4637

FINAL DECREE

HARRIS MILTON GORDON, RUTH LUCK GORDON,
and CLARICE WHITE LUCK,

Complainants,

vs

IN THE SHELBY COUNTY LAW AND

EQUITY COURT, EQUITY DIVISION

CASE NO 628

The following described tract of land:
The South 30 acres of the NE¼ of SW¼ of
Section 5, Township 24 North, Range 13 East,
Shelby County, Alabama; and Unknown heirs at
law and next of kin or devisees of John W. Hardy, deceased;
Unknown heirs at law and next of kin or devisees of
Samuel M. Pickler, deceased; Unknown heirs at law and
next of kin or devisees of A. L. Taylor, deceased; and
B. F. Killingsworth or if deceased, his heirs or devisees;

Respondents.

This cause coming on to be heard on this the 18th day of June, 1965, is submitted for final decree upon complainants' verified bill of complaint upon the decree pro confessos rendered herein and upon the testimony of Harris Milton Gordon, Karl C. Harrison and Philip J. Kyser taken before a commissioner by order of the Court, and the certificate of the Register, all of which is as noted by the Register, and it appears to the satisfaction of the Court:

First. That the complainants, Harris Milton Gordon, Ruth Luck Gordon, and Clarice White Luck, 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 the County of Shelby, State of Alabama, and more particularly described as follows:

The South 30 acres of the NE¼ of SW¼ of Section 5, Township 24 North, Range 13 East.

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

Third. That their 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 land 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 Code 1940, Title 7, Section 1117 as recompiled.

Fourth. That the names of/some and the addresses of none of the parties respondent were known to complainants, and that they exercised diligence to ascertain the facts with regard thereto.

Fourth & one-half. That the complainants have assessed said land for ad valorem taxes for more than ten years next preceding the filing of the bill and no one else has assessed the same.

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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, or by an order made in this cause.

Sixth. 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, said notice being in strict accord and compliance with Code of Alabama 1940, Title 7, Section 1121 as Recompiled.

Seventh. That it has been more than sixty 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 no person has intervened in this cause.

Ninth. That all of the allegations of fact contained in complainants' bill of complaint are true. It is, therefore,

Ordered, adjudged and decreed by the court 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 lands 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 up.

3. 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 Harris Hilton Gordon, et al on both the direct index and the indirect index of the record thereof.

4. That complainant pay the costs of these proceedings, for which let execution issue.

Done this the 18th day of June, 1965.

Judge

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FILED IN OFFICE this 15 day of June 1965

E. Office [illegible] County,
Law and Equity Court

Register's Certificate

State of Alabama,) In the Shelby County Law and Equity Court,
Shelby County.) In Equity, Case No. 628

The undersigned Deputy Ex-Officio Register of the Shelby County Law and Equity Court of Shelby County, Alabama, does hereby certify that the attached and foregoing two pages contain a true and correct copy of the Final Decree rendered by said Court in the therein stated cause, the original remaining of record and on file in my office.

Witness my hand and seal, this 24th day of June, 1965.

Deputy Ex-Officio Register, Shelby County Law and Equity Court.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 6-25-1965
RECORDED
& $ TAX
PD. ON
JUDGE OF PROBATE

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