CHANCERY EXECUTION

BILL OF COST

No. 1335 Alfred M. Newman. Vs. Rose Lenz Et al. Plaintiff / Defendant

FEES OF REGISTER		Dollars	Cents
Filing each bill and other papers	$ 10	1	00
Issuing each subpoena	50		
Issuing each copy thereof	40		
Entering each return thereof	15		
For each order of publication	1.00		
Issuing writ of injunction	1.50		
For each copy thereof	50		
Entering each return thereof	15		
Issuing writ of attachment	1.00		
Entering each return thereof	50		
Docketing each case	1.00	1	00
Entering each apperance	25		25
Issuing each decree pro confesso on per. ser.	1.00		
Issuing each decree pro confesso on publication	1.00		
Each order appointing guardian	1.00		
Any other order by Register	50		
Issuing commission to take testimony	50		
Receving and filing	10		
Endorsing each package	10		
Entering order submitting cause	50		
Entering any other order of court	25		
Noting all testimony	50		
Abstract of cause, etc.	1.00		
Entering each decree	75		75
For every 100 words over 500	15		75
Taking account, etc.	3.00		
Taking testimony, etc.	15		
Each report, 500 words or less	2.50		
For every 100 words over 500	15		
Amount claimed less than $500, etc.	2.00		
Issuing each subpoena	25		
Witness certificate, each	25		
Issuing execution, each	75		
Entering each return	15		
Taking and approving bond, each	1.00		
Making copy of bill, etc.	15		
Each notice not otherwise provided for	50		
Each certificate or affidavit, with seal	50		
Each certificate or affidavit, no seal	25		
Hearing and passing on application, etc.	3.00		
Each settlement with receiver, etc.	3.00		
Examing each voucher of receiver, etc.	10		
Examing each answer, etc.	3.00		
Recording resignation, etc.	75		
Entering each certificate to Supreme Court	50		
Taking questions and answers, etc.	25		
For all other ser. relating to such proceedings	1. 00		
For services in proceeding to relieve minors, etc., same fees as in similar cases.			
Commission on sales, etc.: 1st $100, 2 per ct.; all over $100 and not exceeding $1,000, 1 1-2 per ct; all over $1,000, and not exceeding $20,000, 1 per ct.; all all over $20,000, 1-4 of 1 per ct..		3	25
Sub Total Carried Forward			

		Dollars	
Brought Forward		3	25
For Receiving, keeping and paying out or distributing money, etc.; 1st $1,000, 1%, all over $1,000, and not over $5,000, 3-4 of 1%; all over $5,000 and not exceeding $10,000, 1-2 of 1%, all over $10,000 1-4 of 1%.			
Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.			
Each notice sent by mail to creditor	15		
Filing, receipting for and docketing each claim, etc.	25		
For all entries on subpoena docket, etc.	50		
For all entries on commission docket, etc.	50		
Making final record, per 100 words	15	12	00
Certified copy of decree	1 00	1	00
Report of divorce to State Health Office (Acts 1915)	50		
Total Fees of Register		16	25
FEES OF SHERIFF			
Serving and returning subpoena on deft	$1 50		
Serving and returning subpoena for witness	65		
Levying attachment	3 00		
Entering and returning same	25		
Selling property attached			
Impaneling Jury	75		
Executing writ of possession	2 50		
Collecting execution for costs	1 50		
Serving and returning sci. fa., each	65		
Serving and returning notice	65		
Serving and returning writ of injunction	1 50		
Serving and returning writ of exeat	1 50		
Taking and approving bonds, each	75		
Collecting money on execution			
Making deed	2 50		
Serving and returning application, etc.	1 00		
Serving attachment, contempt of court	1 50		
Total Fees of Sheriff			
RECAPITULATION			
Register's Fees		16	25
Sheriff's Fees			
Commissioner's Fees			
Solicitor's Fees			
Witness Fees			
Guardian Ad Litem			
Printer's Fees			
Trial Tax	3 00	3	00
Recording Decree in Probate Court		1	00
Total		20	25

THE STATE OF ALABAMA, Baldwin County. No. _____ CIRCUIT COURT, IN EQUITY _____ TERM, 194____

To any Sheriff of the State of Alabama—GREETINGS:

You are hereby commanded, That of the goods and chattels, lands and tenements of _____ Defendant

you cause to be made the sum of _____ Dollars,

which _____ Plaintiff

recovered of _____ on the _____ day of _____ 194____

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____ Dollars,

costs of suit, and have the same to render to the said _____

and make return of this Writ and the execution thereof, according to law.

