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STATE HS. - DESOTO CO.  
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BK 338 PG 744  
W.E. DAVIS CH. CLK.

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

W. A. VINCENT,

PLAINTIFF

VERSUS

NO. 98-7-870

HEIRS AT LAW OF ALBERT L. AMSBAUGH, DECEASED,  
SELETA A. AMSBAUGH, AND ANY AND ALL PERSONS  
HAVING OR CLAIMING TO HAVE ANY LEGAL OR  
EQUITABLE INTEREST IN THE LAND  
DESCRIBED HEREIN,

DEFENDANT

**ORDER TO QUIET AND CONFIRM TAX TITLE**

THIS CAUSE came on for hearing on the Complaint of W. A. VINCENT, Plaintiff, to confirm his tax title in the below described property and the Court having considered the Complaint and proof adduced in open Court, does find as follows:

1. The parties are the following:

(a) W. A. Vincent, an adult resident citizen of DeSoto County, Mississippi, whose residence, post office and street address are 1209 North Thunderbird Drive, Hernando, Mississippi, 38632.

(b) Albert L. Amsbaugh, whose last known residence, post office and street address is 541 North Park, Shawnee, OK 74801. It is alleged that Albert L. Amsbaugh is deceased but Plaintiff has no personal knowledge of this and notice was delivered as required by law.

(c) Seleta A. Amsbaugh received the tax notice for the estate of Albert L. Amsbaugh when he died and therefore received a copy of this complaint as prescribed by law.. Her last known residence, post office and street address is 541 North Park, Shawnee, OK 74801.

(c) Any and all persons having or claiming to have any legal or equitable interest in the land hereinafter described.

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W. A. Vincent

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2. The Plaintiff is the owner in fee simple of the following described land in DeSoto County, Mississippi located in the Northwest Quarter of Section 29, Township 3 South, Range 9 West:

Beginning at the northeast corner of the Northwest Quarter of Section 29; Township 3 South, Range 9 West, thence South 2 degrees 21 minutes East 1318 feet along the east line of the Northwest Quarter of Section 29 to the southeast corner of the Riley property and being the point of beginning of the following tract 8: thence south 88 degrees 40 minutes West 959.3 feet along the south line of the Riley tract to the point in the center of Bluff Road; thence north 49 degrees 38 minutes West 346.0 feet along the center of said road to a point; thence North 38 degrees 45 minutes West 100 feet along the center of said road to a point; thence North 23 degrees 45 minutes west 100 feet along the center of Bluff Road to the Northwest corner of Tract 8; thence North 88 degrees 33 minutes East 1309.0 feet to a point in the east line of the Riley Tract; thence South 2 degrees 21 minutes east 405.0 feet to the Point of beginning and containing 10.5 acres more or less. All bearings are magnetic. The above lot is shown on a survey by J.F. Lauderdale dated March 1978, of the Riley Property.

#### DERAIGNMENT OF TITLE

3. The above described land was granted and patented by the United States of America to Trustees New York & M Land Company on October 28, 1836, as per the location roll in the Office of the Chancery Clerk of DeSoto County, Mississippi.

4. This property was conveyed by J.B. Riley to Mrs. Mollie Riley Livingstone by warranty deed on March 10, 1906 in Deed Book 16, page 114, in the office of the Chancery Clerk of DeSoto County, Mississippi.

5. Mrs. Mollie Riley Livingstone conveyed the property to J.N. Riley, Jr., and wife, Gearldean Riley by warranty deed dated October 21, 1942, recorded in Deed Book 30, page 214, in the office of the Chancery Clerk of DeSoto County, Mississippi.

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6. J.N. Riley, Jr., and Mrs. J.N. Riley, Jr., conveyed a portion of the property to DeSoto County, Mississippi by warranty deed recorded in Deed Book 41, page 269, in the office of the Chancery Clerk of DeSoto County, Mississippi.

