (3) East. Beginning at Northeast corner of above described lot run East Eight Hundred and Forty (840) feet, thence Northeast Eight Hundred Forty-one (841) feet, thence Northwest Nine Hundred Forty-five (945) feet, thence Southwest One Hundred Eighty-eight (188) feet to beginning, Section Sixteen (16), Township Two (2) South, Range Three (3) East.

Beginning at intersection of one-half Section line of Section Sixteen (16), Township Two (2) South, Range Three (3) East and the West line of Old Town of Bay Minette with south line of the Louisville and Nashville Right of way, thence South Sixty Degrees West along said right-of-way Three Hundred Seventy (370) feet for a beginning corner, thence South Sixty Degrees West Sixty (60) feet, thence South Thirty-one Degrees East One Hundred Seventy-six (176) feet, thence North Sixty Degrees East Sixty feet North Thirty-one degrees West One Hundred Eighty-three (183) feet to beginning, Section Sixteen (16), Township Two (2) South, Range Three (3) East.

Beginning on one-half section line on West boundary Section Twenty-seven (27), Township Two (2) South, Range Three (3) East, run East Four and Eighty-five Hundredths chains for a beginning, thence North Four and Seventy-five hundredths chains East Three and Sixteen hundredths chains North Four and seven-tenths chains, East Thirty-one and Sixty-nine hundredths chains, South Nine and Sixty hundredths chains, West Thirty-four and Eighty-five hundredths chains to beginning, Section Twenty-seven (27), Township Two (2) South Range Three (3) East, containing thirty (30) acres.

Lot numbered Three (3) in Block Twenty-seven (27); Lot Numbered Two (2) in Block Seventy-eight (78); Lot Numbered Four (4) in Block Ninety-one (91); Lot Numbered One (1) in Block Numbered Ninety-four (94), all in the Hand Land Company's Addition to the Town of Bay Minette, Alabama.

Lot Forty-six (46) of the Shriner and McKeon Subdivision as per plat of same recorded in Deed Book 99 N. S. at page 353, Probate Records of Mobile County, Alabama. Together with all improvements thereon.
(Hamilton)

TRACT 4: Commence at the Southwest Corner of the Southwest Quarter of the Northeast Quarter of Section Sixteen (16), Township Two (2) South Range Three (3) East, thence run East Twenty (20) feet to a point in the East line of the Public Road, thence with said East line of road and North Two (2) degrees Two Hundred Ten (210) feet East to a point of beginning, thence run East Two Hundred Seven and eight-tenths (207.8) feet to a point; thence run North Two (2) Degrees Thirty (30) minutes East Two Hundred Ten and one-tenth (210.1) feet to a point; thence run West Two Hundred Nine and six-tenths (209.6) feet to a point in the said East line of public road; thence run South two (2) Degrees West Two Hundred Ten (210) feet to the point of beginning, containing an area of one acre in the Southwest Quarter of Northeast Quarter of Section Sixteen (16), Township Two (2) South Range Three (3) East.

Commence at the Southwest Corner of the Southwest Quarter of the Northeast Quarter of Section Sixteen (16), Township Two (2) South Range Three (3) East, thence East Twenty-(20) feet to a point in the East line of public road; thence with East line of road and North Two (2) Degrees East Four Hundred Twenty-(420) feet to a point of beginning; thence East Two Hundred Nine and six-tenths (209.6) feet to a point; thence North Two (2) Degrees Thirty (30) minutes East One Hundred Forty-five and one-tenth (145.1) feet to a point; thence West Two Hundred Eleven (211) feet to a point in the said East line of public road; thence South Two (2) Degrees West One Hundred Forty-five (145) feet to point of beginning containing an area of seven-tenths (7/10) of an acre in the Southwest Quarter of Northeast Quarter of Section Sixteen (16), Township Two (2) South Range Three (3) East.
(M. M. McMillan)

TRACT 5: Lot numbered Thirty-nine (39) in the Old Town of Bay Minette, Alabama, according to the Mobile and Montgomery Railroad Company's official plat thereof recorded in the Probate Records of Baldwin County, Alabama.
(Henry D. Moorer)

TRACT 6: South Half of Lot Numbered Three (3) and all of Lot Numbered Four (4) in Block numbered One Hundred Fifty-two (152) in the Hand Land Company's Addition to the Town of Bay Minette Alabama.
(Frank B. Nihart)

TRACT 7: Lots Numbered Five (5), Six (6) and Seven (7) in Block Numbered One Hundred Twenty-nine (129) in the Hand Land Company's Addition to the Town of Bay Minette, Alabama.
(W. M. Stuart)

TRACT 8: Lots Thirteen (13), Fourteen (14), Seventeen (17), Eighteen (18), Nineteen (19) and Twenty (20) in Block Numbered Twelve (12) in Powell Heights, according to the official plat thereof recorded in Miscellaneous Book 1 at page 338, Baldwin County Records.(Ward)

TRACT 9: Beginning at a point which is the center of Section Eight (8), Township Two (2) South Range Three (3) East, which point is also the Southwest Corner of the Northeast Quarter of the said section and run thence East along the South line of said Northeast Quarter Two Hundred Sixty and five-tenths (260.5) feet to a point on the West line of Dobson Avenue, thence South Twenty-two degrees (22) Thirty (30) minutes East along the West line of Dobson Avenue Six Hundred Fifty (650) feet to the point or place of beginning, thence South Twenty-two degrees thirty (30) minutes East along the West line of Dobson Avenue Eleven Hundred Six (1106) feet to a point, which is the Southeast Corner of Block Numbered Two Hundred Six (206) in the Hand Land Company's Addition to the Town of Bay Minette Alabama, thence South Sixty-seven (67) degrees Thirty (30) minutes West Nine Hundred Ninety-eight (998) feet to a point which is the Southwest corner of Block Numbered Two Hundred Fifteen (215) in the Hand Land Company's Addition to the Town of Bay Minette, Alabama, thence North along the half section line Thirteen Hundred Sixty-four (1364) feet to a point on the South line of a lane or alley, thence North Eighty-seven (87) degrees East Five Hundred Three and five-tenths (503.5) feet to the point or place of beginning.
(H. D. Ewing)

TRACT 10: Northwest Quarter of Northwest Quarter of Southeast Quarter; South Half of Northwest Quarter of Southeast Quarter of Section Sixteen (16), Township Two (2) South Range Three (3) East.
(R. D. McPhaul)

TRACT 11: Lot Numbered Four (4) in Block Numbered One (1) in Dryer's Allotment or Subdivision of the Town of Daphne, Alabama.
(Allegri)

TRACT 12: Lot Numbered One (1) in Block Numbered Twenty-seven (27) in the Hand Land Company's addition to the Town of Bay Minette, Alabama.
(R. B. Vail)

TRACT 13: Lot Numbered Thirteen (13) in Nihart and Stapleton's Subdivision of the West Half of Block One (1) in the Hand Land Company's Addition to the Town of Bay Minette, Alabama, according to the official plat of the said Nihart and Stapleton Subdivision according to the official plat thereof recorded in Map Book 1 at page 37, Baldwin County Records.
(John White)

TRACT 14: Lots Numbered Twenty-four (24) and Twenty-five (25) in Block Numbered Two (2) of Eastwood, according to the official plat thereof recorded in the Probate Records of Baldwin County, Alabama.
West Half of East Half of East Half of Southwest Quarter of Section Twenty-seven (27) Township Two (2) South Range Three (3) East.

Southwest Quarter of Southeast Quarter; West Half of Southeast Quarter of Southeast Quarter of Section Thirty-three (33), Township One (1) North Range Three (3) East.
(Peoples Store)

TRACT 15: The property described in the foreclosure Deed from W. D. Stapleton and wife to Baldwin County Bank dated February 8, 1934, and recorded in Deed Book Number 55 N. S. at pages 281-4, Baldwin County Records, to which deed reference is hereby made for a full description of the said property, excepting however, from the said property such part thereof that has been heretofore sold and conveyed by the Baldwin County Bank.
(W. D. Stapleton)

TRACT 16: The property described in the foreclosure deed from J. S. Page and wife to Baldwin County Bank dated August 15, 1933 and recorded in Deed Book Number 54 N. S. at pages 313-15, Baldwin County Records, and in the Foreclosure Deed from J. S. Page and wife to Baldwin County Bank dated August 15, 1933 and recordedin Deed Book Number 54 N. S. at pages 315-16, Baldwin County Records, to which deeds reference is hereby made for a full and complete description of the said property.
(J. S. Page)

TRACT 17: The property described in the foreclosure Deed from J. S. Page, Jr., to Baldwin County Bank dated August 15, 1933, and recorded in Deed Book Number 54 N. S. at pages 317-18, Baldwin County records, to which reference is hereby made for a full and complete description of the said property.
(J. S. Page, Jr.)

TRACT 18: Begin at the Northwest Corner of the Northeast Quarter of the Southwest Quarter of Section Twenty-one (21), Township Two (2) South, Range Three (3) East; thence South Nine Hundred Ninety (990) feet to a point; thence East Thirteen Hundred Twenty (1320) feet to a point in the East line of said Southwest Quarter; thence North with said East line of Quarter Section Three Hundred Thirty (330) feet to a point; thence West Six Hundred Sixty (660) feet to a point; thence North Six Hundred Sixty (660) feet to a point in the North line of said Quarter Section; thence West Six Hundred Sixty (660) feet to the point of beginning, containing 20 acres, more or less.