Interest from _____ 194____ to date of collection.

Witness my hand, this _____ day of _____ 194____.

_____, Register.

No. _____

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY

_____

_____

vs.

_____

_____

CHANCERY EXECUTION
Fi. Fa.

_____ $_____

_____ _____

_____ _____

_____ _____

Total ..... $_____

Fee Book _____ Page_____

Execution Docket _____ Page_____

_____
Complainant's Solicitor.

THE STATE OF ALABAMA,
Baldwin County.

_____

ha _____ duly waived _____ right to the exemption of personal property as to the collection of the debt for which this execution is issued.

_____
Register.

Received in office this_____

day of _____ 194____.

_____
Sheriff.

Execution Docket _____ Page _____

Baldwin Times—12-40-500

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within execution I have levied _____

ALFRED M. NEUMANN,
Administrator, c t a
Petitioner and Complainant,

vs

ROSE LENZ, et al
Defendants.

E Q U I T Y.

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

The undersigned, two of the heirs of Henry Burmeister, deceased, for answer to the petition and Bill of Complaint says;

Respondent admits the allegations of the Bill and joins in the prayer thereof that the erroneous description in the deed of Henry Burmeister to Fredricka Boldt be corrected and title to the lot sought to be conveyed be confirmed in the present holder of the lot sought to be conveyed and further consents that the sales proposed by Petitioner be approved and Petitioner authorized to execute deeds to the respective and prospective purchasers and apply the proceeds of such sales in the manner prescribed by the will of Henry Burmeister, deceased.

Emma M. Burmeister

Ruth B. Brickman

Respondent.

Executed in the presence of

C. S. Pinkerly

RECORDED

E Q U I T Y.

ALFRED M. NEUMANN, Admr.
Complainant.

vs

ROSE LENZ, etal ,
Respondents.

ANSWERS OF
EMMA M. BURMESITER and
RUTH B. BROCKMAN.

Filed June 4 1945
R. Dwyer,
Clerk

ALFRED M. NEUMANN,
Administrator c t a,
Estate Henry Burmeister, deceased,
Petitioner and Complainant.

vs

ROSE LENZ, ET AL
Defendants

EQUITY

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

The undersigned, who are grandchildren and legatees of Henry Burmeister, deceased, for answer to the Petition and Bill of Complaint, say:

FIRST: Respondents admit the allegations of the Bill and join in the prayer thereof that the erroneous description in the deed of Henry Burmeister to Fredricka Boldt be corrected and further consent that the sales proposed by Petitioner be approved and that Petitioner be authorized to execute deeds to the prospective purchasers and apply the proceeds thereof in the manner prescribed by the will of Henry Burmeister, deceased.

Charlotte Burmeister
Grace Burmeister
Walter George Burmeister
Robert H. Burmeister

Executed in the presence of:

Leonard J. Burns
William Letts

EQUITY.

RECORDED

ALFRED M. NEUMANN,
Petitioner,

vs

ROSE LENZ, et al.
Respondents.

CHARLOTTE, GRACE, WALTER GEORGE
AND ROBERT W. BURMEISTER,

ANSWER OF RESPONDENTS.

. . . . .

June 4/945,
R. L. Dicks
Reg.

