

STATE OF ALABAMA, X
 SHELBY COUNTY.....X

M.D.MUSE, G.H.GRIMES,
 JEAN MUSE, LILLIAN GRIMES,
 C.E.BLACKERBY, ESSIE BLACKERBY,
 DUDLEY McClinton, CARRIE McClinton,
 W.H.RAY, JULIA RAY, R.E.CHAMPION,
 ROBERT KELLEY, GERALIE KELLEY,
 J.W.GUINN, ALMA GUINN, R.H.SULLIVAN,
 ETTIE SULLIVAN, WOODROW DOROUGH,
 RUBY G.DOROUGH, J.W.MOORE, JR.,
 being the same person as J.W.Moore,
 PAULINE CHAMPION, J.J.DOROUGH,

COMPLAINANTS,

Vs.

BEN DAY, FRANK CHESSER, HATTIE
 BRASHER, OPHUS CHESSER, ADOLPHUS
 CHESSER, PEARL ADAMS, C.W.CHESSER,
 GERTRUDE HIGGINBOTHAM, KENATH
 CHESSER, WADE CHESSER, J.C.GATES,
 ELVIE BROWN, LOIS CHAMPION, RUTH
 ALVERSON, MAXINE HOWARD, VERNELL
 GARDNER, BREVARD MOORE, FANNIE
 SMITHERMAN, FREIDA BEASLEY, PRECIE
 JACKSON, FAYE SPANN, IRENE SMITHERMAN,
 DENNIS H.MOORE, TYLER M.MOORE, ALBERT
 C.MOORE, JOHN F.MOORE, CHARLES W.MOORE,
 ELLIS W.MOORE, SARA JO CAUDLE, ROSALIE
 BENTLEY, JOHNNIE DURAND, LUCIAN V.MOORE,
 SUDIE DAY, McDuff DAY, MYRTLE DAY, ALBERT
 DAY, CLARA DAY, MADIE GARDNER, BERTIE
 TOLLETT,

RESPONDENTS.

IN THE CIRCUIT COURT
 OF
 SHELBY COUNTY, ALABAMA,
 IN EQUITY.

THIS CAUSE coming on to be heard for final decree against the following respondents, namely: Vernell Gardner, Faye Spann, Lucian V. Moore, Ellis W. Moore, Maxine Howard, Bertie Tollett, Freida Beasley, Adolphus Chesser, Lois Champion, Dennis Moore, Albert C. Moore, Sarah Joe Caudle, John F. Moore, Rosalie Bentley, Hattie Brasher, Gertrude Higginbotham, Ruth Alverson, J.C. Gates, Elvie Brown, Brevard Moore, Fannie Smitherman, Precie Jackson, Irene Smitherman, Tyler M. Moore, Charles W. Moore, Johnnie Durand, Sudie Day, McDuff Day, Myrtle Day, Albert Day, Clara Day, Madie Gardner, the same having been submitted by the complainants upon service legally had upon each of the respondents named in this decree, upon the original bill of complaint, decrees pro confesso against each of the respondents named in this decree, as aforesaid, upon service legally had upon each of said respondents named in this decree and under the authority given in Section 1114 of Title 7 of the Code of

Alabama, and the legal evidence having been considered by the Court, and it is made to appear to the Court that each of the complainants named in this decree did suffer a decree pro confesso against him, and that under the law, as provided by Section 1114 of Title 7 of the Code of Alabama, the Court shall, in such cases, without further proof, decree that such respondents and each of such respondents has no Estate, or interest in, or encumbrance on such lands, or any part thereof, it is the opinion of the Court that the complainants are, separately and severally, entitled to the relief prayed for in the bill of complaint against the respondents and each of the respondents named in this decree. The Court ascertains and determines from the evidence in this cause, as follows:

It is now, therefore, hereby ordered, adjudged, and decreed that the complainants each have judgment as prayed for in the bill of complaint herein, against the respondents as named in this decree, separately and severally, and each of them, and all persons claiming, or to claim said premises, or any part thereof, through or under said respondents, or either of them, are hereby adjudged and decreed to be invalid and groundless, that the complainants, separately and severally, be and they are, separately and severally, hereby declared and adjudged to be the true and lawful owner of the several tracts of land described in the complaint, and which are hereafter more particularly described, and every part and parcel thereof; and that their title, separately and severally, thereto is adjudged to be quieted against all claims, demands or pretensions of the respondents as named in this decree, or either of them, who are hereby, separately and severally, perpetually estopped from setting up any claim thereto or any part thereof.

