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HENRY S. BRISTOW and
ESTELLE BRISTOW,

Plaintiffs,

vs.

Certain land and Laura Jane
Johnson McClannahan, et als,

Defendants.

X IN THE CIRCUIT COURT OF
X SHELBY COUNTY, ALABAMA
X CASE NO. E-1340-76

X

X

X



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Shelby Cnty Judge of Probate, AL
03/03/1978 12:00:00 AM FILED/CERT

DECREE

This cause coming on to be heard on this the 28th day of February, 1978, is submitted for final decree upon plaintiffs' verified complaint, upon the default judgment rendered herein and upon the testimony of Henry Samuel Bristow and B. L. Owen, taken orally before the Court on the 23rd day of February, 1978, 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 plaintiffs, Henry S. Bristow and Estelle Bristow, at the time of the filing of their complaint in this cause, claimed in their own right a fee simple title to and were 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:

The S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 24,
Township 21, Range 1 West, Shelby County, Alabama.

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

Third: That their said complaint was and is duly verified, and was filed against Laura Jane Johnson McClannahan, or if deceased, her heirs or devisees, Ocie Burns, James Burns, R. C. Burns, Howard Burns, and any other heirs at law and next of kin of Arvella Burns, deceased, whose names, ages and addresses are unknown and cannot be ascertained after diligent search and inquiry; Nora Williams, deceased,

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or any heirs at law and next of kin of Nora Williams, whose names, ages and addresses are unknown and cannot be ascertained after diligent search and inquiry; Pauline Williams, deceased, or any heirs at law and next of kin of Pauline Williams, whose names, ages and addresses are unknown and cannot be ascertained after diligent search and inquiry; Sam Williams, Kenneth Williams, Mrs. Ollie Mitchell, Mrs. Joyce Maddox, Wade Williams, Marva Lee Williams, Lois Williams, Lynn Williams, Mrs. Elizabeth Williams, Mary Robinson, Betty Jo Williams and Mrs. Ellen Trimble, or any other heirs at law and next of kin of Mary J. Mallory, whose names, ages and addresses are unknown and cannot be ascertained after diligent search and inquiry, and all parties who, unknown to plaintiffs 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 Code of Alabama, 1975, Sec. 1-1-15.

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 Probate Judge of said county.

Eighth: That no person has intervened in this cause, except that Frank C. Ellis, Jr., Attorney, filed a Motion to Dismiss on December 30th, 1976 for the defendants in this cause, and also filed an Answer for the defendants on January 21, 1977; however, Mr. Ellis withdrew his appearance for the defendants by letter filed with the Court on September 8, 1977, and since that time no other answer or defense has been filed or served on the attorney of record for the Plaintiffs nor is there any evidence of any other answer or defense having been filed with the Court in this cause.

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



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ORDERED, ADJUDGED and DECREED by the Court (1) that plaintiffs are entitled to the relief prayed for in this complaint, and that the fee simple title claimed by plaintiffs 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 plaintiffs are the owners of said lands as described above and have a fee simple title thereto, free of all liens and encumbrances, and that their 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 Henry S. Bristow and Estelle Bristow vs. Laura Jane Johnson McClannahan, et al, on both the direct index and the indirect index of the record thereof.

(5) That plaintiffs pay the costs of these proceedings, for which let execution issue.

Done this the 28th day of February, 1978.

James H. Sharbitt
Judge

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1978 MAR 23 PM 2:09

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Rec. 4.50

Ind. 1.00

5.50

FILED IN OFFICE, This the 28th day
of February 1978

Kyle Langford

Register Circuit Court of
Shelby County, Alabama