BILL OF COMPLAINT

H. C. PETERSON and JAMES SANCA, Complainants -vs- CARL J. LINDBERG and MRS. C. J. LINDBERG, Respondents	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

Comes now your Complainants, H. C. Peterson and James Sanca and shows this their Bill of Complaint against the Respondents, Carl J. Lindberg and Mrs. C. J. Lindberg, and against the land situated in the County of Baldwin, State of Alabama, to-wit:

Southwest Quarter of the Southeast Quarter, Section One, Township Six South of Range Three East

and against all persons claiming to own any interest in this land or corporation claiming any title to, interest in, lien or encumbrance upon the said land or any part thereof, and Complainants further respectfully show unto Your Honor as follows:

First: That said Respondents employed and solicited the services of your Complainant, H. C. Peterson, a real estate broker duly licensed as such under the laws of the State of Alabama to procure a purchaser for their land located in Baldwin County, State of Alabama described as follows, to-wit: The Southwest Quarter of the Southeast Quarter of Section One, Township Six South of Range Three East; that the said Complainant H. C. Peterson did secure a purchaser for the said property upon the price and terms, to-wit: Two Thousand ($2,000.00) Dollars cash less Abstract and commission and that the said H. C. Peterson did by letter of December 13, 1938 inform the Respondent of the sale and advised them if they desired to complete the sale to wire acceptance of the same by telegram, that on to-wit, December 14th, 1938 the Respondent Carl J. Lindberg did wire the Complainant, H. C. Peterson, accepting the sale of the said property in the following words, "Will accept Two Thousand Dollars cash. Have Abstract and allow commission"., That the said H. C. Peterson did at once execute a binder with the Complainant James Sanca and accepted a substantial deposit on

the same and that the Respondents have failed, refused and neglected to convey the title to this property to the co-complainant James Sanca, that the said co-complainant James Sanca is ready and willing and has at all times been ready and willing to pay the agreed purchase price of Two Thousand Dollars.

Second: The said co-complainant James Sanca entered into an agreement for the purchase of the Southwest Quarter of the Southeast Quarter of Section One, Township Six South of Range Three East through H. C. Peterson, co-complainant who is a licensed real estate broker and was at the time duly authorized by the Respondents to sell this property, said James Sanca accepted the terms and price for the sale of the same and that the same was accepted by the Respondents by their telegram of December 14th, 1938; said James Sanca paid a substantial deposit and received a binder from the said real estate broker H. C. Peterson agreeing to execute the deed to this property, and now the Respondents failed, refused and continues to refuse to execute the deed of conveyance to the said Complainant James Sanca and that he has at all times been ready and willing to pay the said Two Thousand Dollars in cash and now asks this Honorable Court that he be permitted to pay the Two Thousand Dollars cash less the amount of the binder already paid to H. C. Peterson as Respondents's Agent, unto this Honorable Court and this Honorable Court execute the deed conveying the title to the "Southwest Quarter of the Southeast Quarter of Section One, Township Six South of Range Three East in Baldwin County, Alabama" to the Complainant James Sanca and that this Honorable Court authorize the preparation of an Abstract as agreed by the Respondents and the price of the same be deducted from the Two Thousand Dollars left in escrow with this Honorable Court.

PRAYER FOR PROCESS

To the end therefore, that equity may behad in the premises, Complainants pray that Your Honor will cause the usual Writ of Process to issue to the above named Respondents in the usual form according to the practice of this Honorable Court

requiring them to plead, answer or demur to the same within the time required by law, and the practices of this Honorable Court, and make them parties to this Bill of Complaint requiring them to plead, answer or demur to the same within the time as required by law.

PRAYER FOR RELIEF

And the Complainants pray further that upon the hearing of this cause Your Honor will be pleased to establish the Complainants's right in this cause and will decree that the Complainant James Sanca is entitled to have a conveyance of this land made by This Honorable Court to him and an Abstract of title furnished to this land described herein and that the co-complainant H. C. Peterson, the real estate broker, be allowed his commission as such according to his contract and that this Honorable Court will decree that no other person has any lien or encumbrance upon the said land or any part thereof in the said decree and Your Honor will cause a certified copy of this decree to be filed in the Probate Office of Baldwin County, Alabama and to be recorded therein and that the said decree Your Honor will direct in whose name it shall be indexed in the direct indexes and in whose name it shall be indexed in the indirect indexes of the record thereof in the said Probate Office of Baldwin County, Alabama, and Complainants further pray that such other, further and general relief be given them as in equity may be just and mete, and Complainants will ever pray.