It is further ordered, adjudged and decreed that all adverse claim or claims of the respondents, as named in this decree, separately and severally, and all persons claiming or to claim said premises, or any part thereof, through or under said respondents as named in this decree, or either of them, are hereby adjudged and decreed to be invalid and groundless, and that the complainants, M.D. Muse and Jean Muse, be and they are hereby declared and adjudged to be the true and lawful

Page 3.

owners of the tract of land described in Paragraph FIFTH of the original bill of complaint, and that the title thereto is adjudged to be quieted against all claims, demands, or pretensions of the respondents as named in this decree, or either of them, who are hereby , separately and severally, perpetually enjoined from setting up any claims thereto, or any part thereof, of said premises, and described as follows:

Beginning at the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 29, Township 19, Range 1 East, and run thence North 312 feet to the old Head Mill Road, run thence Northwest along said road 421 feet; thence South 403 feet; thence East 462 feet to the point of beginning, and containing 5 acres, more or less.

It is further ordered, adjudged and decreed that all adverse claim or claims of the respondents as named in this decree, separately and severally, and all persons claiming or to claim said premises, or any part thereof, through or under said respondents, as named in this decree, or either of them , are hereby adjudged and decreed to be invalid and groundless, and that the complainants, G.H. Grimes and Lillian Grimes, be and they are hereby declared and adjudged to be the true and lawful owners of the tract of land described in Paragraph SIXTH of the original bill of complaint, and that the title thereto is adjudged to be quieted against all claims, demands or pretensions of the respondents, as named in this decree, or either of them, who are hereby, separately and severally perpetually enjoined from setting up any claims thereto, or any part thereof of said premises, and described as follows:

That part of the Southwest Quarter of the Northwest Quarter of Section 28, Township 19, Range 1 East, described as beginning at the Southeast corner of said 40 acres, and run thence West 315 feet; run thence North 234 feet; run thence East 315 feet; run thence South 234 feet to the point of beginning, and containing 2 acres, more or less.

It is further ordered, adjudged and decreed that all adverse claims of the respondents, separately and severally, and all persons claiming or to claim said premises, or any part thereof, through or under said respondents, as named in this decree, or either of them are hereby adjudged and decreed to be invalid and groundless, and that the complainants, C.E. Blackerby and Essie Blackerby, be and they

are hereby declared and adjudged to be the true and lawful owners of the tract of land described in Paragraph SEVENTH of the original bill of complaint, and that the title thereto is adjudged to be quieted against all claims, demands or pretensions of the respondents as named in this decree, or either of them, who are hereby, separately and severally perpetually enjoined from setting up any claims thereto, or any part thereof, of said premises, and described as follows:

That part of the Southeast Quarter of the Northeast Quarter of Section 29, Township 19, Range 1 East, described as follows: Beginning on the East side of the Pumpkin Swamp Road where the North line of said Southeast Quarter of the Northeast Quarter crosses said road and run thence in a Southwesterly direction along said road 105 feet; run thence Southeast 420 feet; run thence Northeast 105 feet; run thence Northwest 420 feet to the point of beginning, and containing one (1) acre, more or less.

