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MARY ELIZABETH HOWTON,)	IN THE LAW AND EQUITY COURT
COMPLAINANT)	OF
VS.)	SHELBY COUNTY, ALABAMA
ETHEL JOHNSON, BURNELL)	EQUITY CASE NO. 409
HOLCOMBE, JAMES A. JOHNSON,)	
MAURIE TRIPLETT, JEFF T.)	
JOHNSON, WINONA PRICE, and)	
KAROL CHESSEY,)	
RESPONDENTS)	

FINAL DECREE

This cause coming on for Final Decree on the Bill of Complaint, as amended, and upon the other exhibits, pleadings, and proof, as noted by the Register, and the Court having considered and understood the same, makes the following findings of fact, viz.:

1. That the allegations of fact made and alleged in this cause in the Bill of Complaint, as amended, are true and correct.

2. That the Complainant, Mary Elizabeth Howton, is in the peaceable possession of the following described real property, situated in Shelby County, Alabama, to-wit:

All lying North of the Florida Short
Route Highway right of way (said highway
also being known as Highway 91) of the
East Half of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25,
Township 19, Range 1 West,

claiming to own said property in her own right in fee simple, as devisee under the Last Will and Testament of Martha V. Todd, deceased, a certified copy of said Last Will and Testament of Martha V. Todd, deceased, being recorded in Deed Book 225 at page 456-459, Office of Judge of Probate of Shelby County, Alabama, said Martha V. Todd having hold her title in and to said property under Warranty Deed from George Huddleston and wife, Bertha Huddleston, said deed having been recorded on July 20, 1948, in Deed Book 132 at page 334, Office of Judge of Probate of Shelby County, Alabama; that said Complainant, Mary Elizabeth Howton, and her said predecessor in title, Martha V. Todd, have been in the peaceable possession of said property since, to-wit, prior to July 20, 1948, and until the present date.

3. That the Respondents' claim to said property is by virtue

of a sale of said property for non-payment of 1957 ad valorem taxes under assessment "owner unknown, by Tax Collector", J. T. Johnson having been the purchaser at said tax sale, as shown by Tax Sale Record 15 at page 184, Office of Judge of Probate of Shelby County, Alabama, and by subsequent Tax Deed to said Respondents dated July 6, 1961, as shown by Tax Deed recorded in Deed Book 216 at page 336, Office of Judge of Probate of Shelby County, Alabama. That neither said J. T. Johnson, nor said Respondents, Ethel Johnson, Burnell Holcombe, James A. Johnson, Maurie Triplett, Jeff T. Johnson, Winona Price, and Karol Chesser, or either of them, have ever been in the actual possession of said property, or any part thereof, and that the validity of the Respondents's right, title, interest, or claim in and to said property has not been proved.

4. That no suit was pending to enforce or test the validity of the title, claim, or encumbrance of the Respondents upon the said property at the time of the filing of the Bill of Complaint in this cause, and that the Complainant has offered to do equity in this cause and is entitled to redeem said property from said Tax Sale aforesaid and through which the said Respondents claim their interest in this cause.

And the Attorney for the Complainant and the Attorneys for the Respondents appearing in open Court and making known to the Court that the parties to this cause have all agreed that the amount necessary by the Complainant to redeem said property from the said Tax Sale is the sum of \$250.00 and that said Complainant has now delivered said sum to said Respondents, and the Court now determines that said amount of \$250.00 is just and reasonable in and is the correct and proper amount to redeem said property these premises and that said settlement between and among said Complainant and said Respondents is by the Court ratified, confirmed, and approved.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the Court as follows:

1. That the Complainant, Mary Elizabeth Howton, is the owner of the following described property, viz.:

All lying North of the Florida Short Route Highway right of way (said highway also being known as Highway 91) of the East Half of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25, Township 19, Range 1 West.

2. That the Respondents, having received payment from the Complainant of the amount necessary to redeem said property from the tax sale through which said Respondents claim their title or interest in said property, now and hereafter have no right, title, or interest in or encumbrance upon said property, or any part thereof, and that said Tax Deed recorded in Deed Book 216 at page 336, Office of Judge of Probate of Shelby County, Alabama, conveying said property to said Respondents is, and the same is hereby declared, annulled, cancelled, and held for naught, and all property conveyed by said deed to the Respondents is divested from said Respondents and invested in the Complainant.

3. That a certified copy of this Decree be recorded by the Register in the Office of the Judge of Probate of Shelby County, Alabama, and that it be indexed in the names of the Complainant and the Respondents to this cause on both the direct and indirect indexes.

4. That the costs of Court in this proceeding be, and they are hereby, taxed against the Respondents, for which execution may issue.

DONE AND ORDERED this 22nd day of February, 1966.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 3/1/66

S/ Handy Ellis
Judge

RECORDED & INDEXED
& \$... TAX
PD. CH. T. INSTRUMENT.

JUDGE OF PROBATE

STATE OF ALABAMA
SHELBY COUNTY

The undersigned Register of the Law and Equity Court of Shelby County, Alabama, does hereby certify that the foregoing is a true copy of the original Decree rendered by said Court in the above stated cause, on the 22nd day of February, 1966, as the same appears of record and on file in my office.

Witness my hand and seal this 22nd day of February, 1966.

Register

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