

STATE OF ALABAMA )  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Cleve Hyatt, Jr. and wife  
Minerva Mae Hyatt  
to appear within thirty days from the date of this Writ in the  
Circuit Court to be held for said County at the place of holding  
same, then and there to answer the Complaint of Mid-State Homes,

Inc., a corporation

Witness my hand this 13<sup>th</sup> day of April, 1971.

*Ernie B. Blackmon*  
CLERK

Mid-State Homes, Inc.,  
a corporation

PLAINTIFF,

VS.

CLEVE HYATT, JR. AND  
MINERVA MAE HYATT

DEFENDANTS

IN THE CIRCUIT COURT OF  
Baldwin County, Alabama

At Law

Case No. 9796

COMPLAINT

COUNT ONE: The Plaintiff sues to recover possession of the  
following tract of land in Baldwin County, Alabama

Beginning at the north intersection of a public road  
and the East intersection of Rabun Road. Thence run  
East on and along the North Section Line of Section  
27, Twp. 1 South, Range 3 East 200 feet to point of  
beginning. Thence angle right and run South 210 feet  
to a point, thence angle left and run East 105 feet to  
a point, thence angle left and run North 210 feet to  
the North side of said public road going into the  
property of Ransom Stewart, thence angle left and run  
West 105 feet back to point of beginning, containing  
 $\frac{1}{2}$  acre more or less.

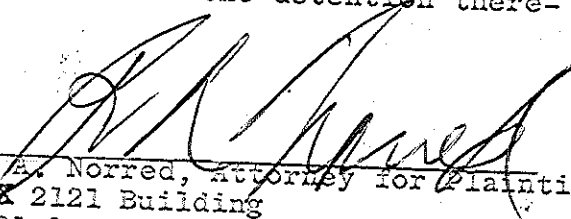
of which the Plaintiff was in possession, and upon which, pending such possession, and before the commencement of this suit, the defendants entered and unlawfully withhold, together with \$1,000.00 for the detention thereof.

COUNT TWO: The Plaintiff sues to recover the possession of the following tract of land in Baldwin County, Alabama:

(The plaintiff incorporates herein as if fully and completely set out at length herein, by reference and adoption, the full legal description of the real estate set out and described in Count One of the Complaint.)

to which said tract of land the Plaintiff has the legal title, and upon which tract of land, before the commencement of this suit, the defendants entered and unlawfully withhold, together with \$1,000.00 for the detention thereof.

616

  
R. A. Norred, Attorney for Plaintiff  
~~XXX~~ 2121 Building  
2121 8th Avenue, North  
Birmingham, Alabama 35203  
Telephone 323-4076

PLAINTIFF'S ADDRESS:

Mid-State Homes, Inc.  
% R. A. Norred, Attorney  
616 2121 Building  
2121 8th Avenue North  
Birmingham, Alabama 35203

**FILED**

APR 13 1971

DEFENDANTS' ADDRESS:

Mr. and Mrs. Cleveland Hyatt  
Rabun Route  
Bay Minette, Alabama

EUNICE B. BLACKMON CIRCUIT  
CLERK

9796

Mid State Homes  
Inc. a corp.

vs.

Clever Hyatt, Jr. +  
Minerva Mae Hyatt

Sheriff's office - 12 X 2 miles at  
Ten Cents per mile Total \$ 2.40  
TAYLOR WILKINS, Sheriff  
BY W. A. Collett  
DEPUTY SHERIFF

Received 13 day of April 1944  
and on 14 day of April 1944  
I served a copy of the within  
on Clever Hyatt, Jr.  
My personal appearance  
By service on

TAYLOR WILKINS, Sheriff  
BY W. A. Collett, D.S.  
6 miles north of Bly

R. A. Norred

MID-STATE HOMES, INC.,  
a corporation

PLAINTIFF

VS

CLEVE HYATT, JR.

DEFENDANT

X IN THE CIRCUIT COURT OF  
X BALDWIN COUNTY, ALABAMA

X AT LAW

X

X CASE NO: 9796

X

PLEA

Comes now the Defendant, Cleve Hyatt, Jr., separately and severally,  
and files this plea to the Plaintiff's complaint and each count thereof separately  
and severally:

I.

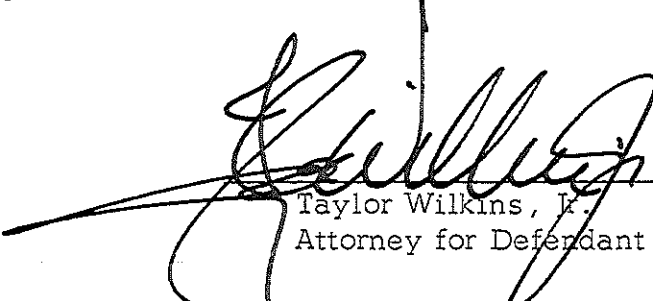
Not Guilty

II.