It is further ordered, adjudged and decreed that all adverse claim or claims of the respondents as named in this decree, separately and severally, and all persons claiming or to claim said premises, or any part thereof, through or under said respondents as named in this decree, or either of them, are hereby adjudged and decreed to be invalid and groundless, and the complainants, Dudley McClinton and Carrie McClinton, be, and they are hereby declared and adjudged to be the true and lawful owners of the tract of land described in PARAGRAPH EIGHTH of the original bill of complaint, and that the title thereto is adjudged to be quieted against all claims, demands or pretensions of the respondents, as named in this decree, or either of them, who are hereby, separately and severally perpetually enjoined from setting up any claims thereto, or any part thereof of said premises, and described as follows:

That part of the Southeast Quarter of the Northeast Quarter of Section 29, Township 19, Range 1 East, described as beginning where the West line of said Southeast Quarter of the Northeast Quarter crosses the Pumpkin Swamp Public Road, and run thence in a Northeast direction along the East side of said road, a distance of 210 feet, for a point of beginning of the lot herein described, and run thence Southeast 420 feet; run thence Northeast 210 feet; run thence Northwest 420 feet; run thence Southwest 210 feet to the point of beginning, and containing 2 acres, more or less, and which is a part of that tract of land, described in Paragraph THIRD of the original bill of complaint.

It is further ordered, adjudged and decreed that all adverse claim or claims of the respondents as named in this decree, separately and severally, and all persons claiming or to claim said premises, or any part thereof, through or under said respondents as named in this decree, or either of them, are hereby adjudged and decreed to be invalid and groundless, and the complainants, W.H. Ray and Julia Ray, be, and they are hereby declared and adjudged to be the true and lawful owners of the tract of land described in Paragraph NINTH of the original bill of complaint, and that the title thereto is adjudged to be quieted against all claims, demands or pretentions of the respondents as named in this decree, or either of them, who are hereby, separately and severally, perpetually enjoined from setting up any claims thereto, or any part thereof of said premises, and described as follows:

Beginning at the Southwest Corner of the Southwest Quarter of the Northwest Quarter of Section 28, Township 19, Range 1 East, and run thence North about 390 feet to the old Heading Mill Road; run thence in a Southeasterly direction along said Road to the intersection of the South line of said Southwest Quarter of the Northwest Quarter, being a distance of 690 feet; thence West 570 feet to the point of beginning, and containing 2 acres, more or less, and which is a part of that tract of land described in Paragraph Third of the original bill of complaint.

It is further ordered, adjudged and decreed that all adverse claim or claims of the respondents as named in this decree, separately and severally, and all persons claiming or to claim said premises, or any part thereof, through or under said respondents as named in this decree, or either of them, are hereby adjudged and decreed to be invalid and groundless, and the complainants, R.E. Champion and Pauline Champion, be, and they are hereby declared and adjudged to be the true and lawful owners of the tract of land described in Paragraph TENTH of the original bill of complaint, and that the title thereto is adjudged to be quieted against all claims, demands, or pretentions of the respondents as named in this decree, or either of them, who are hereby, separately and severally perpetually enjoined from

setting up any claims thereto, or any thereof of said premises, and described as follows:

That part of the Southeast Quarter of the Northeast Quarter of Section 29, Township 19, Range 1 East, described as follows: Begin where the North line of said Southeast Quarter of the Northeast Quarter crosses Pumpkin Swamp Public Road, and run thence in a Southwesterly direction along said road, a distance of 105 feet for a point of beginning of the lot herein described: Run thence Southeast 420 feet along the Trull property; run thence Southwest 210 feet to the Dorrough property; run thence Northwest 420 feet along the Dorrough property to the Pumpkin Swamp Public Road; run thence Northeast along the Pumpkin Swamp Road a distance of 210 feet to the point of beginning, and containing 2 acres, more or less, and which is a part of that tract of land described in Paragraph THIRD of the original bill of complaint.

It is further ordered, adjudged and decreed that all adverse claim or claims of the respondents as named in this decree, separately and severally, and all persons claiming or to claim said premises, or any part thereof, through or under said respondents as named in this decree, or either of them, are hereby adjudged and decreed to be invalid and groundless, and the complainants, Robert Kelley and Gerialie Kelley be, and they are hereby declared and adjudged to be the true and lawful owners of the tract of land described in Paragraph ELEVENTH of the original bill of complaint, and that the title thereto is adjudged to be quieted against all claims, demands or pretensions, of the respondents as named in this decree, or either of them, who are hereby, separately and severally perpetually enjoined from setting up any claims thereto, or any part thereof of said premises, and described as follows:

