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

FINAL DECREE

This cause coming on for final Decree on the Bill of Complaint, .

as emended, and upon the other exhibits, pleadings, and proof, as

noted by the Register, and the Court having considered and under
stood the same, makes the following findings of fact, viz.:

- l. That the alegations of fact made and alleged in this cause in the Bill of Complaint, so emended, are true and correct.
 - 2. That the Complainant, Mary Elizabeth Howton, is in the peacoable peaceasion 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 NEt of NWi of Sedtion 25, Township 19, Range 1 West,

claiming to don said proporty in her own right in fee simple, as devises under the Lest will and Testament of Martha V. Todd, decoased, a certified copy of said Last will and Testament of Martha V. Todd, decoased, being recorded in Deed Book 225 at page 456-459, Office of Judge of Probate of Shelby County, Alabama, said Martha V. Todd having held her title in and to said property under warranty Deed from George Huddlesten and wife, Bortha Huddlesten, said deed having been recorded on July 2D, 1943, 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's claim to said property is by wirtue

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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, Mauria Triplett, Jeff T. Johnson, Winona Price, and Karol Chasser, 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 daim their interest in this cause.

And the Attorney for the Complainant and the Attorneys for the Respondents eppearing 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.

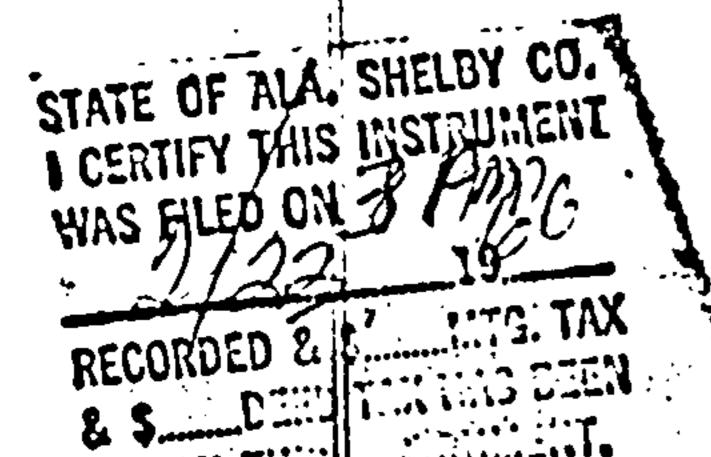
IT IS, THEREFORE, CONSIDERED, GRDERED, ADJUDGED, AND DECREED by the Court as Follows:

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 NEt of NWt 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 diverted 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.



- S/ Handy Ellis Judge

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 esal this 22nd day of a conty, 1966.

Register

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