ALFRED M. BINNAKER
ADMINISTRATOR c t a
Estate Henry Burmeister, deceased,
Petitioner and Complainant

EQUITY

vs

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

ROSE LANZ, ET AL
Defendants

The undersigned, one of the heirs of Henry Burmeister, deceased, for answer to the petition and Bill of Complaint, says:

FIRST: Respondent admits the allegations of the Bill and joins in the prayer thereof that the erroneous description in the deed of Henry Burmeister to Fredricka Boldt be corrected and further consents that the sales proposed by Petitioner be approved and that Petitioner be authorized to execute deeds to the respective purchasers and apply the proceeds thereof in the manner prescribed by the will of Henry Burmeister, deceased.

Margot R. Harris
Respondent.

Executed in the presence of:

Florence Drahn

Eleanor Grabowski

RECORDED

ALFRED M. NEUMANN, Admr
Petitioner,

vs

ROSE LENZ et al.
Respondents.

- - - - -

ANSWER OF
LILLIAN BURMEISTER NORRIS.

- - - -

Filed Jan 4/1945.

ALFRED M. NEUMANN,
Administrator c t a,
Estate Henry Burmeister, deceased,
Petitioner and Complainant.

vs

ROSE LENZ, ET AL
Defendants.

E Q U I T Y

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

The undersigned, a son and heir of the above named decedent, who, through error, was not named as a party to the Bill, hereby appears and prays for admission to the cause as a party respondent, and for answer to the petition and bill of complaint says:

FIRST: That he is the father of Charlotte, Grace, Walter George and Robert Burmeister, named as parties defendant upon information that this Respondent was deceased, and that such children are now properly parties to this bill as legatees.

SECOND: Respondent admits the allegations of the Bill and joins in the prayer thereof that the erroneous description in the deed of Henry Burmeister to Fredricka Boldt be corrected and further consents that the sales proposed by Petitioner be approved and that Petitioner be authorized to execute deeds to the respective purchasers and apply the proceeds thereof in the manner prescribed by the will of Henry Burmeister, deceased.

Walter Burmeister

Executed in the presence of:

O. E. Roshalt

Lillian Bayer

RECORDED

E Q U I T Y .

ALFRED M NEUMANN,
Petitioner

vs

ROSE LENZ, et al
Respondents.

- - - - -

INTERPLEADER AND ANSWER OF

WALTER BURMEISTER.

- - - - - -

Filed June 4 1941.
R. J. Luck
Reader

ALFRED M. NEUMANN,
Administrator c t a
Estate Henry Burmeister, deceased,
Petitioner and Complainant

vs

ROSE LENZ, ET AL
Defendants

E Q U I T Y

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

The undersigned, a Defendant in the above styled case, for answer to the petition and Bill of Complaint says:

FIRST: She admits all allegations of the Bill, releases all claim to Lot One in Block Three and joins in the prayer of the Bill that the title to Lot Three in Block Three be confirmed in her as the party now in occupancy and possession of Said Lot Three in Block Three.

SECOND: Respondent having no interest in the other matters alleged in the Bill interposes no objection to the further matters prayed for.

Rose Lenz
Respondent.

Executed in the presence of:

Mabel F. Lenz

1335 RECORDED

ALFRED M. NEUMANN,
Administrator c t a

vs

ROSE LENZ, ET AL

ANSWER

Filed May 10 1945

ALFRED M. NEUMANN
ADMINISTRATOR c t a
Estate Henry Burmeister, deceased,
Petitioner and Complainant

E Q U I T Y

vs

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

ROSE LENZ, ET AL
Defendants

The undersigned, one of the heirs of Henry Burmeister, deceased, for answer to the petition and Bill of Complaint, says:

FIRST: Respondent admits the allegations of the Bill and joins in the prayer thereof that the erroneous description in the deed of Henry Burmeister to Fredricka Boldt be corrected and further consents that the sales proposed by Petitioner be approved and that Petitioner be authorized to execute deeds to the respective purchasers and apply the proceeds thereof in the manner prescribed by the will of Henry Burmeister, deceased.

Etta Burmeister
Respondent.

