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JAMES ROY BRANHAM and
BOBBIE BRANHAM,

Complainants

vs

THOMAS BRANHAM, ET AL.,

Respondents

:
: IN THE CIRCUIT COURT OF THE
:
: EIGHTEENTH JUDICIAL CIRCUIT
:
: OF ALABAMA, IN EQUITY
:
: CASE NO. 4 5 2 2

FINAL DECREE

THIS CAUSE coming on to be heard on this day was submitted for final decree upon complainants' verified bill of complaint, decree pro confesso, the pleadings, and proof as noted;

Upon consideration thereof, the Court finds as follows:

First: That the complainants, James Roy Branham and Bobbie Branham, 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 were in the actual peaceful possession of, the following described lands, situated in Shelby County, Alabama, to-wit:

Commence at the Southwest corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 26, Township 17, Range 1 E. Thence East along the Section line 1700 feet; thence North parallel with the West boundary line of said Forty 990 feet; thence West parallel with the North boundary line 1700 feet to the West boundary line of said Forty; thence South along the West boundary line of said Forty 990 feet to the Southwest corner of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ (the point of beginning).

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

the right to possession of said lands.

Third: That said bill of complaint was duly verified and was filed against said lands and against any and all persons claiming any right, title, or 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 Code 1940, Title 7, Section 1117.

Fourth: That the complainants exercised diligence to ascertain the names of the unknown parties respondent and that such unknown parties were represented herein by a guardian ad litem appointed by this Court.

Fifth: That notice of the pendency of said bill of complaint was drawn and signed by the Register of this Court and said Register did have such 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, as prescribed by rule of this Court.

Sixth: That a copy of said notice certified by the Register as being correct was recorded as lis pendens in the Office of the Probate Judge of said County, said notice being in strict accord and compliance with Code 1940, Title 7, Section 1121.

Seventh: That it has been more than 60 days since the first publication of said notice and the filing of a certified

copy of said notice in the Office of the Probate Judge of said County.

Eighth: That the respondents Gertrude Branham, Walter Ellis Branham, Vera G. Branham and Dovie Branham, have filed an answer in which they disclaim any right, title, or interest, or claim in, or to, said real estate described in the bill of complaint. And that no person has intervened in this cause.

Ninth: That the deeds referred to in Paragraph 5 of the bill of complaint recorded, respectively, in Deed Book 194, Page 439, Deed Book 194, Page 440, and Deed Book 216, Page 896, in the Office of the Probate Judge of Shelby County, Alabama, erroneously described the lands which are the subject matter of the suit, as being situated in Jefferson County, Alabama, when in truth and in fact, said lands are situated in Sholby County, Alabama, and that said deeds should be reformed by this Court.

Tenth: That all of the allegations of fact contained in complainants' bill of complaint are true.

It is, therefore by the Court

ORDERED, ADJUDGED and DECREED:

(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 lands has been duly proven.

(2) That the complainants as joint tenants with right of survivorship are the owners of said lands and have a fee

simple title thereto, free of all liens and encumbrances, except taxes due for the current tax year and that their said title thereto be and is hereby established and that all doubts and disputes concerning the same be and they are hereby cleared up.

(3) That the following deeds, namely: Deed dated August 2, 1958, executed by E. A. Branham and his wife, Dovie Branham, to the complainants, recorded in Deed Book 194, Page 439, in said Probate Office; Deed dated August 2, 1958, executed by E. A. Branham and his wife, Dovie Branham, to Thomas Branham, recorded in Deed Book 194, Page 440 in said Probate Office; and Deed dated June 14, 1961, executed by Thomas E. Branham and wife, Gertrude, to the complainants, recorded in Deed Book 216, Page 896, in said Probate Office, are hereby reformed by striking out Jefferson County wherever the same appears therein and substituting Shelby County.

(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 James Roy Branham and Bobbie Branham on both direct index and indirect index of the record thereof.

(5) That the guardian ad litem be allowed a fee of *Fifty dollars (\$50⁰⁰)* which shall be taxed as part of the cost hereof.

