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

DOROTHY MARIE BUSBY,  
Plaintiff,

vs.

Certain land and John A.  
Hines, Jr., et al

Defendants

IN THE CIRCUIT COURT OF  
SHELBY COUNTY, ALABAMA

CASE NO. CV-86-004(E)

TO: The following described land: A parcel of land lying in the  
NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 12, Township 21 South, Range 3 West, and  
more particularly described as follows:

Starting at the Southeast corner of the said NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ,  
Section 12, Township 21 South, Range 3 West, run Westerly  
along the South boundary of the said NE $\frac{1}{4}$  of NW $\frac{1}{4}$  a distance  
of 1.0 feet to an iron marker on the West right-of-way of  
the Alabama Power Co. transmission line: thence turn an  
angle of 80 deg. 00 min. to the right and run Northwesterly  
along the said West right-of-way line of the said Alabama  
Power Co. transmission line a distance of 458.0 feet to an  
iron marker of the said West boundary line of said Alabama  
Power Co. transmission line, to the point of beginning;  
thence continue Northwesterly along the said Alabama Power  
Co. transmission line a distance of 392.0 feet to an iron  
marker at a fence corner; thence turn an angle of 109 deg.  
55 min. to the left and run Southwesterly a distance of  
233.0 feet to an iron marker on the East right-of-way of  
U. S. Highway I-65; thence turn an angle of 38 deg. 30 min.  
to the left and run Southwesterly along the said East  
right-of-way of said U. S. Highway I-65 a distance of  
293.0 feet to an iron marker; thence run Easterly along a

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FILED IN OFFICE THIS THE <u>3<sup>rd</sup></u> DAY
OF <u>January</u> , 19 <u>86</u>
<u>Kyle Lanford</u>
Clerk of Circuit Court Shelby County, Alabama

line that is 444.6 feet North of and parallel to the said South boundary line of the said NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 12, Township 21, Range 3 West, a distance of 369.0 feet to the point of beginning, situated in Shelby County, Alabama; and the following named persons: John A. Hines, Jr., or his heirs or devisees if deceased; Cheney Lime Company, a corporation; John W. Wooley, individually and as Executor of the Estate of George Swift, deceased, a/k/a John Wesley Wooley and John Wesley Wooley, III, or his heirs, devisees or successors if deceased; Jeff's Motors, Inc., a corporation, and all parties who, unknown to plaintiff, claim an interest in or to the above described property.

Take notice that Dorothy Marie Busby has this day filed her verified complaint in said Court against the above named defendants and against any and all persons claiming any 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 Dorothy Marie Busby 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 the title to said lands stands in the name of the plaintiff on the records in the office of the Judge of Probate of Shelby County, Alabama, and said complaint further alleges that plaintiff claims title to said lands through and by virtue of the following deeds:

- A. Deed from Lee Byars and Lawrenia Byars to George Swift, dated 10/5/35, recorded in Deed Book 94, Page 526, in the Probate Office of Shelby County, Alabama.

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- B. Deed from George Swift to Martha Swift, dated 10/7/52, recorded in Deed Book 155, Page 528, in said Probate Office.
- C. Deed from George Swift and wife, Martha Swift to George Swift and Martha Swift, dated 11/18/63, recorded in Deed Book 228, Page 140, in said Probate Office.
- D. Deed from George Swift and wife, Martha Swift, to Charles L. Seales and Martha E. Seales, dated 5/27/75, recorded in Deed Book 292, Page 371, in said Probate Office.
- E. Deed from Charles E. Seales and wife, Martha E. Seales to Robert E. Owens and Dorothy M. Owens, dated 3/18/76, recorded in Deed Book 297, Page 619, in said Probate Office.
- F. Deed from Robert E. Owens and wife, Dorothy Marie Owens to Dorothy Marie Owens, dated 4/12/78, recorded in Deed Book 311, Page 493, in said Probate Office.

That during the time of Plaintiff's ownership, she has been in actual, peaceable, adverse possession of said lands claiming to own the same, and that title to said lands has stood in plaintiff's name on the records in the Office of the Judge of Probate of Shelby County, Alabama, for more than ten years prior to this date. The plaintiff and her 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 plaintiff and her predecessors in title and that no one has been in possession of said lands or any part thereof for over 20 years, except the plaintiff and her predecessors in title.

Plaintiff further alleges in said complaint that after making diligent search and inquiry, plaintiff's only information of the above defendants is:

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- A. John A. Hines, Jr., whose last known address is 179 Cambrian Way, Birmingham, Alabama 35243, and his heirs or devisees if deceased.
  - B. Cheney Lime Company, an Alabama corporation, whose home office is Allgood, Alabama 35013.
  - C. John W. Wooley, individually and as Executor of the Estate of George Swift, deceased, who is also known as John Wesley Wooley and John Wesley Wooley, III, whose last known address was P. O. Box 112, Alabaster, Alabama 35007, and his heirs, devisees or successors if deceased.
  - D. Jeff's Motors, Inc., an Alabama corporation, whose registered office is 624 3rd Avenue North, Birmingham, Alabama 35203.

And that the names, ages and addresses of any other parties who, unknown to plaintiff, 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 March 10, 1986.

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 3<sup>rd</sup> day of January, 1986.

Kyle Lansford  
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 3<sup>rd</sup> day of January, 1986.

Kyle Lansford  
Clerk

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

1986 JAN -6 AM 10:12

Thomas A. Swanson, Jr.  
JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ <u>12.50</u>
Index Fee	<u>1.00</u>
TOTAL	\$ <u>13.50</u>

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