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NOTICE OF PUBLICATION OF BILL FILED AND PROCEEDING IN
REM TO QUIET TITLE OF REAL ESTATE

Harry W. Dearing, III and
Mary S. Dearing
Plaintiffs

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

CASE NO. CV-84-172

VS.

Sue Patton, Thomas Patton, Frances Patton,
Kent Patton, Mrs. Pugh K. Patton, Estelle
Patton, Irene Patton Hunt, Lucille Patton
Jones, Viola Patton, Sam Patton, Jr.,
Bonnie Patton Wade, Grady Farris Patton,
Bob Patton, Joyce Patton Vernon, and Mrs.
Ithiel Patton Jeeters.
Defendants

TO: The following described land:

Commencing at a point where the West right of way line of Shelby County Road No. 95 is 1,056.00 feet North of the South boundary of Section 22, Township 20 South, Range 3 West, the point of beginning; thence West and parallel to said South boundary of said Section 22, to the northeast corner of the Harvey Jeeters property; thence turn an angle of 91 deg. 18 min. 36 sec. inside for a distance of 536.36 feet to a point; thence turn an angle of 88 deg. 41 min. 24 sec. to the right for a distance of 1,656.57 feet to a point; thence turn an angle of 91 deg. 31 min. to the left for a distance of 1,017.00 feet to a point; thence turn an angle of 91 deg. 31 min. to the right and run to the West right of way line of Shelby County Road No. 95; thence Southeasterly along said right of way line to the point of beginning. Less and except 3.33 acres, more or less, in the Southeast corner of the above described tract of land, being described as follows: Commencing at the Southeast corner of the above described tract, said SE corner being 1,056.00 feet North of the South boundary of said Section 22; thence West 997.00 feet to a point; thence North and parallel to the East boundary of said Section 22, 150.00 feet North to a point; thence East and parallel to the South boundary of Section 22, 937.06 feet to the West right of way line of Shelby County Road No 95; thence Southeasterly along said right of way line to the point of beginning. Said land being situated in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 22, Township 20 South, Range 3 West, Shelby County, Alabama, according to survey of Grady T. Headrick, Alabama Registered Land Surveyor, dated April 19, 1978.

Subject to easements and rights of way of record.

Take notice that Harry W. Dearing and Mary S. Dearing have this day filed their verified complaint in said Court against the above named Defendants and against any and all persons claiming title to, interest in, encumbrance upon the above described real estate or any part thereof or interest therein, and against all other persons, and against said lands for the purpose of establishing the title of said lands in the said Harry W. Dearing and Mary S. Dearing and to clear up all doubts and disputes concerning

FILED IN OFFICE THIS THE <u>7th</u> DAY
OF <u>August</u> , 19 <u>84</u>
<i>Kyle Lanford</i>
Clerk of Circuit Court Shelby County, Alabama

William D. Nichols

the same and that said suit is not pending in said Court.

Plaintiffs allege in said complaint that the title to said lands stands in the name of the Plaintiffs on the records in the Office of the Judge of Probate of Shelby County, Alabama, and said complaint further alleges that Plaintiffs claim title to said lands through and by virtue of a deed recorded in Deed Book 313, at Page 444 from Harry W. Dearing, Jr. and Sybil Dearing, a married man and wife, dated June 21, 1978, to Harry W. and Mary S. Dearing, that during the time of Plaintiffs ownership, they have been in actual, peaceable, adverse possession of said lands claim to own the same, and that title to said lands has stood in Plaintiffs or Plaintiffs Predecessors names on the records in the Office of the Judge of Probate of Shelby County, Alabama, for more than 23 years prior to this date. The Plaintiffs and their predecessors in title have assessed said real estate in the Office of the Tax Assessor of Shelby County, Alabama and paid the taxes on said real estate for each year; and that no one else has paid the taxes on said real estate for said period of time except the Plaintiffs and their predecessors in title and that no one has been in possession of said lands or any part thereof since 1961, except the Plaintiffs and their predecessors in title.

That Plaintiffs after most reasonable and diligent search and inquiry were unable to locate the following named persons to determine whether or not they are living or dead, and if living, what their ages and addresses are at the present time, and if deceased, the names, ages and addresses of their heirs or devisees, and that the same are unknown to the Plaintiffs, said persons being as follows: Sue Patton Coburn, Thomas Patton, Frances Patton, Kent Patton, Mrs. Pugh K. Patton, Estelle Patton, Irene Patton Hunt, Lucille Patton, Lillian Patton Jones, Viola Patton, Sam Patton, Jr., Bonnie Patton Wade, Grady Farris Patton, Bob Patton, Joyce Patton Vernon, and Mrs. Ithiel Patton Jeeters and their heirs and devisees, if deceased, and that the names, ages and addresses of any other parties who, unknown to Plaintiffs, may claim an interest in or to the above described property, are unknown.

It is, therefore, ordered by the undersigned Clerk 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, answer or otherwise defend this cause within the time required by law and not later than September 15, 1984.

It is further ordered that a copy of this notice certified by the undersigned clerk, as being correct, shall also be recorded as a lis pendens in the Office of the Judge of Probate of Shelby County, Alabama.

Done at office this the _____ day of _____, 1984.

Clerk

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, Kyle Lansford, Clerk 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 cause.

Witness my hand and seal of office, this the 7th day of August, 1984.

Kyle Lansford
Clerk

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

1984 AUG -7 PM 12:14

Thomas A. Saunders, Jr.
JUDGE OF PROBATE

Rec 20.50
Jud 1.00
21.50

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Lis Pendens Book 6 Page