

IN THE LAW AND EQUITY
COURT OF SHELBY COUNTY,
ALABAMA,
EQUITY DIVISION
CASE NO. 17

This cause coming on for final decree on the Bill of Complaint, answer of Credit Service Corporation, and Decree Pro Confesso by publication against the respondent land and against the other respondents to this cause, and the testimony of Willie Bush and Christine Bush taken before L. G. Fulton as commissioner in narrative form and filed in this cause, and upon the other pleadings and proof as noted by the Register, and the Court having considered and understood the same, the Court is of the opinion that the complainants are entitled to the relief prayed for in their Bill of Complaint and the same is hereby granted, it appearing to the satisfaction of the Court:

1. That the complainants Willie Bush and Christine Bush, as joint tenants with right of survivorship, at the time of the filing of the Bill of Complaint in this cause, in their own right, claimed and owned a fee simple title in and to the following described property:

Begin at the northeast corner of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31, Township 20 South, Range 2 East and run thence north 89 deg. 09 min. West, 80.2 feet; thence south, 36 deg. 26 min. west, 196.8 feet; thence south, 33 deg. 14 min. west, 154.0 feet; thence south, 22 deg. 13 min. west, 385.7 feet to the northeast corner of the Wallace lot; thence along the east line of said Wallace lot run south, 14 deg. 47 min. west 210 feet to the point of beginning of the lot herein described; thence run along the south line of said Wallace lot north, 72 deg. 13 min. west, 420 feet to the southwest corner of said Wallace lot; thence South, 14 deg. 47 min. west 105 feet; thence south, 72 deg. 13 min. east, run 420 feet to the westerly right of way line of Ala. Highway 25; thence along same in a northeasterly direction 105 feet to the point of beginning, subject to Alabama Power Company transmission line easement.

That said Willie Bush and Christine Bush were at the time of the filing of said Bill of Complaint in the actual, peaceable, possession of said property, and that said Willie Bush and Christine Bush now hold, and they and those through whom they claim, have held color of title to the said property for a period of more than ten consecutive years next preceding the filing

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of said Bill of Complaint and have regularly assessed and paid taxes on said property during the whole of such period of time, and that no other person or corporation has paid taxes thereon during any part of said period.

2. That at the time of the filing of said Bill of Complaint no suit was pending to test the title to, interest in, or right to possession of said property of the said Willie Bush and Christine Bush.

3. That the said Bill of Complaint was and is duly verified and was filed against said property and against any and all persons or corporations claiming any title to, interest in, lien or encumbrance on said real property or any part thereof and was filed to establish the complainants's right of title to such real property, or interest, and to clear up all doubts and disputes concerning the same, and that said Bill of Complaint did in all respects comply with the provisions of Code of 1940, Title 7, Section 116 et seq. as amended.

4. That the complainants have exercised due diligence in trying to locate any and all parties claiming any interest in or to the said property and that the interests of all the parties owning any interests in the said property before the Court, said parties all being brought before the Court in strict accord and compliance with Code of 1940, Title 7, Section 1118, as amended.

5. That notice of the pendency of the said Bill of Complaint was drawn and signed by the Register of this Court and that said Register did have said notice published once a week for four consecutive weeks in the Shelby County Reporter, a newspaper having general circulation and published in the County of Shelby, Alabama, and authorized by law to receive and publish legal advertisements, where the said real property described in the Bill of Complaint lies and also by posting a copy of said notice at the Courthouse of Shelby County, Alabama, immediately after drawing and signing the same, and by filing a copy of said notice certified by the Register as being correct in the Office of the Judge of Probate of Shelby County, Alabama, immediately after drawing and signing the same, and having said filed copy of said notice recorded in a lis pendens in said Office of the Judge of Probate of Shelby County, Alabama, said notice being in strict accord and compliance with Code of 1940, Title 7, Section 1121, as amended, and recorded

in strict accord and compliance with Code of 1940, Title 7, Section 1120.

6. That on the filing of said Bill of Complaint heretofore filed in this cause, a guardian ad litem was duly appointed by the Register of this Court to represent and defend the interest of any of the parties who may be infant, lunatic, or who may be unknown in this proceeding in strict accord and compliance with Code of 1940, Title 7, Section 1117(1).

7. That more than sixty days have expired from the first publication of the said notice and from the filing of the said certified copy of said notice in the Probate Court of Shelby County, Alabama, and that all respondents have answered or have suffered decree pro confesso to be taken against them and that at least one day has elapsed since the rendition of said decree pro confesso; that no demurrers have been filed against the said Bill of Complaint; that the said guardian ad litem has answered the Bill of Complaint; that no person or corporation has intervened in this said cause.

8. That the allegations of fact contained in said verified Bill of Complaint are true and that any title of the respondents in and to the subject property, if any they ever had, has been defeated by adverse possession or by repose.