Executed in the presence of:

[illegible]

Mary Jane Otte

1331

RECORDED

ALFRED M. NEUMANN,
Administrator c t a

vs

ROSE LENZ, ET AL

ANSWER

Filed May 10 1945

ALFRED M. NEUMANN
ADMINISTRATOR c t a
Estate Henry Burmeister, deceased,
Petitioner and Complainant

EQUITY

vs

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

ROSE LENZ, ET AL
Defendants

The undersigned, one of the heirs of Henry Burmeister, deceased, for answer to the petition and Bill of Complaint, says:

FIRST: Respondent admits the allegations of the Bill and joins in the prayer thereof that the erroneous description in the deed of Henry Burmeister to Fredricka Boldt be corrected and further consents that the sales proposed by Petitioner be approved and that Petitioner be authorized to execute deeds to the respective purchasers and apply the proceeds thereof in the manner prescribed by the will of Henry Burmeister, deceased.

Harry Burmeister
Respondent.

Executed in the presence of:

Ellen Johnson

Wm Johnson

1335-

RECORDED

ALFRED M. NEUMANN, Admr CTA
Complainant

vs

ROSE LENZ, et al
Defendants.

- - - - - - -

ANSWER OF
HARRY BURMEISTER.

- - - -

Filed May 11 1945
R. W. Zeck
Clerk

ALFRED M. NEUMANN,
Administrator c t a,
Estate Henry Burmeister, deceased,
Petitioner and Complainant

vs

ROSE LENZ, ET AL,
Defendants

EQUITY

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

The undersigned, widow and next of kin of Arthur A. Burmeister, deceased, respectfully shows:

FIRST: That her late husband, Arthur A. Burmeister, was a child of Henry Burmeister, deceased; that there are no children of the marriage and that she is, as such widow, entitled to interest in the estate of said Henry Burmeister.

SECOND: That she is informed that her name was, by error, omitted as a party defendant in the Petition and Bill of Complaint filed in this cause; that she is a proper party thereto and now prays that she be recognized as such.

THIRD: That as such a party defendant she admits the allegations of the Bill and joins in the prayer thereof; that the erroneous description in the deed of Henry Burmeister to Fredricka Boldt be corrected and the title to Lot 3 in Block 3 of the Burmeister Subdivision be confirmed in the present holder thereof as set out in the Petition. She further consents that the sales proposed by Petitioner be approved and that he be authorized to execute deeds to the prospective purchaser, applying the proceeds in the manner prescribed by the will of the late Henry Burmeister.

Mrs Helen Burmeister

Executed in the presence of:

[illegible]

Notary Public

My commission expires [illegible]

RECORDED

ALFRED M. NEUMANN,
Administrator c t a,
Estate of Henry Burmeister, dec.
Petitioner and Complainant.

vs

ROSE LENZ, ET AL,
Defendants.

- - - - - - - - - - - - - - - - - - - -

ANSWER OF MRS. HELEN BURMEISTER
Defendant

Filed Jan 1-21-1945

TO THE

HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA: IN EQUITY

Comes ALFRED M. NEUMANN, as Administrator with the will annexed of the estate of Henry Burmeister, deceased, and by this his petition and Bill of Complaint presented against ROSE LENZ, ETTA BURMEISTER, LILLIAN BURMEISTER NORRIS, HARRY BURMEISTER, EMMA BURMEISTER, RUTH BURMEISTER BROCKMAN, CHARLOTTE BURMEISTER, GRACE BURMEISTER, WALTER GEORGE BURMEISTER and ROBERT BURMEISTER, respectfully shows:

FIRST: Petitioner is over the age of twenty-one years, a resident of Elberta, Baldwin County, Alabama, and the Administrator with the will annexed of the estate of Henry Burmeister, deceased, who died more than ten years ago leaving real and personal property in this county and whose estate is still in process of administration in the Probate Court of Baldwin County. The Defendants above named are all over the age of twenty-one years and with the exception of Rose Lenz, non-residents of the State of Alabama and the widow, children and grandchildren of said Henry Burmeister and as such his heirs and next of kin.