Subject, however, to contract of sale heretofore made to Derwood Rider.
(J. Clay Dickman)

TRACT 19: Beginning at the Southeast Corner of Lot Thirty-eight (38) thence run in a westerly direction on the South line of said Lot Thirty-eight and Thirty-seven (37) bordering on Railroad Street to Southeast Corner of Lot Thirty-six (36), thence run North one hundred feet on the line dividing Lots Thirty-six (36) and Thirty-seven (37), thence run in an easterly direction across the entire width of Lots Thirty-seven (37) and Thirty-eight (38) to the East line of said Lot Thirty-eight (38) to a point on a hundred feet North of Southeast Corner of said Lot Thirty-eight (38), thence South on East line of said Lot Thirty-eight (38) to the place of beginning, as per plat of the Town of Bay Minette,

Alabama, recorded in Miscellaneous Book 1 at page 106, in the office of the Judge of Probate of Baldwin County, Alabama.
Subject, however, to contract of sale heretofore made to The Rhodes Company, Inc., a Corporation.
(M. M. McMillan Store Building).

TRACT 20: From the Northeast Corner of Section Four (4), Township Nine (9) South Range Five (5) East, run East on the Township line twenty-five chains and fifty-one links for a point of beginning; thence East on the Township line twenty-three chains and seventy-two links to a stake about two chains and forty-five links west of the intersection of the said Township line with Bay LaLaunch; thence South thirty-three chains and thirty-two links to a stake on the margin of Bay Ornocor; thence by meanders of said Bay South eighty-five degrees West seven chains and sixty-six links; South Eighty degrees West nine chains South Seventy-two degrees West Seven chains and sixty-seven links to division line between Bill's land and Dryer's land; thence North, thirty-seven chains and ninety-two links to beginning, containing eighty-three and one-tenth acres; lying in Section Twelve (12), William Kee Grant, Township Nine (9) South Range Five (5) East.

All of the real property described in the foregoing Tracts Numbered 1 to 20 both inclusive is situated in Baldwin County, Alabama, except Lot 46 of the Shriner and McKeon Subdivision described in the last paragraph of the said Tract 3, which said Lot is situated in Mobile County, Alabama.

BALDWIN COUNTY BANK, a Corporation

Addie Lee Parish

By S. F. Holmes, As its President

STATE OF ALABAMA)
BALDWIN COUNTY)

Filed in office this 13th day of November, 1941 at 10:10 AM, and duly recorded in Deed Book 76MS at page 236-9, and I certify that $10.50 Deed Tax has been paid as required by law.

G. W. Robertson, Judge of Probate

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THE STATE OF ALABAMA,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify that the within and foregoing _____ pages contain a full, true and complete copy of the Deed from the Baldwin County Bank to Baldwin Properties Company

as the same appears of record in my office in Deed Book No. 76 Page 236-9

Given under my hand and seal of office, this 11th day of March, 1953.

W R Stuart
Judge of Probate.

$17.50

2969

BALDWIN PROPERTIES COMPANY VS. A. J. HAMILTON, ET ALS.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY. March 20, 1953.

TESTIMONY TAKEN IN OPEN COURT, BEFORE HON. HUMERT M. HALL, ON MARCH 20, 1953, IN THE ABOVE STYLED CAUSE:

W. D. STAPLETON, A WITNESS FOR THE COMPLAINANT, BEINGFIRST DULY SWORN, TESTIFIED:

Direct Examination by Mr. Blackburn.

Q. Are you Judge W. D. Stapleton?

A. I am W. D. Stapleton - not Judge.

Q. Anybody that was Judge as lon g as you, deserve the title. Judge, How long have you lived in Bay Minette?

A. I moved here in 1889.

Q. Have you lived here consecutively since then?

A. Yes, sir.

Q. What business are you engaged in?

A. Insurance and realty.

Q. You own real property in and around Bay Minette and know its value?

A. Yes, sir, our Company does, and I am a member of the firm.

Q. You, yourself, have been in that business for many years here, have you not?

A. Yes, sir.

Q. I will ask you, Judge, if you know the Hamilton property

south of the depot?

A. Yes, sir.

Q. How long have you known that tract of land?

A. Since I have been here.

Q. Did you know my grandfather, J. B. Blackburn, in 1904?

A. Yes, sir.

Q. Do you know that he sold that property to Hamilton?

A. Yes, sir.

Q. Was he in possession of it at the time he sold it to Hamilton in August of 1904?

A. Yes, sir.

Q. Was the property, or a part of it, under fence?

A. Yes, sir.

Q. Until that street was put through there in recent years it has been continuously under fence, has it not?

A. Yes, sir.

Q. Do you also know Lot 4 in Block 91 in Hand Land Company's Addition to Bay Minette, which is on the Old Pensacola road, where old man Thompson lived many years ago?

A. Yes, sir.

Q. Did you know that property when H. H. Levins owned it in 1910?

A. Yes, sir.

Q. Was he in possession of it when he sold it to Hamilton in 1910?

A. Yes, sir.

Q. Had a residence on it?

A. Yes, sir.

Q. That building is there yet, isn't it?

A. Yes, sir.

Q. Now, Judge, I will ask you to examine this copy of the bill of complaint which has been filed in this cause. (Hands witness bill of complaint) You are familiar with the description of the land as set out in the bill of complaint?

A. Yes, sir.

Q. I will ask you to examine, particularly, the map that I have handed you which describes tract One as set out in the bill of complaint that has been filed in this cause, which is a tract of land containing 3.2 acres, and is described on that map as Lot C. You are familiar with that, are you not?

A. Yes, sir.

Q. Now I will ask you, Judge, if in your opinion all of that property -- I am speaking of Lot C. or the Pant's Factory lot - is all of it of the same value?

A. Well I don't think so. You could cut it up in small lots.

Q. Isn't it true that the north part, or the part nearest town is more valuable than the south part?

A. Oh yes.

Q. Isn't it true also that the north part of that lot is better located than the south part, due to the fact that there is a drain that runs just south of the south boundary of the lot?

A. Yes, sir.

Q. Due to those things, could that piece of property be equitably divided between five joint owners without a sale and a division of the proceeds?

A. I don't hardly see how it could.

Q. I believe you stated that you knew the value of real property. Is the sum of $3,000. a fair price for that tract of land - 3.2 acres - only the pant's factory lot?

A. Well, I should think so.

ON CROSS EXAMINATION BY MR. WILTERS:

Q. This lot C. Judge, you said it was located south of the railroad station?

A. Yes, sir.

Q. That is across the street from the railroad station?

A. Yes.

Q. How much property is involved in this complaint here - set out in this complaint?--Do you know?

A. Well I think 3.2 acres.

Q. That is Lot C. I mean all of the property?

A. I have not figured it up.

Q. Just approximately?

A. Well we used to claim there was 13 acres in it.

Q. On this lot C. are there any buildings on it - on Lot C.?

A. There is a building right across the fence. I don't know whether it is on this Lot C. or not.

Q. Just fenced in?

A. Yes, sir.

Q. You say the value of Lot C. is $3,000. You would estimate it to be $3,000.?

A. Yes, sir.

Q. Is Lot C. in two parts?

A. No.

Q. You don't believe this property could be equitably divided among the parties involved in this cause without a sale?

A. I don't see how it could be.

Q. There is a different value to each lot?

A. Yes, sir.

Q. This piece of land just south of lot C. How much would you say it was worth? That is, the lot just south of this pant's factory lot?

A. That drain goes through that -- I would say about $2,000.

Q. How much would you say this lot over here is worth -- Lot 4 in Block 91?

A. Well if you have the town map -- Has anything been sold off?

MR. BLACKBURN: No. The highway runs through it; there is a part of the lot north of the highway and the swamp runs through the lot.

A. I don't know the condition of the house. I wouldn't say about that lot.

MR. WALTER LINDSEY, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Blackburn.

Q. You are Mr. Walter M. Lindsey?

A. Yes, sir.

Q. Mr. Lindsey, what business are you engaged in?

A. Real estate and abstracting titles.

Q. Do you own real property in and around Bay Minette, Alabama?

A. Yes, sir.

Q. And do you know the value of property in and around Bay-Minette?

A. I do.

Q. I will ask you to read the description of Tract one from the bill of complaint that has been filed in this cause. (Hands witness bill of complaint). Now, Mr. Lindsey, I show you a map covering the tract of land that you have just read, and other property, the description of the property that you have just read being Lot C. as described. Are you familiar with that tract of land?

A. Yes, sir.

Q. Is all of that tract - Lot C-Of the same value?

A. No, sir.

Q. What is the reason for its not being of the same value?

A. The north part is on high ground, being relatively level, and the south part is sloping down to a drain and a ditch and lot and you would - you could hardly do anything with that.

Q. Which part os nearer the main part of Bay Minette?

A. North part.

Q. I will ask you, in your opinion, if that lot C. could be equitably divided without a sale and a division of the proceeds?

A. No, sir.

Q. Mr. Lindsey, I will ask you if, in your opinion, the sum of $3,000. is a fair price - cash price - for that tract of land shown on the map as Lot C.?

A. I believe it would be.

Q. Now loot at that map there - at the lot North of Lot C. which is described in the bill of complaint as Tract Two. That tract has a couple of old buildings on it, does it not?

A. Yes, sir.

Q. Now I will ask you to examine Tract Three as described on that map. Isn't there a building in the northeast corner of Tract Three as described in the bill of Complaint, which is lot D. as shown on the map?

A. There is a building there; I am not very familiar with

with the building.

Q. But there is a building on it?

A. Yes, sir.

Q. Tract Four, which is the triangular tract described on the map as Lot A. There are no improvements on that lot?

A. No, sir.

Q. You are familiar with this lot on the Highway - Lot 4 in Block 91 Hand Land Company's Addition?

A. Yes, sir.

Q. Mr. Lindsey, I will ask you, in your opinion, because of the fact that some of these tracts are improved and others unimpored, if, in your opinion, all of the land described in the bill of complaint could be equitably divided among five joint owners without a sale and a division of the proceeds?