(6) That complainants pay the cost of these proceedings, for which let execution issue.

DONE this the 11 day of June, 1963.

A.L. Hardegree
Circuit Judge - Sitting in Equity

Filed in office this 11 day of June, 1963
L. L. Sullivan
Register in Chancery, Shelby County, Ala.

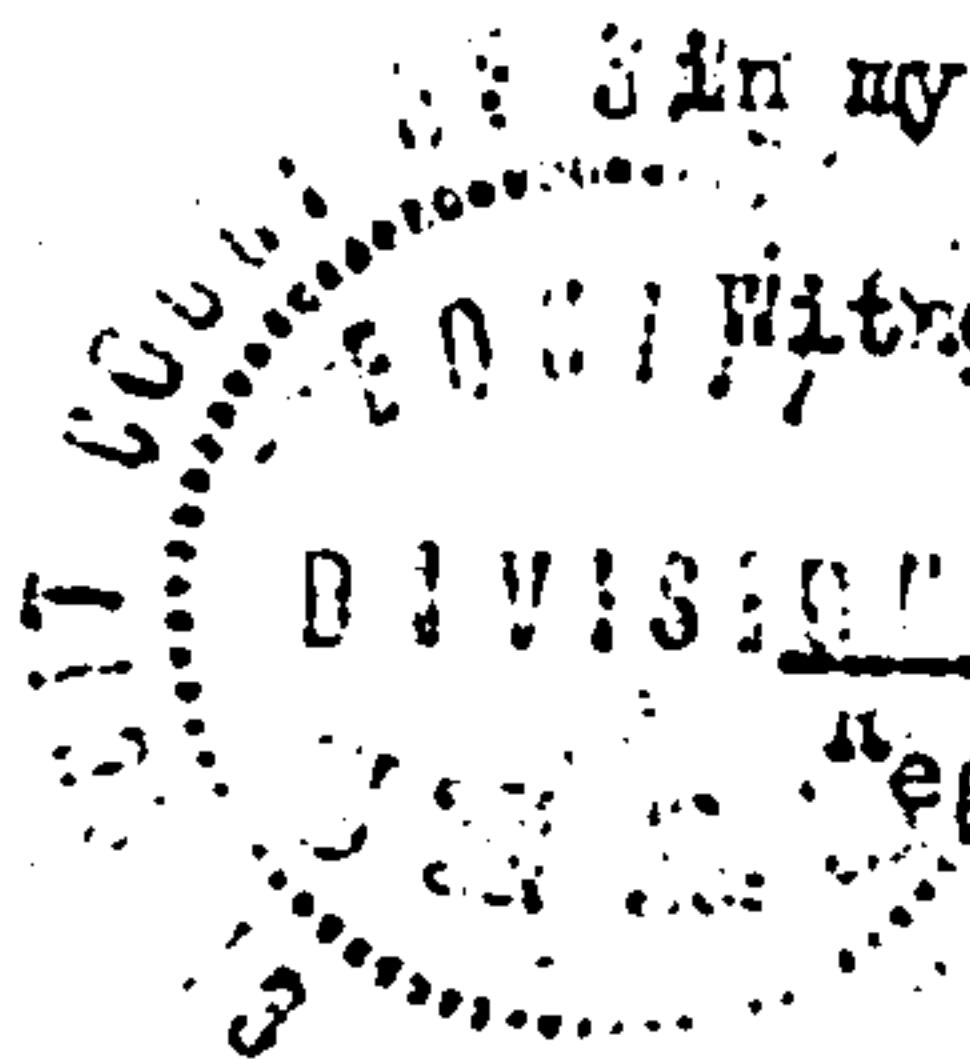
Registers certificate

I, L.G. Fulton, Register of the Circuit Court for Shelby County, Alabama, do hereby certify that the foregoing is a correct 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.

Witness my hand and seal this 12th day of June, 1963

L. G. Fulton

Register of Circuit Court, in Equity



STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON *8/12/63*
6/12/63
RECORDED & \$..... TAX
& \$..... DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Conrad M. Jacobs
JUDGE OF PROBATE