It is therefore, ordered, adjudged, and decreed by the Court that title be and the same is hereby quieted in rem in Willie Bush and Christine Bush, as joint tenants with right of survivorship, and their heirs, devisees, or assigns, to the following described property:

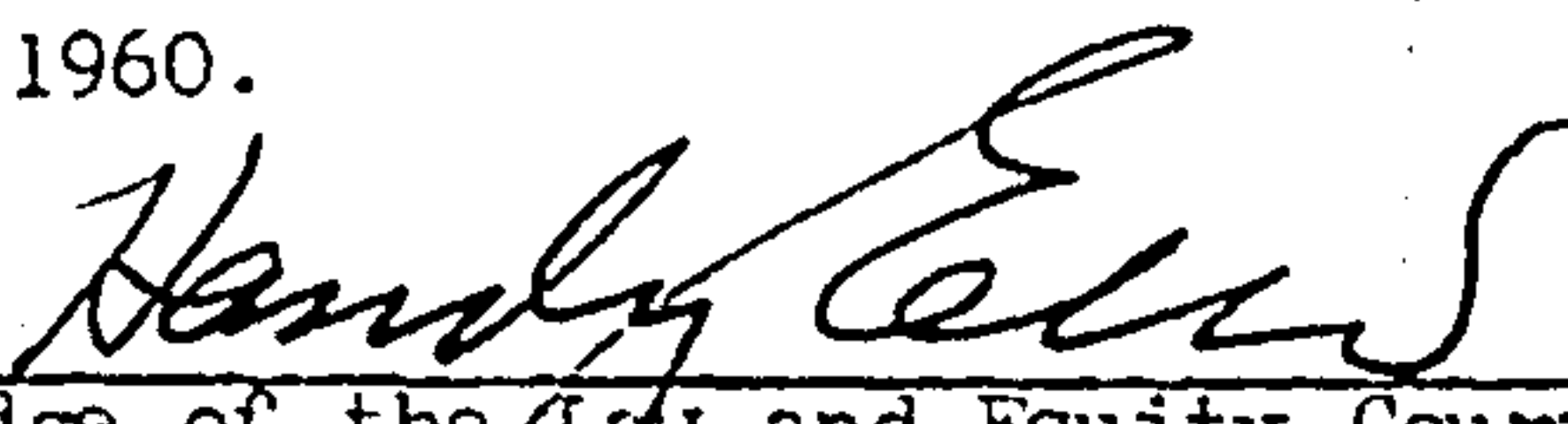
Begin at the northeast corner of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31, Township 20 South, Range 2 East and run thence north 89 deg. 09 min. West, 80.2 feet; thence south, 36 deg. 26 min. west, 196.8 feet; thence south, 33 deg. 14 min. west, 154.0 feet; thence south 22 deg. 13 min. west, 385.7 feet to the northeast corner of the Wallace lot; thence along the east line of said Wallace lot run south, 14 deg. 47 min. west 210 feet to the point of beginning of the lot herein described; thence run along the south line of said Wallace lot north, 72 deg. 13 min. west, 420 feet to the southwest corner of said Wallace lot; thence South, 14 deg. 47 min. west 105 feet; thence south, 72 deg. 13 min. east, run 420 feet to the western right of way line of Ala. Highway 25; thence along same in a northeasterly direction 105 feet to the point of beginning, subject to Alabama Power Company transmission line easement, free of all other title, liens, interest, or encumbrances.

It is further ordered, adjudged, and decreed by the Court that the respondents to this cause have no title to, interest in, or lien or encumbrance on said property or any part thereof, and they are forever enjoined from claiming any interest whatsoever in and to said property, not acquired hereafter, adverse to said Willie Bush and Christine Bush, their heirs, devisees, or assigns.

It is further ordered, adjudged, and decreed by the Court that this decree be recorded by the Register in the Office of Judge of Probate, Shelby County, Alabama and that it be indexed in the names of Joseph Meyer, C. J. Christian, C. W. Riddle, Bama Crutchfield, Maggie Mae Jenkins, Mae Crutchfield, Oscie Crutchfield, William Crutchfield, Robert Crutchfield, and Credit Service Corporation, Mona Crutchfield Barton, Jeff Crutchfield, on both the direct index and the indirect index, and that the recording fee be taxed as part of the costs in this cause.

It is further ordered, adjudged and decreed by the Court that the costs in this proceeding, including a fee of Ten (\$10.00) Dollars to be paid to the guardian ad litem for his services in this cause, which said sum of Ten (\$10.00) Dollars is considered by the Court to be a reasonable fee for said guardian ad litem for said services, be and the same are hereby taxed against complainants Willie Bush and Christine Bush, for which let execution issue.

Done this 14th day of May, 1960.


Judge of the Law and Equity Court of
Shelby County, Alabama

STATE OF ALABAMA
SHELBY COUNTY


I. L. G. Fulton, Register of the Law and Equity Court of Shelby County, Alabama, do hereby certify that the foregoing is a true and correct copy of the original decree entered and rendered by the Judge of the Law and Equity Court of Shelby County, Alabama, in the above styled cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the 13th day of May, 1960.

Register of the Law and Equity Court of
Shelby County, Alabama

STATE OF ALABAMA }
SHELBY COUNTY }

I, Conrad M. Fowler, Judge of Probate hereby
certify that the within Decree was
filed in this office for record the 19 day
of May 1960 at 9 o'clock A.M.
and recorded in Book 5 Record 228
page 212 and examined 5-24-60
and the Mortgage Tax of \$
Deed Tax of \$ has been paid.


Judge of Probate

Fee \$2.25