A. No, sir, I don't believe so.

ON CROSS EXAMINATION BY MR. WILTERS:

Q. Mr. Lindsey, how long have you been in the real estate business in this area?

A. Five years.

Q. On Tract Two, you said there were two buildings on that?

A. That is north of Lot C.?

Q. Yes?

A. I believe so.

Q. What are the condition of the buildings?

A. Delapidated.

Q. Could they be of any use to any one besides to destroy them?

A. I think if anybody wanted to make the best use of the land they would have to destroy them.

Q. What is the value of that land, do you know?

A. I would estimate $2,000.

Q. What is the value of Lot Two - in two parts, North and South part; what is the value of the north part?

A. I can't answer that; you would probably split your buildings open.

Q. Lot C.m the pant's factory lot?

A. I would imagine the north part would be $2,000. and the the south part $1,000. maybe.

MR. C. L. WHITE, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED: BY. MR. BLACKBURN.

Q. Are you Mr. C. L. White?

A. I am.

Q. Mr. White, are you an officer in the Baldwin Properties Company?

A. I am.

Q. Have you been such officer since this Corporation was organized?

A. Yes, sir.

Q. It was organized in 1941?

A. Yes, sir.

Q. Are you familiar with the lands described in the bill of Complaint, which are the four tracts in the subdivision south of the railroad, and one lot on the highway?

A. Yes, sir.

Q. The Baldwin Properties Company has owned an interest in that property since it was formed?

A. Yes, sir.

Q. From 1941 to date it and the other joint owners have regularly assessed and paid the taxes on it?

A. Yes, sir.

Q. Mr. White, you knew Andrew J. Hamilton, or A. J. Hamilton, at the time of his death?

a. Yes, sir.

Q. He left his wife and five children, did he not?

A. Yes, sir.

Q. The widow was Mrs. Mary T. Hamilton?

A. Yes, sir.

Q. Mrs. Mary T. Hamilton is dead?

A. Yes, sir.

Q. Did the heirs of A. J. Hamilton, on the date that this suit was filed and on this date, consist of A. J. Hamilton, a son, Amanda Lou Stuart, a daughter, Mattie Mae Clatk, a daughter, M. B. Hamilton a son, and John T. Hamilton, who was a son, but who died prior to the filing of this suit. Johnny left one daughter, named Laura, did he not?

A. Yes, sir.

Q. Laura Hamilton, Mrs. Stuart, A. J. Hamilton, Mrs. Clark, and Morris Hamilton's interest went to the Baldwin properties - was acquired by the Baldwin Properties, are all that are interested in the property?

A. Yes, sir.

Q. Now the interest of the Baldwin Properties Company in this property is a one fifth and the interest of each of the other respondents is one fifth?

A. Yes, sir.

Q. Have the joint owners of this property, Mr. White, had an offer from the Bay Minette Mills, a Corporation, of the sume of $3,000.00 cash for Tract 1 as described in the bill of complaint, which is tract C. shown on that map?

A. Yes, sir.

Q. I will ask you, if in your opinion $3,000.00 is a fair price for that tract of land?

A. Yes, sir.

Q. Is it to the best interest of all of the parties that that tract of land be sold at private sale for division amongst the joint owners for $3,000?

A. Yes, sir.

Q. With reference to Tract Two, which is the lot north north of the Pants Factory lot, isn't there one building used as a beer parlor and another used as a residence?

A. That is right.

Q. On the lot south of the pants factory, isn't there an old residence in the northeast corner?

A. Yes, sir.

Q. The triangular shaped lot west of Hoyle Avenue, there are no improvements on that?

A. No.

Q. Lot 4, Block 91 Hand Land Addition, there is an old residence on that?

A. Yes, sir.

Q. Because of those things, can this property be equitably divided amongst the joint owners without a sale and a division of the proceeds?

A. I don't think so.

Q. At the time this suit was filed no part of this property constituted the homestead of this minor child of John Hamilton's?

A. No, sir.

Q. She, at the time, was living in Georgia?

A. Yes, sir.

Q. At the time of her father's death she was not living on any part of this land?

A. No, sir.

Q. Did Baldwin Properties Company employ me to file this suit?

A. Yes, sir.

Q. I will ask you too, Mr. White, if it is to the best interest of all parties interested that the Court order the making of abstracts of title, one abstract for each piece south of the railroad, and one abstract to the lot in order that those abstracts can be examined by prospective purchasers before a sale has been had?

A. I think so.

Q. You have read this bill of complaint?

A. Yes, sir.

Q. Are all of the facts contained therein true?

A. Yes, sir.

ON CROSS EXAMINATION OF THIS WITNESS BY MR. WILTERS, HE TESTIFIED:)

Q. Mr. White, how long have you been dealing with real estate here in Bay Minette?

A. Four or five years.

Q. Are you familiar with the whereabouts of this minor child involved in this case?

A. I think she lives in Richland, Georgia.

Q. You are President of the Baldwin County Bank, aren't you?

A. Yes, sir.

MR. BLACKBURN: Judge, I would like to offer in evidence a certified copy of the deed from J. B. Blackburn and Martha Blackburn, his wife, to A. J. Hamilton, Jr., dated August 4, 1904, and recorded in Deed Book 7 at page 475-76 in the office of the Probate Judge of Baldwin County, Alabama, and ask that it be identified as Complainant's Exhibit 1.

Next, we offer in evidence certified copy of deed from H. H. Levins and Ella Levins, his wife, to A. J. Hamilton, dated Jan. 14, 1910, and recorded in Deed Book 16 at page 431-2, Baldwin County records, and ask that that be identified as Complainant's Exhibit 2.

Next, we offer in evidence certified copy of the last will and testament of Andrew J. Hamilton, dated March 9, 1910, which has been admitted to Probate and record in and by the Probate Court of Baldwin County, Alabama, where it is recorded in Book of Wills, pages 192-3, and ask that that be identified as Complainant's Exhibit 3.

Next, we offer in evidence a certified copy of a mortgage from Morris B. Hamilton and Lucille Hamilton, his wife to Baldwin County Bank, dated November 7, 1930, which is recorded in Book 49 of mortgages, pages 329-30, Baldwin County Records and ask that it be identified as Complainant's Exhibit 4.

Next, we offer in evidence certified copy of the mortgage foreclosure deed, from Baldwin County Bank, a corporation, as mortgagee to Baldwin County Bank, dated July 8, 1933, which is recorded in Deed Book 72 pages 270-72, and ask that - Baldwin County records, which forecloses the mortgage that was just introduced, and ask that it be identified as Complainant's Exhibit 5.

Next, we offer in evidence certified copy of a deed from Addie Lee Farish, as Director of the Department of Commerce and as Superintendent of Banks of the State of Alabama, and the Baldwin County Bank, a Corporation, to the Baldwin Properties Company, dated October 14, 1941, which is recorded in Deed Book 76 at page236-9 Baldwin County records, and ask that the same be identified as Complainant's

State of Alabama
Baldwin County

T h i s A g r e e m e n t o f C o r r e c t i o N, Made the 5th day of August, 1904, between J B Blackburn and Martha R Blackburn, his wife, parties of the first part, and A J Hamilton, Jr., party of the second part, W i t n e s s e t h; That whereas, by two certain deeds heretofore executed on April 11th, 1903, and May 25th, 1903, recorded respectively in Book 6 N S, page 176, and Book 6 W S, page 275, the said parties of the first part did convey to said A J Hamilton, Jr., certain lands therein described, now therefore, in consideration of the sum of One dollar to them in hand p aid, the receipt of which is hereby acknowledged, and for the purpose of correcting a misdescription in said conveyances the parties of the first part, J B Blackburn and Martha R Blackburn, his wife, have bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said A J Hamilton, Jr., his heirs and assigns forever, all and singular, that certain piece or parcel of land in the village of Bay Minette, in Baldwin County, State of Alabama and more particularly described as follows, to wit:

Beginning at a point seventy-five (75) feet south of the Main line of the Louisville and Nashville railroad and about twenty-five (25) feet north of the section line dividing sections nine (9) and sixteen (16) in township two (2) south of range three (3) east thence running southerly eight hundred and forty-one (841) feet, thence easterly four hundred and fifty (450) feet, thence northwardly eight hundred and forty (840) feet, thence west one hundred and thirty-six (136) feet to the place of beginning; said land being situated in sections nine (9) and sixteen (16) in township two (2) south, range three (3) east, and also that certain other piece or parcel of land next east of the above described land, and more particularly described as follows:- Beginning at the north east corner of said above described piece of land, thence running south east from said beginning corner eight hundred and forty (840) feet, thence north east along a line of fence four hundred and seventeen (417) feet to a point, thence north west along a line of fence with the meanders of the same nine hundred and forty-five (945) feet thance south west one hundred and eighty-eight (188) feet to the place of Beginning, in sections nine (9) and sixteen (16) in towns hip two (2) south of range three (3) east.

The two above conveyed pieces and parcels of land being being bounded on the west by lands of Stammyre, and on the south by lands of Land Land Company, and on the east by the line dividing it from lands of Stammyre, and both lots fronting on the Louisville and Nashville Railroad. Together with all the appurtenances and hereditaments thereunto belonging or in anywise appertaining; to have and to hold unto the said A J Hamilton, Jr., his heirs and assigns forever, in fee simple; and the parties of the first part as against the lawful claims of any person or persons whomsoever shall and will forever warrant and defend.

In witness whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Sealed, signed and delivered — J B Blackburn
in presence of — M R Blackburn

State of Alabama
Baldwin County

I, Walter R White, a Notary Public in and for said state and county, hereby certify that J B Blackburn and Martha R Blackburn, his wife, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that being informed of the contents of the aforesaid conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this 2nd day of Sept, 1904.

Walter R White, Notary Public, Baldwin County, Alabama

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State of Alabama
Baldwin County

I, Walter R White, a Notary Public in and for said state and county, do hereby certify that on this the 5th day of August, 1904, came before me the within named Martha R Baldkburn, known to me to be the wife of the within named J B Blackburn, who being examined separate and apart from her husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, without threats, constraint or fear on the part of the husband.

In witness whereof, I have hereunto set my hand and seal, this 2nd day of Sept A D, 1904.

