

Clear as could be - bad original

ANDREW JACKSON WRIGHT,
Plaintiff,
vs.

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
CASE NO. E-346-74

Certain land and J. H. Sturtivant, et als,
Defendants.



19750124000003880 1/2 \$.00
Shelby Cnty Judge of Probate, AL
01/24/1975 12:00:00AM FILED/CERT

DECREE

This cause coming on to be heard on this the 24th day of January, 1975, is submitted for final decree upon plaintiff's verified complaint, upon the default judgment rendered herein and upon the testimony of John O. Leamon, Sr. and H. I. Sawmill, taken orally before the Court on the 22nd day of January, 1975, by order of the Court and reduced to writing, and the certificate of the Register, all of which is as noted by the Register, and it appears to the satisfaction of the Court:

First: That the plaintiff, Andrew Jackson Wright, at the time of the filing of his complaint in this cause, claimed in his own right, title to and was in the actual peaceable possession, of the following described lands, lying in the county of Shelby, State of Alabama and more particularly described as follows:

Begin 277.53 feet South of NW corner of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23, Township 20 South, Range 4 West, to point of beginning tract being described; thence continue along last named course 932.10 feet to the NW boundary line of a 60 foot road. (Banford) Thence 130 deg. 25 min. left and along said R/W of Banford Road 747.70 feet; thence 90 deg. left 636.73 feet to the point of beginning.

Second: That at the time of the filing of said complaint, no suit was pending to test his title to, interest in or the right to the possession of said lands.

Third: That his said complaint was and is duly verified, and was filed against J. H. Sturtivant, or if deceased, his heirs or devisees, and all parties who, unknown to plaintiff claim an interest in or to the above described property, or who may have claimed some title to, interest in, lien or encumbrance on said land or a part thereof and was to establish the right or title to such lands or interest, and to clear all doubts or disputes concerning the same, and that said complaint did in all respects comply with the provisions of the 1940 Code of Alabama as amended.

Fourth: That the defendants, unknown persons, their ages and addresses or whether living or dead who were made defendants were unknown to plaintiff and that they exercised diligence to ascertain the facts with regard thereto.

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Fifth: That notice of the pendency of said complaint was drawn and signed by the Register of this court and said Register did have such notice published once a week for four consecutive weeks in the Shelby County Reporter, a newspaper having general circulation and published in Shelby County, Alabama, as prescribed by rule of this Court or by an order made in this cause.

Sixth: That a copy of said notice, certified by the Register as being correct, was recorded as a lis pendens in the office of the Probate Judge of said county, said notice being in strict accord and compliance with the 1940 Code of Alabama, as Recompiled.

Seventh: That it has been more than sixty days since the first publication of said notice and filing of a certified copy of said notice in the office of the Judge of Probate of said county.

Eighth: That no person has intervened in this cause.

Ninth: That all of the allegations of fact contained in plaintiff's complaint are true. It is, therefore,

ORDERED, ADJUDGED and DECREED by the Court (1) that plaintiff is entitled to the relief prayed for in his complaint, and that the title claimed by plaintiff in the above described lands has been duly proven.

(2) That the defendants to said complaint do not have any right, title, interest or claim in and to the above described property.

(3) That the plaintiff is the owner of said lands as described above and his title thereto, free of all liens and encumbrances, and that his said title thereto be and is hereby established, and that all doubts and disputes concerning the same be and are hereby cleared up.

(4) That a certified copy of this decree be recorded in the office of the Judge of Probate of Shelby County, Alabama, and that it be indexed in the name of Andrew Jackson Wright vs. J. H. Sturtivant, et al, on both the direct and the indirect index of the record thereof.

(5) That plaintiff pay the costs of these proceedings, for execution issue.

Done this the 24th day of January, 1975

James H. Sharbutt
Judge

FILED IN OFFICE, This the 24th day of January 1975

Ryle Lansford

Register Circuit Court of Shelby County, Alabama

STATE OF ALA. SHELBY CO. I CERTIFY THIS INSTRUMENT WAS FILED
1975 JAN 24 PM 10:03
U.C.C. FILE NUMBER OR REC. BK. & PAGE AS SHOWN ABOVE
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JUDGE OF PROBATE

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