Beginning at the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 29, Township 19, Range 1 East, and run thence West a distance of 462 feet for a point of beginning of the lot herein described: Run thence North 403 feet to the old Heading Mill Road; run thence in a Westerly direction along said Road 376 feet to the Northeast corner of the Lillie Mae Kelley property; run thence South 494 feet to the South line of said Southeast Quarter of the Northeast Quarter; run thence East 416 feet to the point of beginning of said tract, and containing 5 acres, more or less, Also, that tract of land described as beginning where the West line of said Southeast Quarter of the Northeast Quarter of Section 29, Township 19, Range 1 East crosses the Pumpkin Swamp Public

(Robert Kelley and Gerialie Kelleylands described)

Road, and run thence in a Southeasterly direction 557 feet; thence North 20 feet; thence in a Northwesterly direction 560 feet to the Pumpkin Swamp Public Road; thence in a Southwesterly direction 81 feet to the point of beginning; and containing .75 of an acre, more or less, and which said tracts of land are a part of that tract of land described in Paragraph THIRD of the original bill of complaint.

It is further ordered, adjudged and decreed that all adverse claim or claims of the respondents as named in this decree, separately and severally, and all persons claiming or to claim said premises, or any part thereof, through or under said respondents as named in this decree, or either of them, are hereby adjudged and decreed to be invalid and groundless and the complainants, J.W. Guinn and Alma Guinn, be, and they are hereby declared and adjudged to be the true and lawful owners of the tract of land described in Paragraph TWELFTH of the original bill of complaint, and that the title thereto is adjudged to be quieted against all claims, demands, or pretensions of the respondents as named in this decree, or either of them who are hereby, separately and severally perpetually enjoined from setting up any claims thereto, or any part thereof of said premises and described as follows:

That part of the East Half of the Northeast Quarter of Section 29, Township 19, Range 1 East, described as beginning on the East side of Pumpkin Swamp Road where the North line of the Southeast Quarter of the Northeast Quarter of said Section ~~29~~ crosses the Pumpkin Swamp Road, and run thence in a Southeasterly direction along the North side of what was formerly known as the Trull line, a distance of 420 feet; thence Northeast 105 feet; thence Northwest 420 feet to the Pumpkin Swamp Road; thence Southwest along said Road a distance of 105 feet to the point of beginning, and containing 1 acre, more or less, and that part of the above described lands situated in the Southeast Quarter of the Northeast Quarter of Section 29, being a part of a tract of land described in Paragraph THIRD of the original bill of complaint.

*Charged
7/8/52
F.C.*

It is further ordered, adjudged and decreed that all adverse claims or claim of the respondents as named in this decree, separately and severally, and all persons claiming, or to claim said premises, or any part thereof, through or under said respondents as named in this decree, or either of them, are hereby adjudged and decreed to be invalid and groundless, and the complainants, R.H. Sullivan and Ettie Sullivan, be, and they are hereby declared and adjudged to be the true and lawful owners of the tract of land described in Paragraph THIRTEENTH of the original bill of complaint, and that the title thereto is adjudged to be quieted against all claims, demands, or pretensions of the respondents as named in this decree, or either of them, who are hereby, separately and severally, perpetually enjoined from setting up any claims thereto, or any part thereof of said premises, and described as follows:

Commencing where the West line of the said Southeast Quarter of the Northeast Quarter crosses the Pumpkin Swamp Public Road and run thence Northeast along said Road to the North side of the Heading Mill Road; run thence in a Southeasterly direction along said Heading Mill Road, a distance of 420 feet for a point of beginning of the tract herein described: Run thence in a Northeasterly direction and parallel with Pumpkin Swamp Road, a distance of 315 feet; run thence in a Southeasterly direction parallel with the Heading Mill Road a distance of 210 feet; run thence in a Southwesterly direction and parallel with Pumpkin Swamp Road a distance of 315 feet to the Heading Mill Road; run thence in a Northwesterly direction along said Heading Mill Road a distance of 210 feet to the point of beginning, and containing 1.5 acres, more or less, and which is a part of the tract of land described in Paragraph THIRD of the original bill of complaint in this cause.