Walter R White Notary Public, Baldwin County, Alabama

Filed for record Sept 6th, 1904 at 12 M
Recorded Sept 10th, 1904

Chas Hall, Judge of Probate

THE STATE OF ALABAMA,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify that the within and foregoing _____ pages contain a full, true and complete copy of the Deed from J. B. Blackburn and M. R. Blackburn to A. J. Hamilton Jr.

as the same appears of record in my office in Deed Book No. 7

Page 475-6

Given under my hand and seal of office, this 11th day of March, 19-53

W R Stuart
Judge of Probate.

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
A. J. HAMILTON, ET ALS, Respondents.	)	IN EQUITY

FINAL DECREE

This cause coming on to be heard on this date is submitted for a final decree on the pleadings filed and decrees heretofore rendered in this cause on the answers of the respondents A. J. Hamilton, Mattie Mae Clark, Amanda Lou Stuart and Mary Westbrook, as guardian of Laura Hamilton, in which they admit the allegations of the Bill of Complaint and consent that a decree or decrees be rendered granting the relief prayed for by the complainant in its said Bill of Complaint, and in which they waive notice of all interlocutory proceedings and all hearings in this case; the appointment, acceptance and answer of Harry J. Wilters, as Guardian Ad Litem for Laura Hamilton, a minor; motion of the complainant for oral examination of the witnesses, W. C. Beebe, J. A. Wurst, J. B. Blackburn, T. J. Mashburn, Jr., and Alice J. Duck; the decree ordering oral examination of the said witnesses taken in open court on this date, from all of which the court finds as follows:

A. The property involved in this suit has been heretofore sold under the authority of the former orders and decrees rendered in this cause, which sales have been confirmed, for the total sum of $17,075.00.

B. The interest of each party to this cause in the net proceeds of the said sales is one-fifth (1/5) thereof.

C. The court costs incurred in this proceeding, including the amount paid for abstracts and the amount paid for a survey of a part of the property involved in this proceeding, which is a common charge against the complainant and each of the respondents, amounts to the total sum of $645.85. The said sum of $645.85 does not include the Guardian Ad Litem's fee hereinafter fixed and allowed, which is only a charge against the interest of the respondent, Laura Hamilton.

D. The complainant, the Baldwin Properties Company, has paid taxes on the property jointly owned by it and the respondents in the amount of $472.35, which amount is also a common charge against all of the parties to this proceeding. The said complainant has waived interest on the said taxes so paid.

E. To perfect title to a part of the property involved in this proceeding, it was necessary that a deed be obtained from Wm. J. Watson and Tilford Blackmon, conveying Lot 4 in Block 91 in the Hand Land Company's Addition to the Town of Bay Minette, Alabama, to the complainant and the respondents, for which said deed the complainant, Baldwin Properties Company, paid the said grantors the sum of $120.00, and paid recording charges thereon, amounting to $2.00, making a total sum of $122.00, which said amount is also a common charge against all of the parties to this proceeding.

F. The attorney's fee of $1500.00 allowed to J. B. Blackburn, as solicitor for the complainant, for services rendered by him in this cause, and fixed as hereinafter provided, is also a common charge against all of the parties to this proceeding.

G. The Guardian Ad Litem's fee of $200.00 allowed to Harry J. Wilters, as Guardian Ad Litem for Laura Hamilton, a minor, and fixed as hereinafter provided, shall be paid as a part of the court costs in this proceeding, but is not a common charge against all of the parties to this proceeding, and is only a charge against the interest of the said minor, Laura Hamilton.

H. The court costs, amounting to $645.85; the taxes to be paid to the Baldwin Properties Company, amounting to $472.35; the amount to be paid to the Baldwin Properties Company for the above described deed and recording charges thereon, amounting to $122.00; and the attorney's fee for complainant's attorney, amounting to $1500.00, make the total sum of $2740.20, which is a common charge against all of the said parties to this proceeding, or the total sum of $548.04 which is to be deducted from the share of the complainant and each of the four said respondents. When the said sum of $548.04 is deducted from the sum of $3415.00, which is the amount of the one-fifth interest of the complainant and the one-fifth interest of each of the respondents in the total purchase price of

$17,075.00, it leaves a net balance for distribution to the complainant and the three adult respondents of the sum of $2866.96 each. The minor respondent, Laura Hamilton, will also be entitled to the said sum of $2866.96, less the said Guardian Ad Litem's fee of $200.00, making the net balance to be paid to her amount to the sum of $2666.96.

I. The sum of $17,075.00, which represents the gross proceeds of the said sales, is now in the possession of Alice J. Duck, as Register and commissioner, which should be distributed in the manner provided for in this decree, and this cause finally settled.

J. Laura Hamilton, the minor interested in this proceeding, was represented at the said hearing by Harry J. Wilters, her Guardian Ad Litem, and as all of the other respondents had consented that the prayer of the Bill of Complaint in this cause be granted, and waived notice of all other and further proceedings, no notice to them or any of them is necessary.

Upon consideration of all of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. Alice J. Duck, as Register and commissioner, is hereby authorized, empowered, instructed and directed to pay to herself, as Register, the sum of $645.85, which amount is all of the court costs incurred in this proceeding, including an abstract bill of $260.00, and a bill of Harold W. Graham, Surveyor, of $85.00, and deduct the said sum so paid from the total purchase price of the said property.

Alice J. Duck, as Register as aforesaid, shall pay to J. A. Ertzinger and Son the said sum of $260.00, take its receipt therefor and file it in this cause; and to Harold W. Graham the sum of $85.00, take his receipt therefor and file it in this cause.

2. Alice J. Duck, as Register aforesaid, is authorized, empowered, instructed and directed to pay to the Baldwin Properties Company, a Corporation, the sum of $472.35 to reimburse it for the taxes paid on the property involved in this proceeding, and also pay to the said Baldwin Properties Company the sum of $120.00, which amount was paid by it for the above described deed, and the

sum of $2.00 for recording the above described deed, and deduct all of the said payments from the total purchase price of the said property.

3. The sum of $1500.00 shall be and it is hereby fixed and allowed to J. B. Blackburn, as solicitor for the complainant for services rendered by him as attorney for the complainant in this cause, and the said Register is hereby authorized, empowered, instructed and directed to pay to J. B. Blackburn the said sum of $1500.00, take his receipt therefor and file it in this cause, which amount shall be deducted from the total purchase price of the said property.

4. The said Register is authorized, empowered, instructed and directed to pay to the complainant, Baldwin Properties Company, a Corporation, and to the respondents A. J. Hamilton, Mattie Mae Clark and Amanda Lou Stuart the sum of $2866.96 each, which amounts represent the net amount due each of the said parties on final settlement of this cause. The said Register shall take a receipt from each of the said parties and file it in this cause. The said sums so paid to the said parties shall also be deducted from the total purchase price of the said property.

5. The sum of $200.00 is hereby fixed and allowed as compensation to Harry J. Wilters, as Guardian Ad Litem for the minor respondent, Laura Hamilton. The said Register is hereby authorized, empowered, instructed and directed to deduct the said sum of $200.00 from the amount due to the minor respondent, Laura Hamilton, pay it to the said Guardian Ad Litem, take his receipt therefor and file it in this cause.

6. The said Register is hereby authorized, empowered, instructed and directed to pay to Mary Westbrook, as Guardian of Laura Hamilton, a minor, the said sum of $2666.96, which said amount represents the net balance due the said minor on final settlement of this cause, take her receipt therefor and file it in this cause.

7. Upon compliance with all of the terms and provisions of this decree, the Register of this court shall report her said acts to this court for final confirmation.

ORDERED, ADJUDGED AND DECREED on this the 14th day of October, 1953.

Hubert M. Hall

2969

Baldwin Properties
Company, a corp-
vs.
A. J. Hamilton et als

2969

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
A. J. HAMILTON, ET ALS, Respondents.	)	IN EQUITY

DECREE

This cause coming on to be heard on this date is submitted for a decree upon the original Bill of Complaint; Answers and Waivers of A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Mary Westbrook, as guardian of Laura Hamilton, a minor, in which and by which they admit all of the allegations of the said Bill of Complaint and consent and agree that a decree be rendered in accordance with the prayer thereof; the decree of this court dated March 9, 1953, setting this cause for hearing and appointing a Guardian Ad Litem to represent Laura Hamilton, a minor over fourteen years of age; the appointment, acceptance and answer of the said Guardian Ad Litem; and the testimony of the complainant's witnesses, all of which was taken in open court in the manner provided by Equity Rule Number 56, as amended, on this date, upon consideration of all of which, the court is of the opinion that the allegations of fact set out in the said Bill of Complaint are true and that the complainant is entitled to the relief prayed for therein; upon consideration of all of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. The complainant, Baldwin Properties Company, a Corporation, and the respondents, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton, are joint owners or tenants in common of the following described real property situated in Baldwin County, Alabama, to-wit:

TRACT ONE

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on the section line 854 feet to the beginning corner in an old fence line; thence run South 68 degrees West 294.5 feet to a corner on the East side of Hoyle Avenue; thence run South 22 degrees 30 minutes East along the East side of Hoyle Avenue 370 feet to a corner; thence run North 71 degrees 30 minutes East 363 feet to the Southwest corner of the Byrd fence; thence run North 44 degrees East 78 feet along the Byrd fence to a corner in the old

fence line; thence run North 43 degrees 50 minutes West 385.6 feet along the old fence line to the beginning corner, containing 3.2 acres, more or less, in Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "C", as shown on the map of the said property, together with other property, prepared by H. W. Graham, Surveyor, dated February 12, 1953,

and that the said Baldwin Properties Company, a Corporation, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton each own an undivided one-fifth interest in the said property.

The said property described above cannot be equitably divided among the said joint owners or tenants in common without a sale thereof and a division of the proceeds, and it is to the best interest of all of the said parties that the said tract of land be sold for division at private sale to Bay Minette Mills, Inc., a Corporation, for the sum of Three Thousand Dollars ($3,000.00) cash, to be paid at the time of the delivery of the deed hereinafter provided for, conveying the said property.

