

7648

GORDON F. FAULKNER,
Plaintiff,

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

vs.

CASE NO. 5591

The following described land:
The NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6, Township
19 South, Range 2 East, Shelby County,
Alabama; J. W. Clayton, et als,

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Shelby Cnty Judge of Probate, AL
07/31/1973 12:00:00 AM FILED/CERT

Defendants.

DECREE

This cause coming on to be heard on this the 12th day of July, 1973,
is submitted for final decree upon plaintiff's verified complaint, upon the decree
pro confesso rendered herein and upon the testimony of Gordon F. Faulkner and Elmer
E. Falkner, taken orally before the Court by order of the Court and reduced to writing,
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 plaintiff, Gordon F. Faulkner, at the time of the filing
of his complaint in this cause, claimed in his 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:

The NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6, Township 19 South, Range 2 East

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

Third: That his said complaint was and is duly verified, and was filed against
J. W. Clayton, or, if deceased, his heirs or devisees; Mrs. A. F. Smith, or, if deceased,
her heirs or devisees; and S. M. Pickler, or, if deceased, his heirs or devisees, and
all parties who, unknown to plaintiff claim an interest in or to the above described
property, or 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
complaint did in all respects comply with the provisions of the 1940 Code of Alabama
as Recompiled.

Fourth: That the whereabouts, unknown persons, their ages and addresses or
whether living or dead who were made defendants were unknown to plaintiff and that they
exercised diligence to ascertain the facts with regard thereto.

Fifth: That notice of the pendency of said complaint was drawn and signed
by the Register of this Court and said Register did have such notice published once a

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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 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 plaintiff's complaint are true. It is, therefore,

ORDERED, ADJUDGED and DECREED by the Court (1) that plaintiff is entitled to the relief prayed for in his complaint, and that the fee simple title claimed by plaintiff in the above described lands has been duly proven.

(2) That the defendants to said complaint do not have any right, title, interest or claim in and to the above described property.

(3) That the plaintiff is the owner of said lands as described above and has a fee simple title thereto, free of all liens and encumbrances, and that his said title thereto be and is hereby established, and that all doubts and disputes concerning the same be and are hereby cleared up.

(4) 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 Gordon F. Faulkner vs. J. W. Clayton, et als, on both the direct index and the indirect index of the record thereof.

(5) That plaintiff pay the costs of these proceedings, for which let execution issue.

Done this the 12th day of July, 1973.

James H. Sharbitt
Judge

FILED IN OFFICE, This the 12 day
of July 1973
Rylee Lansford

Register Circuit Court of
Shelby County, Alabama

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
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