It is further ordered, adjudged and decreed that all adverse claim or claims of the respondents as named in this decree, separately and severally, and all persons claiming, or to claim said premises or any part thereof through or under said respondents as named in this decree, or either of them, are hereby adjudged and decreed to be invalid and groundless, and the complainants, Woodrow Dorough, Ruby G. Dorough and J.J. Dorough, be, and they are hereby declared and adjudged to be the true and lawful owners of the tract of land described in Paragraph FOURTEENTH of the original bill of complaint, and that the

title thereto is adjudged to be quieted against all claims, demands, or pretensions of the respondents as named in this decree, or either of them, who are hereby separately and severally perpetually enjoined from setting up any claim thereto, or any part thereof of said premises, and described as follows:

That part of the Southeast Quarter of the Northeast Quarter of Section 29, Township 19, Range 1 East, described as commencing at the point of intersection of the Southeast right of way line of Pumpkin Swamp Public Road with the West line of said Southeast Quarter of the Northeast Quarter of said Section 29, and run thence in a Northeasterly direction along the Southeast right of way line of said Road, a distance of 420 feet for a point of beginning of the Lot herein described: Run thence Southeast 420 feet; run thence Northeast 105 feet; run thence Northwest 420 feet to the right of way of the Pumpkin Swamp Public Road; run thence Southwest along the right of way of the Pumpkin Swamp Public Road a distance of 105 feet to the point of beginning and which is a part of that certain tract of land described in Paragraph THIRD of the original bill of complaint.

It is further ordered, adjudged, and decreed that all adverse claim or claims of the respondents as named in this decree, separately and severally, and all persons claiming or to claim said premises, or any part thereof, through or under said respondents, as named in this decree, or either of them, are hereby adjudged and decreed to be invalid and groundless, and the complainant, J.W. Moore, Jr., being the one and same person as J.W. Moore, be, and he is hereby declared and adjudged to be the true and lawful owner of the tract of land described in Paragraph FIFTEENTH of the original bill of complaint, and that the title thereto is adjudged to be quieted against all claims, demands, or pretensions of the respondents, as named in this decree, or either of them, who are hereby separately and severally, enjoined from setting up any claims thereto, or any part thereof of said premises and described as follows:

All of that tract of land described in Paragraph THIRD of the original bill of complaint in this cause, EXCEPT the several tracts or parcels of land sold therefrom by the said J.W. Moore, being the one and same person as J.W. Moore, Jr., and the several tracts being described in Paragraphs,

NOS. FIFTH, SIXTH, SEVENTH, EIGHTH, NINTH, TENTH, ELEVENTH, TWELFTH, THIRTEENTH, and FOURTEENTH of the original bill of complaint in this cause, and such lands remaining, are a part of the tract described in Paragraph THIRD of the original bill of complaint.

Again it is hereby further ordered, adjudged and decreed by the Court that the Register shall, within thirty days from the rendition of this decree, file a certified transcript of said decree for record in the Probate Court of Shelby County, Alabama, and to be recorded by the Probate Judge of Shelby County, Alabama.

And it is, hereby further ordered, adjudged, and decreed by the Court that the complainants are hereby taxed with the cost of this proceedings, the respondents, as named in this decree, each having suffered a decree pro confesso against himself.

Done in term time in Columbiana, Alabama, on this the 19th day of December, 1951.

L. C. Walker
Judge.

Certificate

State of Alabama,)
Shelby County.)

I, Pauline Bird, Register of the Circuit Court in and for Shelby County, Alabama, hereby certify that the above is a true and correct copy of Decree rendered in this cause on the 19th day of December, 1951, and filed in this office on that day and recorded in Minute Book 4 Page 494-495.

Witness my hand this the 26th day of February, 1952.

Pauline Bird
Register.

Filed in the office of the Probate Judge on the 26 day of Feb 1952 at 6 o'clock PM
and recorded in Book 151 Page 337 this 26 day of Feb 1952.
Deed Tax _____ Mortgage Tax _____ has been paid.

L.C. Walker, Judge of Probate