Upon payment of the said sum of $3,000.00 by Bay Minette Mills, Inc., to Alice J. Duck, as Register of this court, title to all of the said property is hereby divested out of the said joint owners, namely, Baldwin Properties Company, a Corporation, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton, and vested in the said purchaser, Bay Minette Mills, Inc., and Alice J. Duck, as Register of this court, shall be and she is hereby fully and completely authorized, empowered, instructed and directed to make, execute and deliver a register's deed to the said purchaser, conveying the said property.

After execution and delivery of the said deed, the said Register shall report her actions in the premises to this court for confirmation.

2. The complainant, Baldwin Properties Company, a Corporation, and the respondents, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton, are joint owners or tenants in common of the other lands described in the Bill of Complaint, which has been filed in this cause, which is the following described property situated in Baldwin County, Alabama, to-wit:

The said property cannot be equitably divided among the said joint owners thereof without a sale and division of the proceeds, and that such sale is to the best interest of all parties interested in this proceeding.

The said property is hereby ordered sold for division and for the purpose of effecting such sale, Alice J. Duck, as Register of this court, shall be and she is hereby appointed commissioner to make the sale and is hereby ordered and directed to sell the above described property at public outcry to the highest bidder for cash at the front door of the courthouse at Bay Minette in Baldwin County, Alabama, at one o'clock P. M. on the 18 day of May, 1953, after first giving notice of the time, place and terms of the said sale and a description of the said property, by publication once a week for three successive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama.

The said commissioner shall make report of the said sale to this court within thirty days after the sale is made.

3. Alice J. Duck, as Register of this court, is hereby authorized, empowered, instructed and directed to have a complete Abstract of Title made, covering Tracts Two, Three and Four, as described above, and to have a limited Abstract of Title made, covering Tract Five, as described above, showing the patent and commencing with the deed out of Hand Land Company, conveying the said property, the costs of which abstracts shall be taxed as a part of the costs of this proceeding.

4. The Register of this court shall file a certified copy of this decree for record in the office of the Judge of Probate of Baldwin County, Alabama, and tax the cost of such recording as a part of the costs of this proceeding.

5. Jurisdiction of this cause is reserved for the purpose of making such other and further orders or decrees as may be necessary and proper in the premises.

ORDERED, ADJUDGED AND DECREED on this the 20 day of March, 1953.

Hubert M Hace
Judge

TRACT TWO

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line of the said section, 854 feet to the beginning corner in an old fence line; thence run North 25 degrees 30 minutes West 120 feet, more or less, to the South side of a ditch, which marks the South line of the present paved street; thence run Southwesterly along the said South line of the said street 290 feet, more or less, to the East side of Hoyle Avenue; thence run South 22 degrees 30 minutes East to an iron pipe corner, which iron pipe corner is South 22 degrees 30 minutes East 119.8 feet from the North line of the said Section 16; thence North 68 degrees East 294.5 feet to the point or place of beginning, containing 0.7 acre, more or less, in Sections 9 and 16, Township 2 South, Range 3 East.

TRACT THREE

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line 1174 feet to the East side of Hoyle Avenue, thence run South 22 degrees 30 minutes East 489.8 feet along the East side of Hoyle Avenue to the beginning corner; thence run North 71 degrees 30 minutes East 363 feet to an iron pipe; thence run North 44 degrees East 78 feet to a corner in an old fence line; thence run South 43 degrees 50 minutes East 120 feet to an old fence corner marked by an iron pipe; thence South 28 degrees 30 minutes East 234 feet, more or less, to a corner marked by an iron pipe; thence run South 73 degrees 10 minutes West along an old fence 500.7 feet to a corner on the East side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the East side of Hoyle Avenue 283.5 feet to the beginning corner, containing 3.8 acres in Section 16, Township 2 South, Range 3 East.

TRACT FOUR

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on section line 1225 feet and South 86 feet for the beginning corner at the intersection of the West side of Hoyle Avenue and the East side of a 20-foot lane; thence South 730 feet to a corner; thence run North 73 degrees 10 minutes East 287.7 feet to a corner on the West side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the West side of Hoyle Avenue 708 feet, more or less, to the beginning corner, containing 2.3 acres in said Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "A", as shown on the map of the said property, together with other property, prepared by H. W. Graham, Surveyor, dated February 12, 1953.

TRACT FIVE

Lot Four (4) in Block Ninety-one (91) in the Hand Land Company's Addition to the Town of Bay Minette, according to the official map or plat thereof, which is recorded in Deed Book 4 N. S. at pages 158 et seq., Baldwin County, Alabama Records, EXCEPT that part of the said property which lies within the right-of-way of United States Highway Number 31,

and that the said Baldwin Properties Company, a Corporation, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton each own an undivided one-fifth interest in the said property.

BALDWIN PROPERTIES COMPANY, A corporation, Complainant, VS. A. J. Hamilton, et al., Respondents.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

HON. W. C. BEEBE, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Blackburn.

Q. Are you Mr. W. C. Beebe?

A. I am.

Q. Mr. Beebe, you are now, and have for sometime been practicing Law in Baldwin County, Alabama, have you not?

A. I have.

Q. Are you familiar with fees that are customarily charged by Attorneys for handling partition proceedings?

A. I am

Q. Are you familiar with the case of Baldwin Properties Company, a Corporation, vs. A. J. Hamilton, et al, which is now pending in this Court?

A. I am.

Q. Have you had occasion, in connection with making abstracts, to abstract these proceedings?

A. I have.

Q. Are you familiar with the price that was realized from this sale?

A. Something over $17,000.00.

Q. What, in your opinion, Mr. Beebe, is a reasonable fee to be paid to me, as Solicitor for the Complainant, for the services that I have rendered?

A. I think 10% of the gross amount received from the sale of the lands would be reasonable.

ON CROSS EXAMINATION BY MR. WILTERS, GUARDIAN AD LITEM FOR LAURA HAMILTON, THIS WITNESS TESTIFIED:

Q. Mr. Beebe, you stated on your direct examination that you are familiar with this case and the proceedings therein. Now I would like to ask you, what, in your opinion. would be a reasonable guardian ad litem fee in this case for representing the minor, Laura Hamilton?

A. What interest does she have?

Q. A one-fifth interest, or approximately $3,400.00?

A. I would say $200.00.

HON. J. B. BLACKBURN, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Owen.

Q. You are Mr. J. B. Blackburn?

A. Yes, sir.

Q. In the Spring of this year, Mr. Blackburn, did the Baldwin Properties Co., a Corporation, retain you to bring a suit for them for the division of certain property here in Bay Minette?

A. It did.

Q. And is that the property in this suit?

A. Yes, sir.

Q. What did you do in connection with bringing this suit?

A. The first thing that I did was to go over to Richland, Georgia, which is about 50 miles beyond Columbus, to see Mrs. Laura Westbrook, who is the mother of Laura Hamilton, the minor, and who is her guardian. I left here one afternoon and spent the night in Montgomery and drove on to Richland the next day and got back in here about 10 o'clock that night. The reason for that trip was this: This Corporation over here wanted this site for the pants factory - wanted to purchase it, provided they could get it quickly and the only way to get it quickly would be for the various adults interested to waive any notice so that we could go ahead immediately with the private sale of that property, and after securing an answer and waiver signed by the guardian, the Pants Factory people had designated a site on the grounds that they wanted for the location of this plant; that necessitated a survey of the whole Hamilton Field in Section 16. I was able to get Mr. Harold Graham to come here and survey this tract of land and make plats; he divided it into four different parcels, and rendered a bill for $85.00, which I had him to make out to Mrs. Duck, as Register; I am fully familiar with what Mr. Graham did; he got into it very promptly and his charges are reasonable. I then filed a bill asking that the Pants Factory Lot be sold at private sale for the sum of $3,000. and I asked that the other four pieces of land be sold at public sale for division. Actually when we had the sale we broke one of the pieces up into two parcels, so there were six different parcels sold, and the total ~~xxxxxxxx~~ realized was $17,075.00. After the bill was filed and after Mrs. Duck ordered the abstract, we found that there was a tax sale on the lot out here that was bought by Roy Crow, and I had some negotiation with the people who owned the tax title, Mr. Watson and Mr. Blackmon, and we announced at the sale that this lot was subject to a tax lien, but that it would be cleared up without expense to the purchaser, and after some months of dickering back and forth with these people, Mr. Tilford Blackburn and Mr. Wm. J. Watson, I got a deed to the Baldwin Properties Co., a Corporation, and J. A. Hamilton, Laura Hamilton Mattie Mae Clark and Amanda Lou Stuart, conveying that tax title; we had to pay them $120.00. The Baldwin County Properties Co. paid all of that and I think that is a proper charge against all of the owners. It was also necessary to have that deed recorded, which cost $2.00 more.

Q. Was it necessary to have a survey made of the property before you could get a good description?

A. Absolutely; the old description of the lands in the field was bad; th field had been under vence and in the possession of the Hamilton family for many years, and the description was bad, and even if it had been good, we would still have had to have a survey to locate the pants Factory lot.

Q. And it was necessary for you to get the quitclaim deed from Mr. Wm. J. Watson and his wife, and Mr. Tilford Blackmon and his wife, to the Hamiltons and the Baldwin Properties Company so as to have a clear title to Lot 6 in Block 91, which is the lot on Highway 31?

A. Yes, sir, that is the lot Crow bought.

ON CROSS EXAMINATION BY MR. WILTERS:

Q. Mr. Blackburn, what property was sold at the private sale?

A. The Pants Factory lot, Mr. Wilters. That is described in the bill of Complaint - or rather the decree, which is dated 20th day of March, 1953, and which is designated as Tract 1; that is the pants factory lot.

