

1271  
NOTICE OF PENDENCY OF COMPLAINT IN THE  
CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

CASE NO. CV-83-283(E)

TO:

Begin at the NE corner of Section 23, Township 18 South, Range 1 East; thence run West along the North line of said Section 23, a distance of 1328.32 feet; thence turn an angle of 89 degrees 10' 46" to the left and run a distance of 1187.60 feet; thence turn an angle of 90 degrees 43' 45" to the left and run a distance of 300.00 feet; thence turn an angle of 90 degrees 59' 31" to the right and run a distance of 490.06 feet to a point on the North right of way line of Shelby County Highway No. 45; thence turn an angle of 80 degrees 52' 10" to the left and run along said highway right of way a distance of 215.96 feet; thence turn an angle of 5 degrees 16' 15" to the right and continue along said highway right of way a distance of 271.53 feet; thence turn an angle of 5 degrees 05' 59" to the right and continue along said highway right of way a distance of 237.06 feet; thence turn an angle of 5 degrees 23' 43" to the right and continue along said highway right of way a distance of 375.28 feet to a point on the East line of Section 23; thence turn an angle of 115 degrees 23' 01" to the left and run along the East line of said Section 23 a distance of 2036.57 feet to the point of beginning. Situated in the NE 1/4 of Section 23, Township 18 South, Range 1 East, Shelby County, Alabama, and containing 51.41 acres;

E. E. HOLCOMBE; A. J. HOLCOMBE; A. A. STRACNER; J. W. DUNCAN; DOCK GREEN; MOLLIE GREEN; R.E.L. CONNELLY a/k/a R.E.L. CONNOLLY; A. L. SIMS; ALLIE F. SIMS; L. B. HOUSTON; G. W. BATMON; D. L. BAKER, M. J. BAKER; SYLACAUGA WHOLESALE GROCERY CO., BY ITS PRESIDENT AND SECRETARY, JOHN S. PITTS; H. N. STRACNER; MAGGIE C. STRACNER; R. J. BRUNER; MRS. R. E. L. CONNELLY a/k/a MRS. R. E. L. CONNOLLY; OZELLE BRUNER; J.C. HOWARD; ROSE ELLEN HOWARD; WILLIAM C. TOMPKINS; BALSIE M. TOMPKINS; CHARLES TOMPKIN; SOHIO PETROLEUM CO.; and CENTRAL STATE BANK, and all of the said defendants' heirs, or devisees, if deceased, and any and all unknown claimants of the property herein named, or any interest, title, right, lien, or encumbrance thereon whose true identities are unknown to plaintiff at this time but which will be added by way of amendment when ascertained; and that real property situated in Shelby County, Alabama, hereinafter described in this complaint.

Take notice that Robert C. Wesson, on the 26<sup>th</sup> day of October, 1983, filed in the Circuit Court of Shelby County, Alabama, his verified complaint pursuant to the provisions of the Alabama Code, 1975, against you and the above described

*Gorham, Walcott et al*  
15<sup>th</sup> Floor City Fed Bldg. Bloom, AL 35203

FILED IN OFFICE THIS THE 26<sup>th</sup> DAY

19 83

OF

*October*

Clerk of Circuit Court

Shelby County, Alabama

*Kyle C. Cunningham*

*Lis Pindus Book 6 Page 496*

land for the purposes of establishing title to said land in the said Robert C. Wesson, and to clear up all doubts and disputes concerning the same and that said suit is now pending in said court.

Plaintiff alleges in said complaint that title to said land stands upon the records of the Judge of Probate of Shelby County, Alabama, in the name of the plaintiff and he owns in his own right, an entire, absolute, fee simple, title to and interest in said land and that he acquired said land and absolute title thereto under deed executed by William C. Tompkins to the plaintiff on the 28th day of April, 1978, recorded in Deed Book 311, Page 751, in the Probate Records of Shelby County, Alabama.

Plaintiff further alleges that he is in actual peaceable possession of said land and that he is and his predecessor in title have been in such possession for more than ten years next preceding the filing of the complaint and that no other person has been in possession of said land or any part thereof during such ten year period. Plaintiff further alleges that he and his predecessor in title has assessed said land for taxes and have paid taxes thereon for and during the ten years next preceding the filing of said complaint and that no other person has assessed or paid any taxes on said land during such ten year period.

Plaintiff further alleges that after a diligent search he has been unable to ascertain the names, ages, and whereabouts of the following defendants, their heirs, or devisees, if deceased: J.W. DUNCAN; G. W. PATMON; E. E. HOLCOMBE, A. J. HOLCOMBE; A. A. STRACNER; DOCK GREEN; MOLLIE GREEN; R. E. L. CONNELLY a/k/a R. E. L. CONNOLLY; A. L. SIMS; ALLIE F. SIMS; L. B. HOUSTON; D. L. BAKER; M. J. BAKER; SYLACAUGA WHOLESALE GROCERY CO., by its President and Secretary, JOHN S. PITTS; H. N. STRACNER; MAGGIE C. STRACNER; R. J. BRUNER; MRS. R. E. L. CONNOLLY a/k/a MRS. R. E. L. CONNELLY; OZELLE BRUNER; J. C. HOWARD; ROSE ELLEN HOWARD; CHARLES TOMPKIN; and BALSIE M. TOMPKINS.

You and each of you are hereby directed to plead or answer to said verified complaint before the 26<sup>th</sup> day of December, 1983, or suffer a default judgment to be rendered against you.

IT IS, THEREFORE, ORDERED by the undersigned Register that publication of this notice be made in the Shelby County Reporter, a newspaper published and having a general circulation in Shelby County, Alabama, once a week for four consecutive weeks, and that all those to whom this notice is addressed and any and all persons claiming any title to, interest in, or lien or encumbrance upon, the above described real estate, or any part thereof, or any interest therein, be and they are hereby required to plead or answer to the complaint in this cause within the time required by law, and not later than the 26<sup>th</sup> day of December, 1983.

IT IS FURTHER ORDERED that a copy of this notice certified by the undersigned Register as being correct, shall be recorded as a lis pendens in the Office of the Judge of Probate of Shelby County, Alabama.

Kyle Lansford  
KYLE LANSFORD  
Register  
Shelby County

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 notice to be published to the defendants in the above and foregoing suit.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

\_\_\_\_\_  
KYLE LANSFORD  
Register

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
DOCUMENT WAS FILED  
1983 OCT 26 AM 10:10

Thomas G. Lunsford, Jr.  
JUDGE OF PROBATE

Rec 17.00  
Jud 1.00  
18.00

Lis Pendens Book 6 Page 498