

5107
Mary Emma Anderson,

Complainant,

IN THE SHELBY COUNTY LAW & EQUITY COURT
EQUITY DIVISION, CASE NO. 436

vs

Certain Lands, and R. L. Holcombe, et al,

Respondents.

This cause coming on to be heard on this the 16th day of June
1967
~~1966~~, is submitted for final decree upon complainant's verified bill of complaint upon the decree pro confessor rendered herein and upon the testimony of C. O. Chambless, Z. S. Cowart and Karl C. Harrison taken orally before the Court 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 complainant, Mary Emma Anderson, at the time of the filing of her bill of complaint in this cause, claimed in her 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:

Lots 10 and 11, Block 45; Block 56; Block 59; Block 60; Lots 9-16, both inclusive, Block 68; Lots 9-16, both inclusive, Block 69; Lots 1-10, both inclusive, Block 72; Lots 9-12, both inclusive, Block 81; Lots 9 Block 87; Lots 1-2, both inclusive, Block 106; Block 119; Lots 1-30, both inclusive, Block 127; Block 133; Lots 13-22, both inclusive, Block 143; Block 152; Block 153, Block 154 and Block 160; Lots 2 and 3, Block 158; Block 162; Block 163; Block 164; Block 165; Block 166; Block 167; Block 169 and Block 170; Lots 5-12, both inclusive, Block 172; Lots 1, 4, 5, 6, 7 and 8 Block 176; Block 178; Block 181; Block 183; Block 184; Block 186; Lots 2-11, both inclusive, Block 190; Lots 7, 8, 9, 10, 11, 12, 13 and west 90 feet of Lots 14-16, both inclusive, Block 192; Lots 1, 2 and 4-11, both inclusive, and Lots 13-24, both inclusive, all in Block 200; Lots 4, 6 and 7 in Block 202; Lots 2 and 7-12, both inclusive, Block 203; Lots 1, 2, 4 and lots 7-10, both inclusive, Block 204; Lots 2-12, both inclusive, and Lots 18, 19, 20 and 24, Block 205; Block 206; Lots 2-7, both inclusive, and Lots 9-16, both inclusive, Block 208; Lots 1-6, both inclusive, and lots 9-16, both inclusive, Block 211; Block 213; Lots 2-14, both inclusive, and lots 16, 17 and 18, Block 215; Block 217; Block 219, Block 221 and Block 227; all of Block 239, except that part of said Block that lies within the S $\frac{1}{2}$ of NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2, Township 24 North, Range 13 East; and all of Block 245; all above according to J. H. Dunstan's map of the town of Calera, Alabama, excepting easements to Alabama Power Company and excepting rights-of-ways to Shelby County and State of Alabama for roads.

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

Third. That her 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 the Code of 1940 Title 7, Section 1117 as recompiled.

Fourth. That the following respondents were found to be over the age of 21 years and their addresses were known and the same were served by personal service, namely: R. L. Holcombe, W. H. Crawford, who has since died, Cecil R. Wells, Willie S. Lokey, A. P. Longshore, Jr., John H. Peters, Jr., R. Julius Pilgreen, Jr., First National Bank of Birmingham, as Trustee of the Estate of W. C. Gewin, deceased, who filed a disclaimer, Joy C. Comer, A. W. Compton, J. Vidmer Compton, Annie C. Jones, William H. Compton, Richard H. Compton, Gertrude Compton, Frances Underwood, Mixon Underwood, Anna Barbara Schoettlin, Paul Littleton, Lois Evalyn Littleton, Arthur Jones, Arthur Greenwood, Robert Reed, W. E. Phillips, Mrs. Clara Jagelin, S. Tobia, Susie B. Williams, Annie Brooks, J. W. McDonald and Raymond J. Fricke and Paul G. Parsons, who filed a disclaimer,

That respondent Twin Oaks Land Company is a dissolved corporation and its stock was all owned by J. C. Anderson, now deceased, and whose sole devisee is Mary Emma Anderson; James O. Anderson, Jr.; and Willie L. Chambless, now deceased, whose sole devisee was C. O. Chambless, who is also now deceased, but who was served and a decree pro confesso taken against him before his death;