Q. Mr. Blackburn, is Harold Graham a surveyor?

A. Yes, sir, licensed surveyor and a man of considerable experience and considerable ability.

Q. What land was that involved in the tax title?

A. Lot 4 in Block 91.

Q. How much did it cost the Baldwin Properties Company to obtain this quitclaim deed?

A. $120.00, plus $2.00 recording fee.

Q. I believe one of the Grantors in the tax deed was named Blackman--

A. (Interrupted) B L A C K M O N. No relation.

Q. Blackmon?

A. Yes.

MR. BLACKMAN; WE WOULD LIKE TO OFFER IN EVIDENCE this bill of Mr. Graham's and ask that it be identified as Exhibit A.

MR. WURST, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Blackburn.

Q. Mr. Wurst, are you familiar with the books and records of the Baldwin Properties Company, the Complainant in this case?

A. I am.

Q. I will ask you if, at my request, you examined the books and records to determine the taxes paid by it on the property jointly owned by the Baldwin Properties Company and the Hamiltons?

A. I did.

Q. Does that sheet that you have there represent the various amounts paid for taxes by the Baldwin Properties Company?

A. Yes it does.

MR. BLACKBURN: I offer this in evidence and ask that it be identified as Exhibit B.

Q. Mr. Wurst, I will ask you also if the Baldwin Properties Company ~~f~~ paid for this deed from Blackmon and Watson that you have heard us discussing here?

A. It did.

Q. What was the amount it paid?

A. $120.00.

Q. It also paid the recording charges?

A. Yes, $2.00.

ON CROSS EXAMINATION BY MR. WILTERS:

Q. I believe you stated that you were familiar with the books of the Baldwin Properties Company. How did you become familiar with those books?

A. For about the last 15 or 16 months I have been keeping those books and in order to keep the books accurately I had to make an examination of them for some period prior to that time.

Q. Are you the accountant for the Company?

A. You might calle me acting secretary; I am not an officer - Official officer of the corporation, but the books are in the custody of the Baldwin County Bank, and as Cashier of the Bank I have the books under my custody.

Q. It is your duty to keep the books?

A. Yes, sir.

HON. TELFAIR J. MASHBURN, JR. BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Blackburn.

Q. Judge Mashburn, you practice law here in Bay Minette and are familiar with the fees charged in proceedings of this kind, are you not?

A. That is right.

Q. Have you examined the file in this case?

A. I have.

Q. You are familiar with what was done?

A. Yes.

Q. And the price that this property brought?

A. Yes, sir.

Q. Did you hear my testimony here today?

A. No, I came in late, but I understand that the property

brought about $17,500.00

Q. $17,075.00. What in your opinion, is a fair and reasonable fee for the services rendered by me in this case?

A. I would think from the work reflected in the file and from what you have told me, that a fee in the neighborhood of $1,500.00 would be reasonable.

NO CROSS EXAMINATION.

MRS. ALICE J. DUCK, BEING FIRST DULY SWORN, TESTIFIED:

Direct examination by Mr. Blackburn.

Q. Are you Mrs. Alice J. Duck?

A. Yes, sir.

Q. You are Register of the Circuit Court of this County?

A. Yes, sir.

Q. You were also appointed Commissioner to sell the property in this case?

A. Yes, sir.

Q. Did you have an abstract of title made to the properties involved in this suit?

A. I did.

Q. Do you have a statement for that cost?

A. I do.

Q. Who is that from?

A. J. A. Ertzinger & Son.

Q. What is the amount?

A. $260.00.

ON CROSS EXAMINATION BY MR. WILTERS, WITNESS TESTIFIED:

Q. Mrs. Duck, do you know whether that $260.00 is a reasonable fee or not?

A. I think it is; that is about like the other abstracters charge.

Q. You are familiar with abstracts in your work as Clerk, are you not?

A. Yes, sir.

C E R T I F I C A T E:

STATE OF ALABAMA

BALDWIN COUNTY.

I, Louise Dusenbury, Official Court Reporter for the 28th Judicial Circuit of Alabama, hereby certify that the foregoing, consisting of pages 1 to 5, both inclusive, correctly sets forth a true and correct copy of the testimony as taken by me in open Court, before Hon. Hubert M. Hall, Judge of said Court, in the case of Baldwin Properties Company, Inc. vs. A. J. Hamilton, et al., on the 14th day of October, 1953.

Given under my hand this 14th day of October, 1953.

Louise Dusenbury
Official Court Reporter

Exhibit A

Fairhope, Alabama
February 23, 1953

Alice J. Duck, Register
Bay Minette, Alabama

Services rendered in surveying and making plats of Hamilton Field property in Section 16, Township 2 South, Range 3 East, Baldwin County, Alabama, which is a part of the property involved in the suit of Baldwin Properties Company, complainant, vs. A. J. Hamilton et al, respondents, in the Circuit Court of Baldwin County, Alabama, in Equity $85.00

H. W. GRAHAM,
Surveyor,
Fairhope, Alabama

Taxes paid on HAMILTON ESTATE PROPERTIES

by BALDWIN PROPERTIES COMPANY

Years:		
1940 1941 1942 1943	G. W. Robertson, Probate Judge August 23, 1944 Check No. 79	$164.68
1944	M. H. Wilkins, Tax Collector December 22, 1944 Check No. 85	86.62
1945 1946	M. H. Wilkins, Tax Collector June 11, 1947 Check No. 127	78.37
1947	M. H. Wilkins, Tax Collector December 31, 1947 Check No. 130	18.20
	May 12, 1948 Check No. 133	21.20
1948	J. B. Blackburn June 22, 1949 Check No. 142	10.71
	M. H. Wilkins, Tax Collector June 13, 1949 Check No. 141	26.01
1949 1950 1951 1952	W. R. Stuart, Probate Judge February 19, 1953 Check No. 181	66.56
	TOTAL	$472.35

STATE OF ALABAMA)
*
BALDWIN COUNTY)

THIS INDENTURE, made and entered into on this the 17 day of March, 1953, by and between M. B. Hamilton and Lucile H. Hamilton, his wife, hereinafter referred to as the parties of the first part, and Baldwin Properties Company, a Corporation, hereinafter referred to as the party of the second part, WITNESSETH:

The parties of the first part, for and in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration to them this day in hand paid by the party of the second part, receipt whereof is hereby acknowledged, have REMISED, RELEASED AND QUIT CLAIMED and by these presents do REMISE, RELEASE AND QUIT CLAIM unto the said party of the second part the following described real property situated in Baldwin County, Alabama, to-wit:

TRACT ONE

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on the section line 854 feet to the beginning corner in an old fence line; thence run South 68 degrees West 294.5 feet to a corner on the East side of Hoyle Avenue; thence run South 22 degrees 30 minutes East along the East side of Hoyle Avenue 370 feet to a corner; thence run North 71 degrees 30 minutes East 363 feet to the Southwest corner of the Byrd fence; thence run North 44 degrees East 78 feet along the Byrd fence to a corner in the old fence line; thence run North 43 degrees 50 minutes West 385.6 feet along the old fence line to the beginning corner, containing 3.2 acres, more or less, in Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "C", as shown on the map of the said property, together with other property, prepared by H. W. Graham, Surveyor, dated February 1[illegible], 1953.

TRACT TWO

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line of the said section, 854 feet to the beginning corner in an old fence line; thence run North 25 degrees 30 minutes West 120 feet, more or less, to the South side of a ditch, which marks the South line of the present paved street; thence run Southwesterly along the said South line of the said street 290 feet, more or less, to the East side of Hoyle Avenue; thence run South 22 degrees 30 minutes East to an iron pipe corner, which iron pipe corner is South 22 degrees 30 minutes East 119.8 feet from the North line of the said Section 16; thence North 68 degrees East 294.5 feet to the point or place of beginning, containing 0.7 acres, more or less, in Sections 9 and 16, Township 2 South, Range 3 East.

TRACT THREE

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line 1174 feet to the East side of Hoyle Avenue, thence run South 22 degrees 30 minutes East 489.8 feet along the East side of Hoyle Avenue to the beginning corner; thence run North 71 degrees 30 minutes East 363 feet to an iron pipe; thence run North 44 degrees East 78 feet to a corner in an old fence line; thence run South 43 degrees 50 minutes East 120 feet to an old fence corner marked by an iron pipe; thence South 28 degrees 30 minutes East 234 feet, more or less, to a corner marked by an iron pipe; thence run South 73 degrees 10 minutes West along an old fence 500.7 feet to a corner on the East side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the East side of Hoyle Avenue 283.5 feet to the beginning corner, containing 3.8 acres in Section 16, Township 2 South, Range 3 East.

BOOK 424 PAGE 601

TRACT FOUR

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on section line 1225 feet and South 86 feet for the beginning corner at the intersection of the West side of Hoyle Avenue and the East side of a 20-foot lane; thence South 730 feet to a corner; thence run North 73 degrees 10 minutes East 287.7 feet to a corner on the West side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the West side of Hoyle Avenue 708 feet, more or less, to the beginning corner, containing 2.3 acres in said Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "A", as shown on the map of the said property, together with other property, prepared by H. W. Graham, Surveyor, dated February 12, 1953.

TO HAVE AND TO HOLD the said released premises unto the said party of the second part, its successors and assigns, forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and affixed their seals on this the day and year first above written.

M B Hamilton (SEAL)

Lucile H. Hamilton (SEAL)

STATE OF ALABAMA)
*
MOBILE COUNTY)

I, Louise J Dunlap, a Notary Public, within and for said County in said State, hereby certify that M. B. Hamilton and Lucile H. Hamilton, his wife, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 17 day of March, 1953.

Louise J Dunlap
Notary Public, State of Ala at Large

STATE OF ALABAMA, BALDWIN COUNTY
Filed 3-19-53 2:00 P.M.
Recorded Book 424 Page 601
Credit Cash Check Money Order Mortgage Tax
Paid
No Tax Due
Mortgage Tax
Judge of Probate
By

THE STATE OF ALABAMA,
Baldwin County

PROBATE COURT

I, W. R. STUART, Judge of the Probate Court in and for said State and County, hereby certify that the within and foregoing _____ pages contain a full, true and complete copy of the Deed from M. B. Hamilton and Lucile H. Hamilton to Baldwin Properties Company

as the same appears of record in my office in Deed Book No. 192 Page 423-4

Given under my hand and seal of office, this 19th day of March, 1953.

