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

CIVIL ACTION NO. CV-85-339

TO:

A parcel of land described as ALL that part of the Northwest Quarter of Southeast Quarter (NW 1/4 of SE 1/4), Surface Rights only, lying South of Cahaba River, in Section 24, Township 19 South, Range 3 West, excepting however a tract of land containing 4.7 acres, conveyed by Beulah Massey to Fred Honeycutt and wife Helen V. Honeycutt, and fully described in a deed recorded in Deed Book 181, Page 239, in the Probate Office of Shelby County, Alabama; Alabama Fuel & Iron Co. and S. C. Bain his heirs or devisees, if deceased; and such persons and the heirs and devisees of such persons, if deceased, who, unknown to the plaintiffs claim or are reputed to claim any title to or interest in, or lien or encumbrance on said lands or any part thereof, and all claimants, persons, associations, or corporations, who, unknown to the plaintiffs claim or are reputed to claim an interest in or to the above described property or any part thereof.

Take notice that B. A. Chace and Dorothy Simonton Chace, on the 9th Day of September, 1985 filed in the Circuit Court of Shelby County, Alabama, certified complaint, pursuant to the Provisions of Title 6-6-560, 1975 Code of Alabama, as amended, et seq. against you and the above described land for the purposes of establishing title to said land in the said B. A. Chace and Dorothy Simonton Chace, and to clear up all doubts and disputes concerning the same and that said suit is now pending in said court.

Plaintiffs allege in said complaint that title to said lands stand upon the records of the Judge of Probate, Shelby County, Alabama, in the name of Plaintiffs and that they own in their own right an entire, absolute, fee simple title to and interest in said lands, Mineral and mining rights excepted, and that they acquired said lands and an absolute fee simple title thereto, with the exception of mineral and mining rights, under deed executed by Thomas A. Snowden, Jr. Judge of Probate of Shelby County, Alabama to G. W., F. A. & B. A. Chace, dated August 27, 1985 and filed for record in the Probate Office of Shelby County, Alabama in Real Record 039, Page 268. Title passes from grantees B. C. Chace, F. A. Chace, & G. W. Chace, Plaintiffs herein by deeds recorded in Deed Book 320, Page 837; Deed Book 236, Page 810; Real Record 021, Page 683, in the Probate Office of Shelby County, Alabama.

Plaintiffs further allege that they are in the actual and peaceable possession of said lands and that they and their predecessors in title have been in such possession for more than ten years next preceding the filing of said complaint, to-wit: since April 19, 1965 and that no other person has been

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in possession of said land or any part thereof during such ten year period.

Plaintiffs further allege in said complaint that they and their predecessors in title have held color of title to said lands for a period exceeding the ten years next preceding the filing of said complaint and no other person has held color of title to said land or any part thereof during said period.

Plaintiffs further allege that they and their predecessors in title have assessed said lands 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 lands during such ten year period.

Plaintiffs further allege that after a diligent search they have been unable to ascertain the names, ages and whereabouts of Alabama Fuel & Iron Co. and S. C. Bain, his heirs or devisees, if deceased.

You and each of you are hereby directed to plead, answer to said verified complaint before the 30th day of October, 1985, 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 now later than the 30th day of October 1985.

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
Register of the Circuit Court
of Shelby County, Alabama

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 of office this 1st day of October 1985.

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

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Thomas A. J. J. J.
JUDGE OF PROBATE

Kyle Lansford
Kyle Lansford
Register

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