The Defendant has made all payments due the Plaintiff under the  
agreement executed by both parties for the purchase of the property which is the  
basis of this suit.

III.

The Defendant has maintained insurance on the property which is the  
basis of this suit at all times since the execution of the agreement of the pur-  
chase of said real property with the Plaintiff.

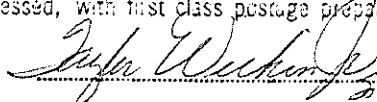
  
Taylor Wilkins, Jr.  
Attorney for Defendant

Defendant respectfully demands a trial of this cause by jury.

  
Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 28 day of April  
1971 served a copy of the foregoing pleading on counsel for all  
parties to this proceeding by mailing the same by United States  
Mail, properly addressed, with first class postage prepaid.



**FILED**

APR 28 1971

EUNICE B. BLACKMON CIRCUIT CLERK

MID-STATE HOMES, INC.,  
a corporation

PLAINTIFF

VS

MINERVA MAE HYATT

DEFENDANT

X IN THE CIRCUIT COURT OF  
X BALDWIN COUNTY, ALABAMA

X AT LAW

X

X CASE NO: 9796

X

PLEA

Comes now the Defendant, Minerva Mae Hyatt, separately and severally, and files this plea to the Plaintiff's complaint and each count thereof separately and severally:

I.

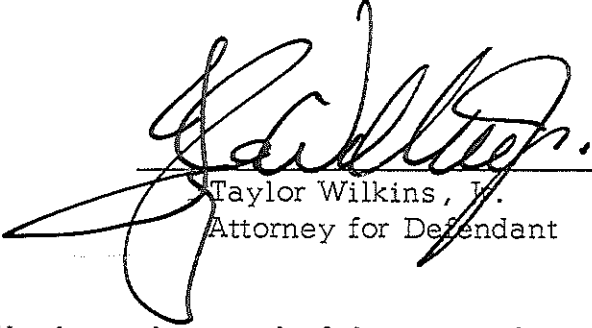
Not Guilty.

II.

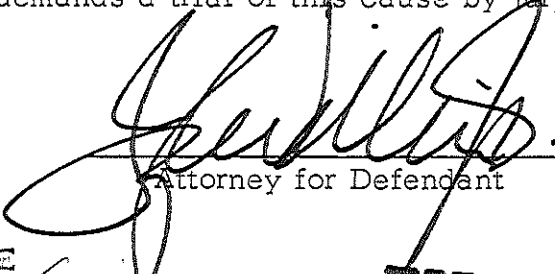
The Defendant has made all payments due the Plaintiff under the agreement executed by both parties for the purchase of the property which is the basis of this suit.

III.

The Defendant has maintained insurance on the property which is the basis of this suit at all times since the execution of the agreement of the purchase of said real property with the Plaintiff.

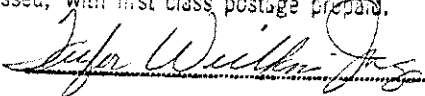
  
Taylor Wilkins, Jr.  
Attorney for Defendant

Defendant respectfully demands a trial of this cause by jury.

  
Attorney for Defendant

**CERTIFICATE OF SERVICE**

I do hereby certify that I have on this 27 day of April 1977 served a copy of the foregoing pleading on counsel for all parties to this proceeding by making the same by United States Mail, properly addressed, with first class postage prepaid.

  
Taylor Wilkins, Jr.

**FILED**

APR 28 1971

EUNICE B. BLACKMON CIRCUIT CLERK

CLEVE HYATT, JR. and  
MINERVA MAE HYATT,  
DEFENDANT.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

CASE NO. 9796

NOTICE OF TAKING DEPOSITION

TO: The Honorable Taylor Wilkins, Jr.  
108 Hoyle Avenue  
Bay Minette, Alabama 36507

AS ATTORNEY OF RECORD FOR THE DEFENDANT.

You are hereby notified that the plaintiff will take the testimony by deposition upon oral examination for the purpose of discovery and other purposes in this cause in accordance with the laws of Alabama of the following named person, to-wit:

Cleve Hyatt, Jr., Star Route, Box 474, Bay Minette, Alabama  
Minerva Mae Hyatt, Star Route, Box 474, Bay Minette, Alabama.

TIME: Said deposition shall be taken on June 4, 1971, commencing at 9:30 o'clock A.M., and from time to time thereafter as said deposition may be continued for completion.

PLACE: Said deposition shall be taken in the Office of the Court Reporter, Courthouse, Bay Minette, Alabama.

PERSON BEFORE WHOM TAKEN: Said deposition shall be taken before Mrs. Louise Dusenberry, who is authorized to administer oaths by the laws of the State of Alabama.

The Clerk will please issue a subpoena to the above designated witness at the address indicated.