W. R. Stuart
Judge of Probate.

By: Lila S. Glover
Chief Clerk

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY
VS.	)	
A. J. HAMILTON, ET ALS, Respondents.	)	

DECREE ORDERING ORAL EXAMINATION OF WITNESSES

In this cause, on the written request of the complainant, it is Ordered, Adjudged and Decreed by the Court that the testimony of W. C. Beebe, J. A. Wurst, J. B. Blackburn, T. J. Mashburn, Jr., and Alice J. Duck, witnesses for the complainant in the hearing on this cause on this date, be taken orally in open court in the manner provided by Equity Rule Number 56, as amended.

ORDERED, ADJUDGED AND DECREED on this the 14th day of October, 1953.

Thomas M. Hare

Judge

M

DECREE ORDERING ORAL EXAMINATION
OF WITNESSES

RECORDED

BALDWIN PROPERTIES COMPANY,
A Corporation,

Complainant,

VS.

A. J. HAMILTON, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY
VS.	)	
A. J. HAMILTON, ET ALS, Respondents.	)	

ORDER CONFIRMING COMMISSIONER'S SALE

This day came Alice J. Duck, the Commissioner heretofore appointed by the court, and moves the court that sale of the property of said Baldwin Properties Company, a Corporation, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton, joint owners, heretofore made by said Commissioner in pursuance of the order made on the 20th day of March, 1953, appointing her Commissioner to sell certain property of said joint owners and by her duly reported to this court on May 20, 1953, be now confirmed by an order of this court.

And it further appearing to the satisfaction of the court from said report and from the evidence now therewith submitted that said property could not be equitably divided or partitioned without said sale; that the said Commissioner had no personal or pecuniary interest in the said sale, nor was she directly or indirectly a purchaser at said sale; that said sale was fairly conducted in strict accordance with law, and that said property sold for an amount not greatly less than its real value, and that all of the terms of sale, as prescribed by the court, have been complied with.

And it further appearing from the report of payment of purchase money that the purchase money has been paid in full and that the property so sold, the purchaser thereof and the price paid for each tract is as follows:

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line of the said section, 854 feet to the beginning corner in an old fence line; thence run South 68 degrees West 147.25 feet, thence North 22 degrees 30 minutes West to the South side of a ditch, which marks the South line of the present paved street; thence Southeastwardly along the South line of the said ditch to a point, which is North 25 degrees 30 minutes West of the point or place of beginning; thence South 22 degrees 30 minutes East to the point or place of beginning,

which is otherwise described as the East Half of Lot "B", as shown on the map prepared by H. W. Graham, dated February 12, 1953.

Aletha Hall---------- $2500.00

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line of the said section, 854 feet to a corner in an old fence line, thence South 68 degrees West 147.25 feet to a point or place of beginning; thence South 68 degrees West 147.25 feet to an iron pipe on the West side of Hoyle Avenue; thence North 22 degrees 30 minutes West to the South side of a ditch, which marks the South side of the present paved street; thence Eastwardly along the South line of the said ditch to a point, which is North 22 degrees 30 minutes West of the point of beginning; thence South 22 degrees 30 minutes East to the point or place of beginning, being otherwise described as the West Half of Lot "B", as shown on the map prepared by H. W. Graham, dated February 12, 1953.

T. W. Mitchell---------- 2050.00

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on section line 1225 feet and South 86 feet for the beginning corner at the intersection of the West side of Hoyle Avenue and the East side of a 20-foot lane; thence South 730 feet to a corner; thence run North 73 degrees 10 minutes East 287.7 feet to a corner on the West side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the West side of Hoyle Avenue 708 feet, more or less, to the beginning corner, containing 2.3 acres in said Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "A", as shown on the map of the said property, together with other property, prepared by H. W. Graham, dated February 12, 1953.

Baldwin Properties Company, a Corporation---------- 2625.00

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line 1174 feet to the East side of Hoyle Avenue, thence run South 22 degrees 30 minutes East 489.8 feet along the East side of Hoyle Avenue to the beginning corner; thence run North 71 degrees 30 minutes East 363 feet to an iron pipe; thence run North 44 degrees East 78 feet to a corner in an old fence line; thence run South 43 degrees 50 minutes East 120 feet to an old fence corner marked by an iron pipe; thence South 28 degrees 30 minutes East 234 feet, more or less, to a corner marked by an iron pipe; thence run South 73 degrees 10 minutes West along an old fence 500.7 feet to a corner on the East side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the East side of Hoyle Avenue 283.5 feet to the beginning corner, containing 3.8 acres in Section 16, Township 2 South, Range 3 East.

W. R. Stuart----------2750.00

Lot Four (4) in Block Ninety-one (91) in the Hand Land Company's Addition to the Town of Bay Minette, according to the official map or plat thereof, which is recorded in Deed Book 4 N. S. at pages 158 et seq., Baldwin County, Alabama Records, EXCEPT that part of the said property which lies within the right-of-way of United States Highway Number 31.

J. R. Crow---------- 4150.00

All of the above described property is situated in Baldwin County, Alabama.

It is, therefore, hereby ordered by the court that said sale be confirmed and that Alice J. Duck, the Commissioner, make conveyance to each of the purchasers aforesaid of all right, title and interest which the aforesaid joint owners had in such property, which property was particularly described in the preceding paragraphs above.

The court reserves jurisdiction of this cause for such other and further orders and decrees as may be necessary and proper in the premises.

ORDERED, ADJUDGED AND DECREED on this the 7th day of July, 1953.

Hubert M Hale
Judge

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY
VS.	)	
A. J. HAMILTON, ET ALS, Respondents.	)	

DECREE ORDERING ORAL EXAMINATION OF WITNESSES

In this cause, on written request of the complainant, it is ORDERED, ADJUDGED AND DECREED by the Court that the testimony of C. L. White, W. D. Stapleton and Walter M. Lindsey, witnesses for the complainant in the hearing in this cause on this date, be taken orally in open court in the manner provided by Equity Rule Number 56, as amended.

ORDERED, ADJUDGED AND DECREED on this the 20th day of March, 1953.

Hubert M Hall
Judge

RECORDED

DECREE ORDERING ORAL EXAMINATION OF WITNESSES.

BALDWIN PROPERTIES COMPANY,
A Corporation,

Complainant,

VS.

A. J. HAMILTON, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
A. J. HAMILTON, ET ALS, Respondents.	)	IN EQUITY

CONTINUANCE

It is ORDERED, ADJUDGED AND DECREED by the Court that this cause be and it is hereby continued until ten o'clock A. M. on the 20th day of March, 1953.

Dated this 11th day of March, 1953.

Hubert M Hall
Judge

RECORDED

CONTINUANCE

BALDWIN PROPERTIES COMPANY,
A Corporation,

Complainant,

VS.

A. J. HAMILTON, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

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

The Baldwin Properties Company, a Corporation, presents this Bill of Complaint against A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton, a minor over fourteen years of age, and against Mary Westbrook, who has been appointed by and qualified in the Probate Court of Baldwin County, Alabama, as guardian of the said minor, Laura Hamilton, and, thereupon, the complainant shows unto the Court and your Honor as follows:

1. The complainant, Baldwin Properties Company, is a corporation, organized and existing under the laws of the State of Alabama, with its principal place of business at Bay Minette, Alabama.

The respondent, A. J. Hamilton, is over twenty-one years of age and a non-resident of the State of Alabama, his residence and post office address being Star Route, Freehold, New Jersey.

The respondents, Amanda Lou Stuart and Mattie Mae Clark, are each over twenty-one years of age. The said Amanda Lou Stuart is a resident of Bay Minette, Alabama, and the said Mattie Mae Clark is a resident of Mobile, Alabama, her address being 1502 Brown Street.

The respondent, Laura Hamilton, who is a non-resident of the State of Alabama, is a minor over fourteen years of age, who resides with her mother, Mary Westbrook, at Richland, Georgia. The said Mary Westbrook, who is a non-resident of the State of Alabama, whose residence and post office address is Richland, Georgia, has been appointed by and qualified in the Probate Court of Baldwin County, Alabama as guardian of the said minor, Laura Hamilton.

2. The complainant and the respondents are joint owners or tenants in common of the following described real property, situated in Baldwin County, Alabama, to-wit:

TRACT ONE

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on the section line 854 feet to the beginning corner in an old fence line; thence run South 68 degrees West 294.5 feet to a corner on the East side of Hoyle Avenue; thence run South 22 degrees 30 minutes East along the East side of Hoyle Avenue 370 feet to a corner; thence run North 71 degrees 30 minutes East 363 feet to the Southwest corner of the Byrd fence: thence run North 44

degrees East 78 feet along the Byrd fence to a corner in the old fence line; thence run North 43 degrees 50 minutes West 385.6 feet along the old fence line to the beginning corner, containing 3.2 acres, more or less, in Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "C", as shown on the map of the said property, together with other property, prepared by H. W. Graham, Surveyor, dated February 12, 1953.

TRACT TWO

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line of the said section, 854 feet to the beginning corner in an old fence line; thence run North 25 degrees 30 minutes West 120 feet, more or less, to the South side of a ditch, which marks the South line of the present paved street; thence run Southwesterly along the said South line of the said street 290 feet, more or less, to the East side of Hoyle Avenue; thence run South 22 degrees 30 minutes East to an iron pipe corner, which iron pipe corner is South 22 degrees 30 minutes East 119.8 feet from the North line of the said Section 16; thence North 68 degrees East 294.5 feet to the point or place of beginning, containing 0.7 acre, more or less, in Sections 9 and 16, Township 2 South, Range 3 East.

