

HENDERSON REEVES

and FLORA REEVES,

COMPLAINANTS

VS.

A. R. THORNHILL, and his heirs or
devisees, if deceased; EMMA PEARL
THORNHILL, and her heirs or devisees;
if deceased; CHARLES HENRY WALTON,
and ESSIE MAE FRANKLIN,

RESPONDENTS

IN THE LAW AND EQUITY COURT

OF SHELBY COUNTY, ALABAMA

EQUITY CASE NO. 822

FINAL DECREE

This being the date and time set heretofore by the Court for trial of the above styled cause, and said cause coming on for final decree upon the testimony of witnesses taken ora tenus in open Court, on the Bill of Complaint, as amended, and upon the other pleadings and proof as noted by the Register, and the Court having considered and understood the same, is of the opinion that the Complainants are entitled to the relief prayed for in their Bill of Complaint, as amended, it appearing to the satisfaction of the Court as follows:

1. That the Complainants, Henderson Reeves and Flora Reeves, at the time of the filing of the Bill of Complaint in this cause, in their own right, claimed and owned, as against the Respondents to this cause, a fee simple title in and to the following described real property, viz.:

A lot in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20, and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 29, Township 19 South, Range 1 East, Shelby County, Alabama, described as follows:
Begin at the SW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20, Township 19 South, Range 1 East; thence run North along the West line of said quarter-quarter section a distance of 44.72 feet, to the South Right of Way line of U. S. Highway No. 280; thence turn an angle of 91 deg. 59 min. 30 sec. to the right and run East along said Right of Way line a distance of 99.56 feet; thence turn an angle of 87 deg. 22 min. to the right and run South a distance of 43.36 feet, to the South line of Section 20; thence continue in the same direction a distance of 800.43 feet to an old fence; thence turn an angle of 91 deg. 51 min. to the right and run West along said old fence a distance of 100.0 feet to the West line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 29, Township 19 South, Range 1 East; thence turn an angle of 88 deg. 09 min. to the right and run North along the West line of said quarter-quarter section a distance of 800.43 feet to the point of beginning, according to survey of Frank W. Wheeler, Registered Land Surveyor, dated March 2, 1966.

Being the same property heretofore conveyed by B. H. Green and wife, Mamie Green, to James Cook and Henderson Reeves by deed dated October 31, 1953, and recorded in Deed Book 165 at page 32, Office of the Judge of Probate of Shelby County, Alabama.

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2. That said Complainants, Henderson Reeves and Flora Reeves, were, at the time of the filing of said Bill of Complaint in this cause, in the actual, peaceable, exclusive, adverse possession of all of said property, and that the title to the said real property stood, at the time of the filing of said Bill of Complaint, upon the records of the Judge of Probate of Shelby County, Alabama, in the names of said Henderson Reeves and Flora Reeves under the Warranty Deed from B. H. Green and wife, to James Cook and Henderson Reeves dated October 31, 1953, and recorded in Deed Book 165 at page 32, Office of Judge of Probate of Shelby County, Alabama, and upon a subsequent deed from said James Cook^{and wife} to Henderson Reeves and Flora Reeves dated August 24, 1961, and recorded in Deed Book 217 at page 7 in said Probate Office; that said Henderson Reeves and Flora Reeves, and their predecessor in title to an undivided interest in and to said property, said James Cook, have held color of title to all of said real property, claiming to own all of said real property, for a period of ten or more consecutive years next preceding the filing of said Bill of Complaint in this cause, and have been in actual, peaceable, exclusive, notorious, continuous, open, hostile, adverse possession of all of said real property during said ten or more consecutive years next preceding the filing of said Bill of Complaint; that no person or corporation other than said Henderson Reeves and Flora Reeves possessed, at the time of the filing of the Bill of Complaint in this cause, said real property, or any part thereof; and that no person or corporation other than said Complainants, Henderson Reeves and Flora Reeves, and their predecessor in title to an undivided interest in and to said property, said James Cook, has possessed, during the consecutive ten year period next preceding the filing of said Bill of Complaint,^{or} during any part of said consecutive ten year period, said real property or any part thereof.

3. That taxes on all of said real property have been regularly assessed and paid by said Henderson Reeves each and every year for the whole of the consecutive ten year period next preceding the filing of said Bill of Complaint in this cause, and that no other person or corporation other than said Henderson Reeves has assessed or paid taxes on said property, or any part thereof, during any part of said consecutive ten year period next preceding the filing of said Bill of Complaint.

4. That none of the Respondents to this cause have had any possession whatsoever of said real property, or any part thereof, during the ten year period next preceding the filing of the Bill of Complaint in this cause, and that neither of said Respondents has any interest whatsoever in said real property.

5. That said Respondents claimed, or were reputed to claim some right, title, or interest in or encumbrance upon said real property at the time of the filing of the Bill of Complaint in this cause, but that said Respondents, after having been duly notified in this cause, as provided by law, have failed to set forth, specify, and prove their title, claim, interest, or encumbrance, and how and by what instrument the same was derived or created. That at the time of the filing of the Bill of Complaint in this cause, no suit was pending to enforce or test the validity of the right, title,^{claim,} or encumbrance of said Respondents^{or of said Complainants} in and to the said real property.

6. That the allegations of fact contained in said Bill of Complaint, as amended, are true and correct.

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

A. That the Complainants, Henderson Reeves and Flora Reeves, are the owners of the said real property described above more particularly in paragraph No. 1. of this Decree.

