

1965

GOLLIE MAE REESE, OTIS REESE,
HENRY PEOPLES, SR., IRENE DAVIS
and THELMA REESE McKNIGHT,

Plaintiffs,

vs.

Certain land and Silas Moncrief,
et als,

Defendants.

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
CASE NO. CV-77-120

FINAL DECREE

This cause coming to be heard before the Court ore tenus on the 22nd day of February, 1978, and submitted for final decree on plaintiffs' verified Bill of Complaint heretofore filed in said cause, default judgments rendered herein, the appointment of Guardian ad litem, Answer of Guardian ad litem, and testimony under oath of the witnesses in said cause, and the pleadings and proof as shown in the file in said cause, the Court considering only such proof and testimony as is relevant, material and legal, finds that the plaintiffs are entitled to the relief prayed for and it is therefore, CONSIDERED, ORDERED, ADJUDGED and DECREED by the Court as follows:

1. That this cause was properly brought as an in rem action against the lands and against the parties to said cause.
2. That the Tax Deed into Frank Romano dated April 10, 1974, recorded in Deed Book 288, Page 751 in the Probate Office of Shelby County, Alabama, was void due to the fact that for the year 1929, said land was assessed by the owner of record of said land and that said land was sold for taxes against said record title holder and was properly redeemed in the year 1935 by the owner of record of said land.
3. That the plaintiffs are the owners of said lands described in said complaint and have an absolute fee simple title thereto, free of all liens or encumbrances, except the lien for non-delinquent ad valorem taxes, and plaintiffs' title to said land is hereby established and all doubts and disputes concerning the

FILED IN OFFICE THIS THE 19th DAY
OF October, 1978.

Kyle Sanford

Clerk of Circuit Court
Shelby County, Alabama

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same are hereby cleared up, said property situated in Shelby County, Alabama, and more particularly described as follows:

W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36, Township 20, Range 3 West, Shelby County, Alabama.

4. That none of the defendants in this cause nor any other person, firm or corporation has any right, title or interest, or lien or encumbrance on said land or any part thereof, and all right, title and interest of said defendants and all other persons, firms or corporations is hereby divested out of said defendants and vested into the plaintiffs.

5. A certified copy of this decree be recorded in the Office of the Judge of Probate of Shelby County, Alabama, and be indexed in the name of Gollie Mae Reese, Otis Reese, Henry Peoples, Sr., Irene Davis and Thelma Reese McKnight, vs. Silas Moncrief, et al, on both the direct and indirect index of record thereof.

6. The Guardian ad litem in this cause is awarded the amount of \$50.00 as payment for his services as such guardian ad litem, the same to be taxed as a part of the costs herein.

7. The plaintiffs shall pay the costs of this proceeding, for which let execution issue.

Done this 19th day of October, 1978.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
DEED WAS FILED

1978 OCT 19 PM 2:38

Thomas C. Lawrence, Jr.
JUDGE OF PROBATE

James H. Sharbitt
Circuit Judge

Rec. 4.50
Dnd. 1.00
5.50

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, Kyle Lansford, Register of the Circuit Court of Shelby County, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the final decree entered in the above and foregoing suit.

Witness my hand and seal of office this the 19th day of October, 1978.

Kyle Lansford
Register