TRACT THREE

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West along the North line 1174 feet to the East side of Hoyle Avenue, thence run South 22 degrees 30 minutes East 489.8 feet along the East side of Hoyle Avenue to the beginning corner; thence run North 71 degrees 30 minutes East 363 feet to an iron pipe; thence run North 44 degrees East 78 feet to a corner in an old fence line; thence run South 43 degrees 50 minutes East 120 feet to an old fence corner marked by an iron pipe; thence South 28 degrees 30 minutes East 234 feet, more or less, to a corner marked by an iron pipe; thence run South 73 degrees 10 minutes West along an old fence 500.7 feet to a corner on the East side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the East side of Hoyle Avenue 283.5 feet to the beginning corner, containing 3.8 acres in Section 16, Township 2 South, Range 3 East.

TRACT FOUR

From the Northeast corner of Section 16, Township 2 South, Range 3 East, run West on section line 1225 feet and South 86 feet for the beginning corner at the intersection of the West side of Hoyle Avenue and the East side of a 20-foot lane; thence South 730 feet to a corner; thence run North 73 degrees 10 minutes East 287.7 feet to a corner on the West side of Hoyle Avenue; thence run North 22 degrees 30 minutes West along the West side of Hoyle Avenue 708 feet, more or less, to the beginning corner, containing 2.3 acres in said Section 16, Township 2 South, Range 3 East, which said tract of land is Lot "A", as shown on the map of the said property, together with other property, prepared by H. W. Graham, Surveyor, dated February 12, 1953.

TRACT FIVE

Lot Four (4) in Block Ninety-one (91) in the Hand Land Company's Addition to the Town of Bay Minette, according to the official map or plat thereof, which is recorded in Deed Book 4 N. S. at pages 158 et seq., Baldwin County, Alabama Records, EXCEPT that part of the said property which lies within the right-of-way of United States Highway Number 31.

3. The complainant and the respondents, A. J. Hamilton, Amanda Lou Stuart, Mattie Mae Clark and Laura Hamilton, each own an undivided one-fifth (1/5) interest in and to all of the above described property.

4. A part of the above described lands, which are jointly owned by the complainant and the respondents, namely, Tract One, as described above, can and should be sold for division at private sale to Bay Minette Mills, Inc., a corporation now being formed, for the sum of Three Thousand Dollars ($3,000.00) cash. Complainant alleges that the said Tract One cannot be equitably divided among the said joint owners without a sale thereof for division; that the said sum of $3,000.00 is a fair price for the said tract of land, and that it is to the best interest of all parties to this proceeding that it be sold at private sale for the said sum of $3,000.00 as soon as possible.

5. Part of the above described property, which is jointly owned by the complainant and the respondents, namely, Tracts Two, Three and Five, have buildings situated thereon, while Tract Four is unimproved, because of which, it cannot be equitably divided among the joint owners thereof without a sale thereof and a division of the proceeds.

6. No part of the above described property now constitutes the homestead of any of the parties to this proceeding, and no part of the said property constituted the homestead of John T. Hamilton at the time of his death on, to-wit, December 2, 1940.

7. The complainant has paid taxes on the above described property for several years and should, in the division of the said property, be reimbursed for taxes, fees and costs so paid, together with interest thereon.

8. It has been necessary for the complainant to employ J. B. Blackburn, Attorney at Law, Bay Minette, Alabama, for the

purpose of filing this suit to effect a division of the said property among the said joint owners.

9. It is to the best interest of all parties to this proceeding that an Abstract of Title be made to all of the above described property, in order that the said abstract can be examined by prospective purchasers prior to a sale, the cost of which should be taxed as a part of the costs of this proceeding.

PRAYER FOR PROCESS

Complainant prays that the Court will take jurisdiction of this Bill of Complaint and that due notice thereof in the form and manner prescribed by law be given to the respondents, requiring them and each of them to appear and plead, answer or demur to this Bill of Complaint within the time provided by law.

PRAYER FOR RELIEF

Complainant prays for the following separate and several relief:

A. That a Guardian Ad Litem be appointed to represent the said minor, Laura Hamilton, in this proceeding.

B. That a proper decree be made and entered, authorizing the private sale and conveyance of Tract One, described above, to Bay Minette Mills, Inc., for the sum of Three Thousand Dollars ($3,000.00) cash.

C. That a reference be held to ascertain the amount of taxes paid on the above described property by the complainant, together with fees and costs and interest thereon, and that the amount due the said complainant for taxes, fees and costs and interest thereon be fixed by the Register at the time of the holding of the said reference.

D. That a reference be held to ascertain and fix the Solicitor's fee to be paid to J. B. Blackburn, the Solicitor for the complainant, for services rendered by him in this proceeding.

E. That the Register of this Court be ordered to have an Abstract of Title made, covering Tracts Numbered One, Two, Three

and Four, and another Abstract of Title made, covering Tract Numbered Five, as described above, and tax the cost of such abstracts as a part of the costs of this proceeding.

F. That such other orders be made and decrees rendered as may be requisite and proper to effect a sale and conveyance of Tracts Two, Three, Four and Five, as described above, at public sale for division among the joint owners of the said property.

G.Complainant further prays for such other, further and general relief as it may be equitably entitled to, the premises considered.

J. B. Blackburn

Solicitor for Complainant.

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
VS.	)	
A. J. HAMILTON, ET ALS, Respondents.	)	IN EQUITY

ANSWER

Now comes A. J. Hamilton, one of the respondents in this cause, and for answer to the Bill of Complaint filed in this cause, admits each and all of the allegations thereof and consents and agrees that a decree or decrees be rendered, granting the relief prayed for by the complainant in the said Bill of Complaint.

This respondent waives notice of any and all interlocutory proceedings of every kind and nature which may be necessary in this cause, including notice of any and all hearings in this cause, notice of appointment of Commissioner, notice of reference, and notice of filing of Register's report.

Dated on this the 5 day of March, 1953.

A. J. Hamilton

A. J. Hamilton.

WITNESSES:

_____

_____

STATE OF NEW JERSEY)
COUNTY OF _____)

I, N. D. Fields, a Notary Public, within and for said County in said State, hereby certify that A. J. Hamilton, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 5 day of MARCH, 1953.

NOTARY PUBLIC OF N. J.
My Commission Expires Jan. 10, 1954

N. D. Fields

Notary Public, Monmouth County, New Jersey.

Affix Seal.

MD 2969

ANSWER OF A. J. HAMILTON

BALDWIN PROPERTIES COMPANY,
A Corporation,

Complainant,

VS.

A. J. HAMILTON, ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

3-9-53

ALICE J. DUCK, Register

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
A. J. HAMILTON, ET ALS, Respondent.	)	IN EQUITY

ANSWER

Now comes Mary Westbrook, as guardian of Laura Hamilton, a minor over fourteen years of age, and for answer to the Bill of Complaint filed in this cause, admits each and all of the allegations thereof and consents and agrees that a decree or decrees be rendered, granting the relief prayed for by the complainant in the said Bill of Complaint.

This respondent waives notice of any and all interlocutory proceedings of every kind and nature which may be necessary in this cause, including notice of any and all hearings in this case, notice of appointment of Commissioner, notice of reference, and notice of filing of Register's report.

Dated on this the 24th day of February, 1953.

Mary Westbrook

As Guardian of Laura Hamilton, a minor over fourteen years of age.

WITNESSES:

A C Mott

J. B. Blackburn

2969

ANSWER OF MARY WESTBROOK, AS GUARDIAN OF LAURA HAMILTON, A MINOR.

BALDWIN PROPERTIES COMPANY,
A Corporation,

Complainant,

VS.

A. J. HAMILTON, ET ALS,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
A. J. HAMILTON, ET AL, Respondents.	)	IN EQUITY

NOTICE OF APPOINTMENT, ACCEPTANCE AND ANSWER
OF GUARDIAN AD LITEM.

TO HARRY J. WILTERS, JR., ESQUIRE:

You are hereby notified that by a decree rendered in this cause on this date, you were appointed as Guardian Ad Litem to represent Laura Hamilton, a minor over fourteen years of age, and protect her interests in this proceeding.

You are further notified that a hearing has been set in this cause at the courthouse in Bay Minette, Alabama for ten o'clock A. M. on March 11, 1953.

Dated this 9th day of March, 1953.

Register

STATE OF ALABAMA)
*
BALDWIN COUNTY)

I, the undersigned, do hereby accept appointment as Guardian Ad Litem for Laura Hamilton, a minor interested in this proceeding, and for answer to the Bill of Complaint that has been filed in this cause do hereby deny each and all of the allegations thereof and demand strict proof of same.

Dated this 9th day of March, 1953.

As Guardian Ad Litem for Laura Hamilton, a minor.

NOTICE OF APPOINTMENT, ACCEPTANCE
AND ANSWER OF GUARDIAN AD LITEM.

BALDWIN PROPERTIES COMPANY,
A Corporation,

Complainant,

VS.

A. J. HAMILTON, ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

3-9-53.

ALICE J. DUCK, Register

BALDWIN PROPERTIES COMPANY, A Corporation, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
A. J. HAMILTON, ET ALS, Respondents.	)	IN EQUITY

ANSWER

Now comes Amanda Lou Stuart, and for answer to the Bill of Complaint filed in this cause admits each and all of the allegations thereof and consents and agrees that a decree or decrees be rendered, granting the relief prayed for by the complainant in the said Bill of Complaint.

This respondent waives notice of any and all interlocutory proceedings of every kind and nature which may be necessary in this cause, including notice of any and all hearings in this cause, notice of appointment of Commissioner, notice of reference, and notice of filing of Register's report.

Dated on this the 25 day of Feb, 1953.

Amanda Lou Stuart

WITNESSES:

A. C. Mott

Mrs A. C. Mott

720 2969

ANSWER OF AMANDA LOU STUART

BALDWIN PROPERTIES COMPANY,
A Corporation,

Complainant,

VS.

A. J. HAMILTON, ET ALS,

Respondents.

2969

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED
FEB 26, 1953
ALICE J. BECK, Register