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CLARICE WHITE LUCK and
RUTH LUCK GORDON,

IN THE CIRCUIT COURT OF

SHELBY COUNTY, ALABAMA

Plaintiffs,

CASE NO. E-25-73

vs.

Certain land and Alexander Moore, et als,

Defendants.



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Shelby Cnty Judge of Probate, AL
11/08/1973 12:00:00 AM FILED/CERT

DECREE

This cause coming on to be heard on this the 5th day of November 1973, is submitted for final decree upon plaintiffs' verified complaint, upon the default judgment rendered herein and upon the testimony of J. J. Joiner and Harris M. Gordon, 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 plaintiffs, Clarice White Luck and Ruth Luck Gordon, at the time of the filing of their complaint in this cause, claimed in their own right a fee simple title to and were 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 $W\frac{1}{2}$ of $SE\frac{1}{4}$ and $E\frac{1}{2}$ of $SW\frac{1}{4}$ of Section 25, Township 21 South, Range 2 West. Also, a part of the $NE\frac{1}{4}$ of $NW\frac{1}{4}$ and a part of the $NW\frac{1}{4}$ of $NE\frac{1}{4}$ of Section 36, Township 21 South, Range 2 West, described as follows: Begin at the NE corner of $NW\frac{1}{4}$ of $NE\frac{1}{4}$ of Section 36 and run South along East line thereof for a distance of 60 rods; thence a little North of West a distance of 70 rods to the Tuscaloosa Public road and the corner of the fence; run thence a little South of West along East right-of-way line of said road a distance of 18.5 rods; thence Westerly direction to a point 415.5 feet West of the West line of $NW\frac{1}{4}$ of $NE\frac{1}{4}$ and which said point is 41 rods South of the North line of the $NE\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 36; thence run North a distance of 41 rods to North line of $NE\frac{1}{4}$ of $NW\frac{1}{4}$; run thence East along the North line of said Section 36, a distance of 105 rods to point of beginning.

Second: That at the time of the filing of said 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 complaint was and is duly verified and was filed against Alexander Moore, or if deceased, his heirs or devisees; W. G. Parker, or if deceased, his heirs or devisees; E. A. Parker, or if deceased, his heirs or devisees; Charles H. Scott, or if deceased, his heirs or devisees; Maggie W. Scott, or if deceased, her heirs or devisees; Madge W. Scott, or if deceased, her heirs or devisees; Augusta L. Gilchrist, or if deceased, her heirs or devisees; Auguster Gilchrist, or if deceased, her heirs or devisees; Georgia E. Wyatt, or if deceased, her heirs or

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devisees; J. N. Wyatt, or if deceased, his heirs or devisees; Elbert Sims, or if deceased, his heirs or devisees; J. F. Taylor, or if deceased, his heirs or devisees; P. Sid Jones, or if deceased, his heirs or devisees; and Gaston Scott, 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 plaintiffs 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 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 plaintiffs' complaint are true. It is, therefore,

ORDERED, ADJUDGED and DECREED by the Court (1) that plaintiffs are entitled to the relief prayed for in their complaint, and that the fee simple title claimed by plaintiffs 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 plaintiffs are the owners of said lands as described above 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.

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(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 Clarice White Luck and Ruth Luck Gordon vs. Certain Land and Alexander Moore, et als, on both the direct index and the indirect index of the record thereof.

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

Done this the 5 day of November, 1973.

James H. Sharbutt
Judge

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
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FILED IN OFFICE, This the 5th day
of November 1973

Kyle Lansford

Register Circuit Court of
Shelby County, Alabama

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