

Clarice White Luck, Ruth L. Gordon and
Harris M. Gordon,

Complainants,

vs

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA,
IN EQUITY.

Case No. 4803

Daniel Stewart, or if deceased, his heirs or
devisees; John C. H. Rush, or if deceased, his
heirs or devisees; J. L. Ray, or if deceased, his heirs
or devisees; Mrs J. H. Gosper, or if deceased, her
heirs or devisees; W. H. Boynton, as Trustee, his
successors or assigns; W. J. Tinney, or if deceased,
his heirs or devisees,

Respondents.

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Shelby Cnty Judge of Probate, AL
07/30/1971 12:00:00 AM FILED/CERT

DECREE

This cause coming on to be heard on this the 9th day of July,
1971, is submitted for final decree upon complainants' verified bill of complaint,
upon the decree pro confesso rendered herein and upon the testimony of Harris M.
Gordon and James D. Haynes, 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 complainants, Clarice White Luck, Ruth L. Gordon and
Harris M. Gordon, 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:

SE₁ of SE₄, Section 27, Township 12 South, Range 1 East;
SE₂ of SE₄, Section 27, Township 12 South, Range 1 East;
Shelby County, Alabama.

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 Daniel Stewart, or if deceased, his heirs or devisees; John C. H.
Rush, or if deceased, his heirs or devisees; J. L. Ray, or if deceased, his heirs
or devisees; Mrs. J. H. Gosper, or if deceased, her heirs or devisees; W. H.
Boynton, as Trustee, his successors or assigns; W. J. Tinney, or if deceased,
his heirs or devisees, who may have claimed some title to, interest in, lien
or encumbrance on said land or a 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 1940 Code of Alabama, as Recompiled.

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Shelby Cnty Judge of Probate, AL
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Fourth. That the names of none of the parties respondent were known to complainants, and that they exercised diligence to ascertain the facts with regard thereto.

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 the 1940 Code of Alabama, 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 (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 Clarice White Luck, Ruth L. Gordon and Harris M. Gordon vs Daniel Stewart, et al, on both the direct index and the indirect index of the record thereof..

(4) That complainants pay the costs of these proceedings, to wit: 1st execution issue.

Done this the 28th day of July, 1971

FILED IN OFFICE, This the 28th day
of July 1971

Kyle Lansford

Register Circuit Court of
Shelby County, Alabama

James H. Shabert
Judge

STATE OF ALABAMA
SHELBY COUNTY
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REC. ST. & PAGE AS SHOWN ABOVE
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Clerk of Probate