B. That the Respondents, A. R. Thornhill, and his heirs or devisees, if deceased, Edna Pearl Thornhill, and her heirs or devisees, if deceased, Charles Henry Walton, and Essie Mae Franklin, have no right, title, claim, or interest in or encumbrance on said real property, or any part thereof, and that, as between said Complainants and said Respondents, the Complainants are the owners of said property.

C. That a copy of this Decree, certified by the Register as being a true and correct copy of this original Decree entered in this cause, be recorded by the Register in the Office of the Judge of Probate of Shelby County, Alabama, and that it be indexed in said Probate Office in the names of the Complainants and the Respondents on both the direct indexes and the indirect indexes.

and they are hereby

D. That costs in this cause be taxed against the Complainants, Henderson Reeves and Flora Reeves, for which let execution issue.

DONE AND ORDERED this 15th day of November, 1966.

S/ Frank C. Ellis, Jr.

Special Judge

Ex-Officio Register of
Law and Equity Court of Shelby County

Clerk

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FILED IN OFFICE
Nov 15 1966
day of

STATE OF ALABAMA

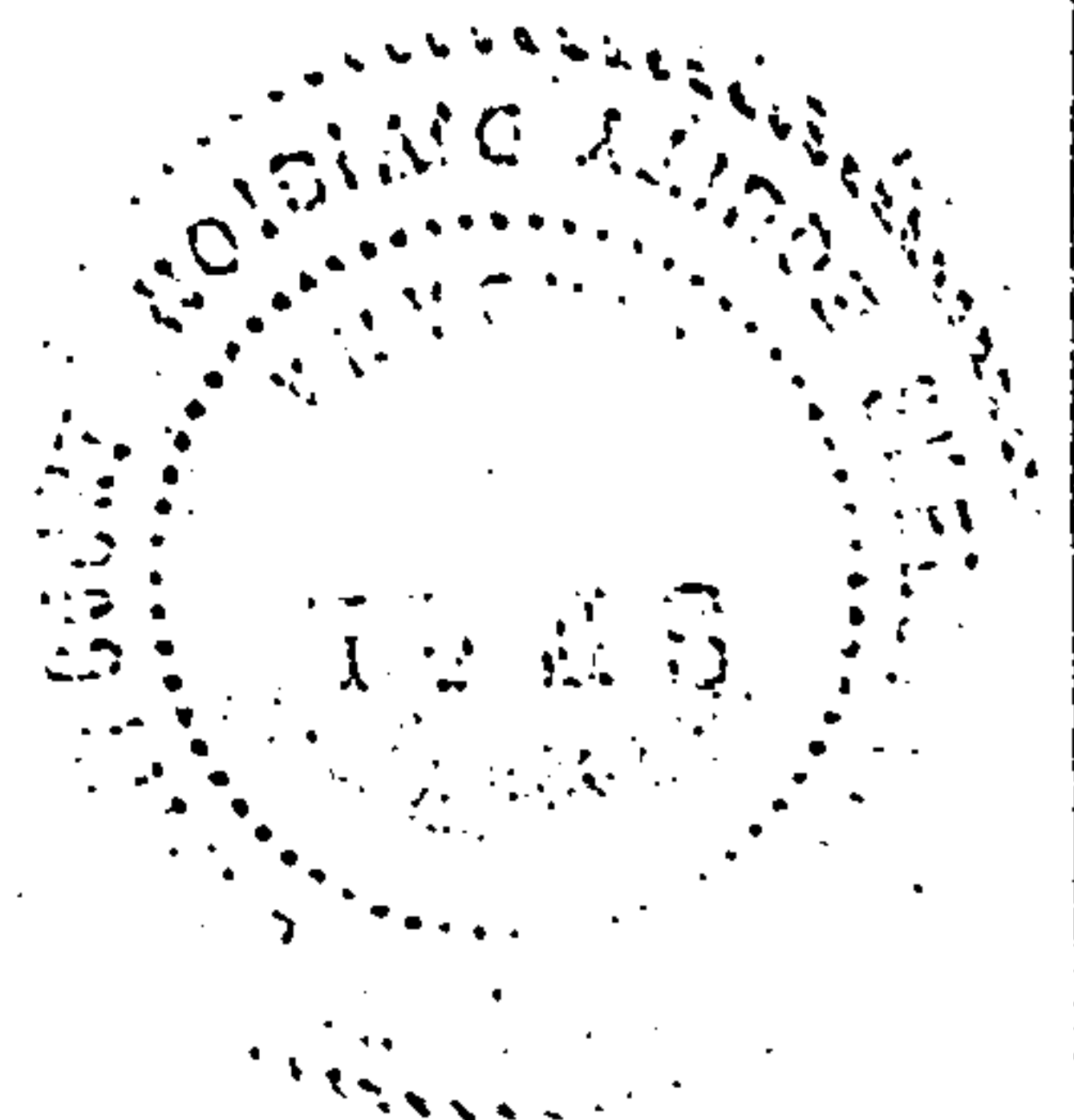
SHELBY COUNTY

I, L. G. Fulton, Register of the Law and Equity Court of Shelby County, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the original Decree entered and rendered by/a Special Judge of the Law and Equity Court of Shelby County, Alabama, in the above styled cause on the 15th day of November, 1966, which said Decree is on file and enrolled in my office.

Witness my hand and seal this the 15th day of November, 1966.

L. G. Fulton

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



STATE OF ALA., SHELBY CO.,
I CERTIFY THIS INSTRUMENT
WAS FILED ON *8 PM*

11-30 19 *66*

RECORDED & \$ *1.00* TAX

\$ *1.00* DEED TAX
PD. ON THIS INSTRUMENT

Conrad M. Fowler

JUDGE OF PROBATE