SECOND: Said Henry Burmeister died leaving several parcels of real estate in Baldwin County, one parcel of which, the Southwest Quarter of the Southeast Quarter of Section Nineteen, Township Seven South of Range Three East, some forty acres, he platted as a subdivision of nine lots of approximately four and one-third acres each, with appropriate intersecting streets. A plat of this subdivision was recorded in June, 1920 in Map Book 1, page 20 of the Probate Records of this County but by error recorded in the wrong position in that the north part was not recorded toward the top of the page, its proper position, but turned to the East, which gave a wrong and misleading orientation to said plat when inspected on the Probate records.

THIRD: On June 7, 1920, Henry Burmeister, then living, sold to Mrs. Fredricka Boldt the lot in the Southeast corner of the subdivision but through error, obviously due to the improper record of the plat, did not give Mrs. Boldt a deed to the lot she purchased,

which was Lot Three in Block Three but instead, deeded to her Lot One in Block Three, which lot is in the Northeast corner of said sub-division. Mrs. Boldt at once went into possession of the lot she bought, Mrs. Lenz, her vendee, built a dwelling thereon and she and her successors in title have continued in open, notorious and adverse possession ever since, the present occupant and owner being Mrs. Rose Lenz, named as a party defendant herein, but who holds no record title from the late Henry Burmeister.

FOURTH: This error of description was not discovered for some years and in an effort to correct the mistake the devisees of Mrs. Boldt, who had in the meantime died, executed a deed to Lot 1, Block 3 to the Burmeister estate, but no deed of correction has yet been executed from the heirs of Henry Burmeister conveying the record title to Mrs. Boldt or her successors to right of title of Lot Three in Block Three, the lot she sought to buy, which legal title remains in the said Burmeister heirs.

FIFTH: That neither Mrs. Fredricka Boldt nor her heirs or devisees, nor Mrs. Rose Lenz, successor in title to Mrs. Boldt, have at any time taken possession of or asserted any claim to Lot One in Block Three of the Burmeister Subdivision aforesaid, but same has at all times since 1926 been in the continuous and undisputed possession of Henry Burmeister and his heirs.

SIXTH: Petitioner, as Administrator of the Burmeister estate, has up to the present, been unable to comply with the terms of Henry Burmeister's will as the assets of said estate are almost entirely real property incapable of equitable division <u>in specie</u> and for which, up to the present, there was no sale at a fair price. Recently, however, Petitioner has secured a purchaser and a bona fide offer of Four Thousand Dollars from one William Kleinschmidt for the remaining eight lots of the Burmeister Subdivision, conditioned on ability to deliver good and merchantable title to said property, which offer Petitioner avers is a favorable one which he and a majority, if not all, of the Burmeister heirs believe is to the best interest of the estate to accept.

SEVENTH: That in addition to the offer of said Kleinschmidt for the remaining lots in the Burmeister Subdivision, Petitioner has an offer of Twenty-five Hundred Dollars from one Walter Perske of Elberta for Lot One in Block Ten of the Town of Elberta, also owned by the Henry Burmeister estate, which offer and price Petitioner avers is a fair one for said lot and to the interest of the estate to accept, in which opinion he is informed and believes the majority, if not all, of the Burmeister heirs concur.

THE PREMISES CONSIDERED, Petitioner prays that the said Rose Lenz, Etta Burmeister, Lillian Burmeister Norris, Harry Burmeister, Emma Burmeister, Ruth Burmeister Brockman, Charlotte Burmeister, Grace Burmeister, Walter George Burmeister and Robert Burmeister, be made parties defendant to this cause and by personal service on said Rose Lenz and notice by registered mail to the remaining non-resident defendants, be required to plead to or answer this petition and bill within the time prescribed by law.

PETITIONER FURTHER PRAYS that a day be set for hearing this cause and that upon such hearing a decree be rendered ratifying and confirming in Rose Lenz the sole and undisputed title to Lot Three in Block Three of the Burmeister Subdivision and forever quiet all right, title and claim of said Rose Lenz in Lot One in Block Three of said Subdivision.