7. J.N. Riley, Jr., and Geraldine B. Riley, aka Gearldeen B. Riley conveyed the property to Roland F. Weidlein and wife, Mary Catherine Weidlein by warranty deed dated February 20, 1957, recorded in Deed Book 43, page 490, in the office of the Chancery Clerk of DeSoto County, Mississippi.

8. Mary Catherine Weidlein conveyed the property to James E. Riley and Paul L. Riley by warranty deed dated July 25, 1977, recorded in Deed Book 130, page 425, in the office of the Chancery Clerk of DeSoto County, Mississippi.

9. James E. Riley conveyed the property to Paul L. Riley by warranty deed dated January 13, 1981, recorded in Deed Book 156, page 531, in the office of the Chancery Clerk of DeSoto County, Mississippi.

10. Paul L. Riley conveyed the property to Albert L. Amsbaugh and wife, Margaret E. Amsbaugh as tenants by the entirety on November 24, 1981, by warranty deed recorded in Deed Book 156, page 535, in the office of the Chancery Clerk of DeSoto County, Mississippi.

11. Margaret E. Amsbaugh conveyed her one-half interest by quitclaim deed to Albert L. Amsbaugh on October 13, 1983, in Deed Book 167, page 381, in the office of the Chancery Clerk of DeSoto County, Mississippi.

12. On the 29<sup>th</sup> day of August, 1994, the land was sold for the taxes due by the Tax Collector, Joey Treadway, for taxes due for 1993, and the Plaintiff became the purchaser thereof. That the said sale was certified to the Chancery Clerk in the manner and within

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the time required by law; that the tax sale remained on file in the Office of the Chancery Clerk for redemption for two years and that the Chancery Clerk gave all notice required by law to the owner and to any lienholders of record and that after the time for redemption had expired, the Chancery Clerk made and delivered a tax deed to the Plaintiff and the Plaintiff caused same to be recorded in Deed Book 306, page 726, in the office of the Chancery Clerk of DeSoto County, Mississippi. A true and correct copy of the tax deed is attached hereto and made a part hereof as Exhibit A.

13. That the said land at the time of the tax sale was assessed in the name of Albert L. Amsbaugh Estate. The Defendant was in possession of the property claiming to be the tenant. The said Defendant, Albert L. Amsbaugh owned the property through a chain of title extending back to the said patentee, Trustees New York & M: Land Company.

14. After diligent search and inquiry, Plaintiff is unable to give the names, residences, or post office addresses of any persons other than those herein mentioned who have any claim to or any interest in this land, but because of the long number of years since the patent to said land was issued, it is possible that there may be others not now ascertainable after diligent search and inquiry by the Plaintiff.

15. Publication was made in the DeSoto Times Today, a local newspaper with a general circulation in DeSoto County, on July 16, July 23, and July 30, 1998. A copy of the proof of publication was filed in this cause.

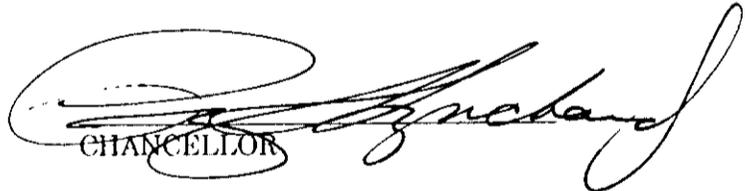
16. There has been no answer or contest filed and no appearance made by any of the above named Defendants.

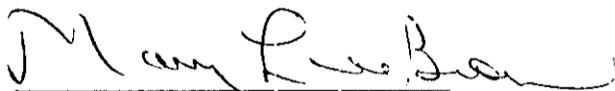
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IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that title to the above described property is now Quieted and Confirmed in W. A. Vincent, owner in fee simple.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that a copy of this Order shall be recorded and indexed in the DeSoto County Chancery Court Deed Records and Plaintiff is to pay costs of Court.

ORDERED, ADJUDGED, AND DECREED this 17<sup>th</sup> day of August, 1998.

  
CHANCELLOR

  
MARY LEE BROWN, ATTORNEY  
FOR PLAINTIFF