

2922

JAMES S. PLANT and wife, NORMA)	IN THE CIRCUIT COURT OF
F. PLANT,)	SHELBY COUNTY, ALABAMA,
COMPLAINANTS,)	
VS.))	IN EQUITY
MRS. GEORGE HIDES and her heirs)	
or devisees, if deceased, and)	
MYRTLE HIDES, and her heirs or)	
devisees, if deceased,)	
RESPONDENT.S.)	

This cause coming on to be heard on this the 20th day of May, 1957, is submitted for final decree upon the pleading and proof as noted by the Register, and it appears to the satisfaction of the Court:

FIRST: That the complainants, James S. Plant and Norma F. Plant at the time of the filing of their bill of complaint in this cause, claimed in their own right, a fee simple title to, and was in the actual peaceable possession of, the following described lands lying in Shelby County, Alabama, and more particularly described as follows:

SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12, Township 22, Range 3 West, Shelby County, Alabama.

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

THIRD: That the complainants' said bill of complaint was and is duly verified and was filed against said lands and against any and all persons claiming any title to, interest in, lien or encumbrance on said lands or any 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 bill of complaint did in all respects comply with the provisions of Alabama Code, 1940, Title 7, section 1117 as last amended September 12, 1951.

FOURTH: That the suit was brought against Mrs. George Hides, and Myrtle Hides, as party respondents and also the unknown heirs of said Mrs. George Hides and Myrtle Hides, if they, or either of them were deceased. And the complainants exercised due diligence to ascertain the facts with regard thereto, and that a guardian ad litem was appointed to represent the interest of such unknown heirs, and said guardian ad litem appeared and denied the allegations of the bill of complaint.

FIFTH: That the complainants, together with those through whom they claim title, have held said land under color of title and paid taxes on said land continuously for a period of ten or more consecutive years next preceding the filing of the bill of complaint in this cause, and no suit is pending to test their title to, interest in, or their right to possession of such land.

SIXTH: That notice of the pendency of the said bill of complaint was drawn and signed by the Register of this Court and said Register did have 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.

SEVENTH: 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.

EIGHTH: That it has been more than sixty days since the first publication of said notice and the filing of a certified copy of such notice in the office of the Probate Judge of Shelby County, Alabama.

NINTH: That no person has intervened in this cause.

TENTH: That the complainants have established or shown by legal evidence that they are the owners of a fee simple title to said land.

ELEVENTH: That all of the allegations of fact contained in complainants' bill of complaint are true; it is, therefore,

CONSIDERED, ORDERED, ADJUDGED AND DECREED as follows:

1. That complainants are entitled to the relief prayed for in their bill of complaint and that the fee simple title claimed by complainants in the above described case has been duly proven.
2. That the complainants are the owners of said lands, 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.
3. That a certified copy of this decree be recorded in the office of the Judge of Probate of Shelby County, Alabama, that it be indexed of James S. Plant and Norma F. Plant on both the direct index and reverse index.

4. That the complainants pay the cost of these proceedings, for which let execution issue.

Done this the 20th day of May, 1957.

s/ A. L. Hardegree

Judge

REGISTER'S CERTIFICATE

STATE OF ALABAMA

SHELBY COUNTY

I, L. G. Fulton, Register of the Circuit Court of Shelby County, Alabama, do hereby certify that the foregoing is a correct and true copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office, and the cost has been paid.

Witness my hand and seal this the 21st day of May, 1957.

L. G. Fulton
Register of Circuit Court, In Equity



State of Alabama, Shelby County

I, L. C. Walker, Judge of Probate here certify that the within Decree was filed in this office for record the 21 day of 5-22-57 May 1957 at 1 o'clock P M, and recorded in deed Record 187 Page 87 & examined L. C. Walker and the Mortgage Tax of \$ _____ Deed Tax of \$ _____ has been paid. _____ Judge of Probate
Fee \$ _____