PETITIONER FURTHER PRAYS that a decree be rendered authorizing Petitioner to accept the offer of said William Kleinschmidt to purchase Lots One, Two and Three in Block One; Lots One, Two and Three in Block Two and Lots One and Two in Block Three of the Burmeister Subdivision as recorded in Map Book One, page 20, for the sum of Four Thousand Dollars, to execute proper deed of conveyance to said Lots, collect the price therefore and administer same as a part of the assets of the Henry Burmeister estate.

PETITIONER FURTHER PRAYS that a decree be rendered authorizing Petitioner to accept the offer of Walter Perske to purchase Lot One in Block Ten of the Town of Elberta from the Burmeister Estate for the offered price of Twenty-five Hundred Dollars, to execute proper deed

of conveyance to said lot, collect the price therefore and administer same as a part of the assets of the Henry Burmeister estate.

PETITIONER prays for such other, further or different relief as to Equity may seem meet.

Solicitor for Petitioner.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned Notary, personally appeared this day ALFRED M. NEUMANN, who, being sworn, says that he is the Complainant and Petitioner in the foregoing cause, that all parties named as Defendants are of full age and with the exception of Mrs. Rose Lenz, non-residents of the State of Alabama, so that personal service cannot be had upon them; that Etta Burmeister resides at 214 West BeVier Street, Aurora, Illinois; Helen Burmeister, Lillian Burmeister Norris, Long Beach, Michigan City, Indiana, Harry Burmeister, 1841 West Magnolia Road, Chicago, Illinois; Emma Burmeister and Ruth Burmeister Brockman, 812 North V Street, Pensacola, Florida and Charlotte Burmeister, Grace Burmeister, Walter George Burmeister and Robert Burmeister, the four children of Walter Burmeister, deceased, at 404 West Evergreen, Chicago, Illinois, for which reason service can only be had on said Defendants by registered mail.

Subscribed and sworn to before me, this the thirtieth day of April, 1945.

Notary Public, Baldwin County, Alabama.

ALFRED M. NEUMANN,
Administrator c t a,
Estate Henry Burmeister, deceased,
Petitioner and Complainant

No.

EQUITY

vs

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

ROSE LENZ, ET AL,
Defendants

This cause coming on to be heard upon the Petition and Bill of Complaint of ALFRED M. NEUMANN, as Administrator, with the will annexed of the estate of Henry Burmeister, deceased, and the answers of ROSE LENZ, ETTA BURMEISTER, LILLIAN BURMEISTER NORRIS, HARRY BURMEISTER, EMMA BURMEISTER, RUTH BURMEISTER BROCKMAN, CHARLOTTE BURMEISTER, GRACE BURMEISTER, WALTER GEORGE BURMEISTER and ROBERT BURMEISTER, together with the petitions of WALTER C. BURMEISTER and HELEN BURMEISTER to be named as parties herein, all admitting the averments of the Bill and joining in the prayers thereof and same being duly considered and it appearing to the Court that all parties are of age, that it will be to their interest to have the erroneous description in the deed by Henry Burmeister to Fredricka Boldt corrected and that the prices offered for the several parcels of the Burmeister Estate are adequate and satisfactory to all parties of interest and that it will be to the best interest of said Burmeister Estate that said offers be accepted and said sales made, the Court is of the opinion that Complainant and Petitioner is entitled to the relief prayed.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the title to Lot Three in Block Three of the Burmeister Estate according to the Subdivision thereof recorded in Map Book 1, page 20 of the Probate Records was intended to be conveyed by the late Henry Burmeister to and was occupied and taken possession of by Fredricka Boldt and later occupied and built upon by her vendee, Rose Lenz, and said title should be and now is vested in Rose Lenz, free of all claim of the other parties to the Bill.

It is further ORDERED, ADJUDGED and DECREED that said Rose Lenz has no right, title to or interest in Lot One in Block Three in said Burmeister Subdivision for which deed was erroneously executed by

Henry Burmeister , deceased, to Fredricka Boldt and by that lady later sought to be conveyed to Rose Lenz and the title to Lot One in Block Three is hereby forever quieted against said [illegible] Lenz has no right, title or claim whatsoever in said Lot One in Block Three.

