

IN THE CHANCERY COURT OF COUNTY, MISSISSIPPI

, and
V.

, AND THE HEIRS-AT-LAW
OF , DECEASED

ORDER

THIS DAY this cause came on for hearing on the Complaint to Correct Warranty Deed and to Remove a Cloud filed by , and and this Court considered the same, makes the following findings of fact:

1. This Court has jurisdiction over the parties and subject matter.
2. and two of the defendants in this cause, executed a waiver of process and join order of request for relief sought by the
3. cannot be located after diligent search and inquiry as shown by the sworn affidavit of but is properly before this Court pursuant to publications of the summons authorized by Rule 4(c)(4).
4. Any other heirs-at-law of cannot be located after diligent search and inquiry as shown by the sworn affidavit of , but are properly before this Court pursuant to publications of the summons authorized by Rule 4(c)(4).
5. The Warranty Deed from and , dated November 1952 in favor of (one and the same as) as recorded on January 23, 1953 at 9:30 a.m. in Book at Page contained an error in its legal description in that it failed to include the legal description of .55 acre tract located north of a county road, Hollybush Road, but lying and being situated in Section 1, Township 7 North, Range 3 East, Rankin County, Mississippi.
6. The .55 acre tract has been held in an open, continuous, hostile and notorious fashion for in excess of ten (10) years by , her grandson, , her granddaughter, , and her granddaughter's husband, .
7. Pursuant to deeds among the parties, the .55 acre tract is now titled in and her husband, , subject to the claims of and his heirs-at-law.
8. The Warranty Deed referred to above should be and hereby is corrected by this Order and Judgment. The cloud upon the title of the heirs-at-law of should be and hereby is removed by this Order and Judgment and title to the property should be and hereby is adjudicated in and on the basis of correction of the scanner's error in the deed at Book , Page , adverse possession and the other matters set forth in this Order and Judgment. Therefore, the relief requested in the Complaint is well-taken and should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that:

1. The Warranty Deed dated November 1952 executed by _____ and _____ and recorded on January 23, 1953 at 9:30 a.m. in Book _____ at Page _____ is hereby amended and reformed to correct the erroneous legal description to add the following additional property as a Part of that Deed and having been conveyed by that Deed as if originally included within the facts, figures and language of the deed:

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the cloud to title of the above referenced tracts of the heirs at law of _____, including, but not limited to the claim, if any, of _____, _____ and _____ should be and hereby is removed and discharged.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that _____ and _____ have full right, title and interest in and to the above described property by virtue of adverse possession as to any right, claim or title that might otherwise have been asserted by the heirs-at-law of _____ including, but not limited to the claims of _____, _____ and _____.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Chancery Clerk is hereby directed to file a copy of this judgment in the land records and index it as being in the _____.

SO ORDERED, ADJUDGED AND DECREED this the _____ day of, 20 _____.

CHANCELLOR