That after most reasonable and diligent search and inquiry the following named persons respondents were not located and it was not determined whether or not they are living or dead, and if living, what their ages and addresses are at the present time and if deceased, the names, ages and addresses of their heirs or devisees, and the same were unknown; said persons being: Russell R. Hetz, O. C. Moor, J. H. McNeil, J. A. Bowers, Mrs. Charles Montgomery, J. E. Laiseau, H. G. Schoenherr or Herman Schoenherr, P. W. Hull, Paul Bulkie, L. N. Nabors, J. H. Roll, Josie Head, George Head, P. D. Dooley, Clara Rainbow or Clara Rainbaugh, C. W. Jaisle, K. M. Johnson, M. M. Barron, Marie C. Barron, G. F. Davidson, John Schoettlin, Connie B. Warrick, C. W. Mathison, Fred Blum, J. W. Brownmaster or Baumeister, J. Reese Adams, Dr. E. E. May, J. A. Frye, J. E. Chiner, C. H. Brown, M. L. Brown, Hattie D. Causey, Irby Zeigler, W. H. Martin, Alexander Jones, M. L. Brown, Alexander Schoettlin, Dave Miller, W. P. Eason, Lessie Beasley, Peter Gavatoos, Abraham Bernstein, Henrietta Gore, Douglas Logan, Mrs. W. L. Lavender, Mrs. Blanche Sorrell, Frank Gill, E. N. Culberson, Nick Derzis, A. F. Duder, G. Papas, Salem Deep, J. W. Bevis, J. B. Chamberlain, F. L. Hullett, Frank L. Hullett, Daisy W. DeRamus, C. U. Brooks, J. S. Ireland, C. H. Brown, W. E. Laiseau, Mrs. Mimi B. Laiseau, Nick Graves, C. C. Fleming, M. B. Smith, G. K. Gramatikakis or George Gramatikakis, George Cavalos or Cavalos, Albert G. Van Meter, Minnie McCabe, J. Lowenstine, Nick Leakes, John Balahamus, A. J. Kline, Theodore Primeas, Peter Primeas, R. Compton, Charles H. Brown, Milton L. Brown, C. H. Culberson, A. A. Chestidis, C. A. Sturdivant, G. B. Lorraine, James S. Kentor, E. W. Abbott, F. E. Daily, C. O. Poulson, J. E. Sollors, H. O. McGinnis, Jack C. Smith, Bartha Hargrove, J. W. Davis, James Edward Wood,

Mildred Tidwell, D. C. Behrn, J. M. Frost, Carrie Busby, Roger Waugh, Laura Malinda Simmons, J. F. Baldwin, W. C. Gewin, George Liberakas, J. A. Cooper, W. J. Cooper, T. H. Bowers, J. C. Black, C. P. Paris, Chris Harris, C. P. Parrish, Jr., A. E. Elston, Augusta Moss, E. L. Williams, C. A. Dorsey, James A. Bates, Peter Parachis, W. G. Patterson, Oscar Fisher, Henry Etta Harris, P. D. Vergiatus, D. Daskos, J. C. Black, R. J. Williams, Spiro Greenwood, Thomas Greenwood and Samuel Allen, and any other persons who claim an interest in or to the above described property.

That after most diligent search and inquiry it was shown by the complainant was unable to locate the addresses of the following respondent corporations or companies and was unable to find out if they are corporations or partnerships and if they are still in operation or if dissolved or discontinued and was unable to ascertain the names, addresses and ages of the trustees or stockholders or partners at the time of liquidation or dissolution of said corporation or partnership, as the case might have been and the same are unknown; the names being Western Realty Company, Housman Pharmacy, Calera Townsite Company, a corporation, Halbert Realty Company, Coosa Land Company, Inc., a dissolved corporation; Southern Lime Corporation and Calera Lime Corporation and United States Realty Corporation a corporation.

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 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, except for Jack Comer, and he has been withdrawn from the Bill of Complaint as a party respondent, as shown by amendment herein filed.

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

Ordered, adjudged and decreed (1) that complainant is entitled to the relief prayed for in her bill of complaint, and that the fee simple title claimed by complainant in the above described lands has been duly proven.

2. That the complainant is the owner of said lands, and has a fee simple title thereto, free of all liens and encumbrances, and that her 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 Mary Emma Anderson vs R. L. Holcombe, et al and certain lands, 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 16 day of June, 1967

Harold E. Walden
Judge

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

6-19 1967

RECORDED & \$ - MTG. TAX

\$ - DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Conrad M. Fowler
JUDGE OF PROBATE

FILED IN OFFICE, This 16 day of

June, 1967

L. G. Fulton
Clerk.

Is Official Register of
Law and Equity Court of Shelby County

CERTIFICATE

STATE OF ALABAMA,)

SHELBY COUNTY.)

I, L. G. Fulton, Register of the Law and Equity Court of Shelby County, Alabama, hereby certify that the foregoing is a true and correct copy of the DECREE OF THE COURT rendered in the therein styled cause by the Hon. Harold E. Walden, Judge of said Court, on the 16th day of June, 1967. The original remains of record and on file in said court.

Witness my hand and the seal of the Court, this 17th day of June, 1967.

L. G. Fulton
Register, Law and Equity Court of
Shelby County, Ala.