IN THE CIRCUIT COURT SHELBY COUNTY, AIA.

# 4093

EQUITY DIVISION

M.W. BARBER, ET AL,

Complainants,

-V8-

LEVI BARBER AND

BEULAH BARBER.

## Respondents,

This cause coming on to be heard for final decree upon the original bill of complaint, decree proconfesso against the Respondents and the testimony of Andy Barber and M.W. Barber, and the same having been considered and understood by the Court, the Court finds therefrom that on or about the 20th day of November, 1918, one Gray Barber and his wife M.F. Barber and his wife M.G. Barber, also deceased, a deed describing centain lands in Shelby County, Alabama, and the description contained in said deed is erroneous in that it contained or described ten acres of land in the Southeast corner of the Southwest Quarter, which should have been and which he intended to be ten acres in the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 27, Township 19, Range 2 East, Shelby County, Alabama.

The Court further finds from the testimony in this cause that Gray Barber did not own, claim, nor was he in possession of ten acres in the Southeast corner of said forty acres of land above described at any time during the year 1918, and further that said Gray Barber upon the delivery of the deed mentioned above to M.F. Barber put him in possession of ten acres in the Northeast corner of the Southwest Quarter of the Northeast Quarter of Sec. 27, Township 19 Range 2 East Shelby County, Alabama, and the said M.G. Barber went in possession of said last described lands, paid the taxes upon the same and held said possession during all of his life time, and since his death his sole heirs atolaw and next of kin, M.W. Barber, John J. Barber, sons.

It is, therefor, ordered, adjudged and decreed by the Court that the Complainants, M.W. Barber and John J. Barber are the owners of the fee simple title to the lands described in the bill of complaint in this cause, the same being ten acres in the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 27, Township 19, Range 2 East Shelby County, Alabama, and the Respondents and the Complainants, other than the two last named above own no right, title or interest in or to said lands last described, nor any incumbrance thereon. The title to aid land is therefore hereby quieted in said Complainants, M.W. Barber and John J. Barber as against Respondents, and all of the other Complaints named in the bill of complaint, and said Respondents are hereby ordered and directed to disist from denying or disputing the title of said

named Complainants or asserting any claim in themselves to the lands last above described, unless that in the future they acquire the legal title thereto by conveyance.

The Register of this Court is directed to file a copy of this decree in the office of the Judge of Probate in and for Shelby County, Alabama for record and to pay the fee therefor and charge the same as cost in this cause. By consent the cost in this cause is taxed against Complainants, M.W. Barber and John J. Barber, for which let execution issue.

Done in term time this the 31st day of May, 1948.

W.W. Wallace,

Judge

Filed this 31st day of May, 1948.

Pauline Bird, Register.

STATE OF ALABAMA

SHELBY COUNTY

I, Pauline Bird, Register of the Circuit Court in and for said County, hereby certify that the Within is a true and correct copy of Decree rendered on this day in the case of M.W. Barber, et al., vs. Levi Barber, et al., being Case No. 2937, and which is recorded in Minute Book 4 in this Court.

This the 31st day of May, 1948.

Pauline Bird Register Circuit Court

Filed in the office of the Probate Judge on the 31st day of May, 1948 at 2 o'clock P.M. and recorded in the Deed Record 134 on page 309 on this the 28th day of July, 1948.

L. C. Walker,

Judge of Probate.

No toy bue on this Instrument