It is further ORDERED, ADJUDGED and DECREED that the sum of FOUR THOUSAND DOLLARS offered by WILLIAM KLEINSCHMIDT for all lots in said Burmeister Subdivision, with the exception of Lot Three in Block Three is a just and reasonable price for said property and that it is to the interest of the estate of Henry Burmeister, deceased, that said offer be accepted: IT IS THEREFORE ORDERED that Petitioner, Alfred M. Neumann, as Administrator, upon payment to him of said Four Thousand Dollars, is hereby authorized and empowered to execute proper deed of conveyance to William Kleinschmidt of Lots One, Two and Three in Block One, Lots One, Two and Three in Block Two and Lots One and Two in Block Three. The sum so received, after the payment of the legitimate expenses of the sale, including real estate agent's commissions, abstract of title and revenue stamps, is to be administered by him as a part of the estate of Henry Burmeister, deceased.

It is further ORDERED, ADJUDGED and DECREED that the sum of TWO THOUSAND FIVE HUNDRED DOLLARS offered by WALTER PERSKE for Lot One in Block Ten of the Town of Elberta, also a part of the estate of Henry Burmeister, deceased, is a just and reasonable price for said property, satisfactory to all parties of interest therein, and Petitioner, Alfred Neumann, as such Administrator, upon payment of such sum to him, is hereby authorized and empowered to execute a proper deed conveying the title to said lot to said Walter Perske, the net proceeds of such sale, after deducting the expenses thereof, including abstract, realtor's commissions and revenue stamps, to be administered by him as a part of the estate of the late Henry Burmeister.

It is further ORDERED that the Complainant pay the costs of this proceeding for which execution may issue.

Done at Monroeville, Alabama, this the 6th day of June, Nineteen Hundred Forty-five.

J M Hare
Judge.

Henry Burmeister , deceased, to Fredricka Boldt and by that lady later sought to be conveyed to Rose Lenz and the title to Lot One in Block Three is hereby forever quieted against said Rose Lenz and it is adjudged and decreed that said Rose Lenz has no right, title or claim whatsoever in said Lot One in Block Three.

It is further ORDERED, ADJUDGED and DECREED that the sum of FOUR THOUSAND DOLLARS offered by WILLIAM KLEINSCHMIDT for all lots in said Burmeister Subdivision, with the exception of Lot Three in Block Three is a just and reasonable price for said property and that it is to the interest of the estate of Henry Burmeister, deceased, that said offer be accepted: IT IS THEREFORE ORDERED that Petitioner, Alfred M. Neumann, as Administrator, upon payment to him of said Four Thousand Dollars, is hereby authorized and empowered to execute proper deed of conveyance to William Kleinschmidt of Lots One, Two and Three in Block One, Lots One, Two and Three in Block Two and Lots One and Two in Block Three. The sum so received, after the payment of the legitimate expenses of the sale, including real estate agent's commissions, abstract of title and revenue stamps, is to be administered by him as a part of the estate of Henry Burmeister, deceased.

It is further ORDERED, ADJUDGED and DECREED that the sum of TWO THOUSAND FIVE HUNDRED DOLLARS offered by WALTER PERSKE for Lot One in Block Ten of the Town of Elberta, also a part of the estate of Henry Burmeister, deceased, is a just and reasonable price for said property, satisfactory to all parties of interest therein, and Petitioner, Alfred Neumann, as such Administrator, upon payment of such sum to him, is hereby authorized and empowered to execute a proper deed conveying the title to said lot to said Walter Perske, the net proceeds of such sale, after deducting the expenses thereof, including abstract, realtor's commissions and revenue stamps, to be administered by him as a part of the estate of the late Henry Burmeister.

It is further ORDERED that the Complainant pay the costs of this proceeding for which execution may issue.

Done at Monroeville, Alabama, this the 6th day of June, Nineteen Hundred Forty-five.

J M Hare

Judge.