

**IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS**

**CIVIL DIVISION**

CARL ECHOLS

PETITIONER

V.

CASE NO. 04 CV-19-761

ALB INVESTMENTS LLC  
EDWARD L. LEWIS

RESPONDENT

**DECREE QUIETING TITLE**

NOW on the day 30th day of September 2020, comes on for hearing the petition to quiet title filed herein by the Petitioner, Carl Echols, against the Respondents, and the Court being well and sufficiently advised, both as to law and as to fact, does find as follows, to-wit:

1. The Petitioner states that he is a resident of Benton County and that the property which is the subject of this petition is located in Benton County, Arkansas therefore venue and jurisdiction are proper in this court.

2. That the below named defendants/respondents were served with summons along with the petition filed herein by personal service:

ALB Investments LLC

438 E. Millsap Rd. Ste. 103 Fayetteville, AR 72703

Edward Lewis

5712 N. Graham Rd. Lowell, AR 72745

That a Warning Order and Notice of Quiet Title was duly published by the Northwest Arkansas Democrat Gazette in the manner and for the time required by law and all defendants have been

duly served with notice of this action. Further, that Notice of Warning Order and Quiet Title has been duly posted on the below described lands for more than 30 days last past.

3. That Petitioner is in possession of the following described property in the Benton County Arkansas:

Part of the SE/4 of the SE/4 Section 17, Township 20 North, Range 28 West, Benton County, Arkansas, described as beginning at the SW corner of the SE/4 of the SE/4 of said Section 17; Thence North 33°45'33" East, 807.03 feet; Thence South 71°52'57" East, 360.38 feet; Thence South 39°06'33" West, 446.03 feet; Thence North 89°26'10" West, 168.00 feet; Thence South 00°36'39" East, 217.84 feet; Thence North 89°26'10" West, 343.97 feet to the point of beginning and containing 5 acres.

4. Petitioner purchased the property described herein on January 6, 2006, from Respondent Edward Lewis and has possessed it continuously since then. Petitioner was given a signed, dated, and witnessed bill of sale that was recorded by the Benton County Circuit Clerk at Mortgage Book 2012 Page 10087.

6. Petitioner, and those under whom he claims, have paid taxes on all said property described above continuously for a period of more than the past seven (7) years. The County Clerk's tax certificates attesting to such facts have been filed herein.

7. The Court finds that Carl Echols is the fee simple owner of the property described herein and title is quieted and confirmed in his name.

9. Any potential claims or interest of any persons whatsoever, and specifically as to Defendants/Respondents herein, by virtue of other instruments or defective conveyances in the chain of title, or otherwise, are inferior to Petitioner's title, and that Petitioner is entitled to have his title quieted and confirmed. No one is in possession of the premises claiming adversely to it.

10. Respondent Edward Lewis was properly served on April 10, 2019, but has failed to answer and is in default.

11. ALB Investments LLC failed to appear for the hearing on September 10, 2020, and is ordered to pay attorney's fees and costs in the amount of \$ 5,000.00

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, that title to the above described property is hereby quieted in fee simple absolute and confirmed in Petitioner, Carl Echols; that any existing or potential adverse claims or interests of any persons whatsoever, and specifically as to Defendants herein, their unknown heirs, devisees, successors and assigns, and anyone claiming through or under them, be extinguished and declared a nullity; and that this Court retains jurisdiction of this action to grant such other relief as may be shown necessary and appropriate.

**IT IS SO ORDERED.**

This Document Has Been Electronically Signed By:

**HONORABLE JOHN R. SCOTT**

**Prepared by:**  
Keshia Chiappinelli  
ArkBar#2009175  
Attorney for Petitioner



Arkansas Judiciary

**Case Title:** ECHOLS V ALB INVESTMENTS LLC ETAL

**Case Number:** 04CV-19-761

**Type:** ORDER QUIETING TITLE

So Ordered

A handwritten signature in cursive script that reads "John R. Scott".



JUDGE JOHN SCOTT