Solicitor for Complainants

FOOTNOTE: All person claiming any title to, interest in, lien or encumbrance upon the property described in the foregoing bill of complaint and any part thereof, will be required to answer the paragraphs from one to two inclusive and answer under oath is hereby expressly waived.

Solicitor for Complainants

LIS PENDENS NOTICE

Notice is hereby given that on the 19th day of January, 1939 H. C. Peterson and James Sanca have filed in the Circuit Court of Baldwin County, Alabama, in Equity, Bill of Complaint against the following described land in Baldwin County, Alabama, to-wit:

The Southwest Quarter of the Southeast Quarter, of Section One, Township Six South of Range Three East

and against the following named Respondents:

Carl J. Lindberg and Mrs. C. J. Lindberg.

The prayer of the said Bill is to have specific performance of the contract for the sale of the land and to have the title to the property transferred, from the said Respondents to the Complainant James Sanca and any claim, interest, title or lien or encumbrance that might be declared a cloud upon the title of the said property be by appropriate decree removed therefrom and the title in fee simple vested in James Sanca.

Dated this 19th day of January, 1939.

Solicitor for H. C. Peterson and James Sanca.

BILL OF COMPLAINT

H. C. PETERSON and JAMES SANCA, Complainants	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.
-vs-	
CARL J. LINDBERG and MRS. C. J. LINDBERG, Respondents	

Comes now your Complainants, H. C. Peterson and James Sanca and shows this their Bill of Complaint against the Respondents, Carl J. Lindberg and Mrs. C. J. Lindberg, and against the land situated in the County of Baldwin, State of Alabama, to-wit:

Southwest Quarter of the Southeast Quarter, Section One, Township Six South of Range Three East

and against all persons claiming to own any interest in this land or corporation claiming any title to, interest in, lien or encumbrance upon the said land or any part thereof, and Complainants further respectfully show unto Your Honor as follows:

First: That said Respondents employed and solicited the services of your Complainant, H. C. Peterson, a real estate broker duly licensed as such under the laws of the State of Alabama to procure a purchaser for their land located in Baldwin County, State of Alabama described as follows, to-wit: The Southwest Quarter of the Southeast Quarter of Section One, Township Six South of Range Three East; that the said Complainant H. C. Peterson did secure a purchaser for the said property upon the price and terms, to-wit: Two Thousand ($2,000.00) Dollars cash less Abstract and commission and that the said H. C. Peterson did by letter of December 13, 1938 inform the Respondent of the sale and advised them if they desired to complete the sale to wire acceptance of the same by telegram, that on to-wit, December 14th, 1938 the Respondent Carl J. Lindberg did wire the Complainant, H. C. Peterson, accepting the sale of the said property in the following words, "Will accept Two Thousand Dollars cash. Have Abstract and allow commission"., That the said H. C. Peterson did at once execute a binder with the Complainant James Sanca and accepted a substantial deposit on

the same and that the Respondents have failed, refused and neglected to convey the title to this property to the co-complainant James Sanca, that the said co-complainant James Sanca is ready and willing and has at all times been ready and willing to pay the agreed purchase price of Two Thousand Dollars.

Second: The said co-complainant James Sanca entered into an agreement for the purchase of the Southwest Quarter of the Southeast Quarter of Section One, Township Six South of Range Three East through H. C. Peterson, co-complainant who is a licensed real estate broker and was at the time duly authorized by the Respondents to sell this property, said James Sanca accepted the terms and price for the sale of the same and that the same was accepted by the Respondents by their telegram of December 14th, 1938; said James Sanca paid a substantial deposit and received a binder from the said real estate broker H. C. Peterson agreeing to execute the deed to this property, and now the Respondents failed, refused and continues to refuse to execute the deed of conveyance to the said Complainant James Sanca and that he has at all times been ready and willing to pay the said Two Thousand Dollars in cash and now asks this Honorable Court that he be permitted to pay the Two Thousand Dollars cash less the amount of the binder already paid to H. C. Peterson as Respondents's Agent, unto this Honorable Court and this Honorable Court execute the deed conveying the title to the "Southwest Quarter of the Southeast Quarter of Section One, Township Six South of Range Three East in Baldwin County, Alabama" to the Complainant James Sanca and that this Honorable Court authorize the preparation of an Abstract as agreed by the Respondents and the price of the same be deducted from the Two Thousand Dollars left in escrow with this Honorable Court.