This the 10<sup>th</sup> day of May, 1971.

R. A. Norred  
Attorney for the Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing notice has this day been mailed postage prepaid to the Honorable Taylor Wilkins, Jr., as Attorney of Record for the Defendants, at 108 Hoyle Avenue, Bay Minette, Alabama 36507, on this the 10<sup>th</sup> day of May, 1971.

R. A. Norred  
Attorney for the Plaintiff

**FILED**

MAY 12 1971

VOL 67 PAGE 850

EUNICE B. BLACKMON CIRCUIT CLERK

MID-STATE HOMES, INC.,  
a corporation,

PLAINTIFF,

VS.

CLEVE HYATT, JR. and  
MINERVA MAE HYATT,

DEFENDANT.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9796

NOTICE OF TAKING DEPOSITION

TO: The Honorable Taylor Wilkins, Jr.  
108 Hoyle Avenue  
Bay Minette, Alabama 36507

AS ATTORNEY OF RECORD FOR THE DEFENDANTS.

You are hereby notified that the plaintiff will take the testimony by deposition upon oral examination for the purpose of discovery and other purposes in this cause in accordance with the laws of Alabama of the following named person, to-wit:

Cleve Hyatt, Jr., Star Route, Box 474, Bay Minette, Alabama.  
Minerva Mae Hyatt, Star Route, Box 474, Bay Minette, Alabama.

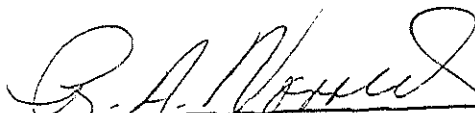
TIME: Said deposition shall be taken on June 30, 1971, commencing at 1:00 o'clock P.M., and from time to time thereafter as said deposition may be continued for completion.

PLACE: Said deposition shall be taken in the Office of the Court Reporter, Courthouse, Bay Minette, Alabama.

PERSON BEFORE WHOM TAKEN: Said deposition shall be taken before Louise Dusenbury, who is authorized to administer oaths by the laws of the State of Alabama.

The Clerk will please issue a subpoena to the above designated witnesses at the address indicated.

This the 17<sup>th</sup> day of June, 1971.

  
R. A. Norred  
Attorney for the Plaintiff

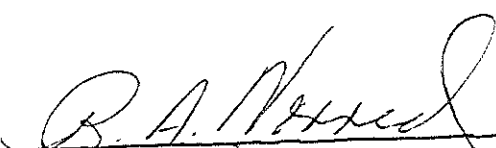
CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing notice has this day been mailed postage prepaid to the Honorable Taylor Wilkins, as Attorney of Record for the Defendants, at 108 Hoyle Avenue, Bay Minette, Alabama, on this the 17<sup>th</sup> day of June, 1971.

**FILED**

JUN 21 1971

EUNICE B. BLACKMON  
CIRCUIT CLERK

  
R. A. Norred  
Attorney for the Plaintiff

Judge Mahbourn -

Red Melvinia and I have  
agreed that this case be  
dramatized and costs typed to  
plaintiff. We will approximate  
the entry of each week.

Bob Farned

~~7/2/71~~  
file v c B



*R. A. Norred*

ATTORNEY

April 12, 1971

616

~~XXX~~ 2121 BUILDING  
2121 8TH AVENUE NORTH  
BIRMINGHAM, ALABAMA 35203  
TELEPHONE  
323-4076

Clerk of the Circuit Court  
Baldwin County Courthouse  
Bay Minette, Alabama

Re: Mid-State Homes, Inc.

vs.

Cleve Hyatt, Jr. and  
Minerva Mae Hyatt

9796

Dear Sir:

I enclose herein an original and two copies of a Summons and Complaint for service and filing on the above. The defendants' address is Rabun Route, Bay Minette, Alabama.

I would appreciate it if you would acknowledge receipt hereof confirming the filing date with case number for future correspondence; and if you would also advise when service has been perfected on the defendants.

Thank you for your cooperation.

Yours very truly,

*R. A. Norred*  
R. A. Norred

RAN/tf

Encl.

*R. A. Norred*

ATTORNEY

616

~~208~~ 2121 BUILDING  
2121 8TH AVENUE NORTH  
BIRMINGHAM, ALABAMA 35203  
TELEPHONE  
323-4076

June 17, 1971

Clerk of the Circuit Court  
Baldwin County Courthouse  
Bay Minette, Alabama

Re: Mid-State Homes, Inc.  
vs.  
Cleve Hyatt and Minerva Mae Hyatt  
Case No. 9796

Dear Sir:

I enclose herein a Notice of Deposition in the above. Please file same and advise of the filing date.

I will also appreciate it if you will issue the subpoena as requested in said Notice.

Thank you for your cooperation.

Yours very truly,

*R. A. Norred*

R. A. Norred

RAN/tf

Encl.

/tf