PRAYER FOR PROCESS

To the end therefore, that equity may behad in the premises, Complainants pray that Your Honor will cause the usual Writ of Process to issue to the above named Respondents in the usual form according to the practice of this Honorable Court

requiring them to plead, answer or demur to the same within the time required by law, and the practices of this Honorable Court, and make them parties to this Bill of Complaint requiring them to plead, answer or demur to the same within the time as required by law.

PRAYER FOR RELIEF

And the Complainants pray further that upon the hearing of this cause Your Honor will be pleased to establish the Complainants's right in this cause and will decree that the Complainant James Sanca is entitled to have a conveyance of this land made by This Honorable Court to him and an Abstract of title furnished to this land described herein and that the co-complainant H. C. Peterson, the real estate broker, be allowed his commission as such according to his contract and that this Honorable Court will decree that no other person has any lien or encumbrance upon the said land or any part thereof in the said decree and Your Honor will cause a certified copy of this decree to be filed in the Probate Office of Baldwin County, Alabama and to be recorded therein and that the said decree Your Honor will direct in whose name it shall be indexed in the direct indexes and in whose name it shall be indexed in the indirect indexes of the record thereof in the said Probate Office of Baldwin County, Alabama, and Complainants further pray that such other, further and general relief be given them as in equity may be just and mete, and Complainants will ever pray.

Solicitor for Complainants

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Solicitor for Complainants

Bill of Complaint

Filed January 19, 1938
R. S. DUCK
clerk, - register
By [illegible]
Deputy

LIS PENDENS NOTICE

Notice is hereby given that on the 19th day of January, 1939 H. O. Peterson and James Banes have filed in the Circuit Court of Baldwin County, Alabama, in Equity, Bill of Complaint against the following described land in Baldwin County, Alabama, to-wit:

> The Northwest quarter of the Southeast quarter, of Section One, Township Six South of Range Three East

and against the following named Respondents:

Carl T. Lindberg and Mrs. C. J. Lindberg

The prayer of the said Bill is to have specific performance of the contract for the sale of the land and to have the title to the property transferred, from the said Respondents to the Complainant James Banes and any claim, interest, title or lien or encumbrance that might be declared a cloud upon the title of the said property be by appropriate decree removed therefrom and the title in fee simple vested in James Banes.

Dated this 19th day of January, 1939.

Solicitor for H. O. Peterson and James Banes.

Filed January 19, 1939
R. S. DUCK
Clerk
By [illegible]

requiring them to plead, answer or demur to the same within the time required by law, and the practices of this Honorable Court, and make them parties to this Bill of Complaint requiring them to plead, answer or demur to the same within the time as required by law.

PRAYER FOR RELIEF

And the Complainants pray further that upon the hearing of this cause Your Honor will be pleased to establish the Complainants's right in this cause and will decree that the Complainant James Banes is entitled to have a conveyance of this land made by this Honorable Court to him and an abstract of title furnished to this land described herein and that the co-complainant M. C. Peterson, the real estate broker, be allowed his commission as such according to his contract and that this Honorable Court will decree that no other person has any lien or encumbrance upon the said land or any part thereof in the said decree and Your Honor will cause a certified copy of this decree to be filed in the Probate Office of Baldwin County, Alabama and to be recorded therein and that the said decree Your Honor will direct in whose name it shall be indexed in the direct indexes and in whose name it shall be indexed in the indirect indexes of the record thereof in the said Probate Office of Baldwin County, Alabama, and Complainants further pray that such other, further and general relief be given them as in equity may be just and meet, and Complainants will ever pray.

Solicitor for Complainants

NOTICE: All person claiming any title to, interest in, lien or encumbrance upon the property described in the foregoing bill of complaint and any part thereof, will be required to answer the paragraphs from one to two inclusive and answer under oath is hereby expressly waived.

Solicitor for Complainants

Filed Dec. 14, 1934