

# **Bond Case Briefs**

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## **QUIET TITLE - ALABAMA**

### **City of Birmingham v. Metropolitan Management of Alabama, LLC**

**Supreme Court of Alabama - September 17, 2021 - So.3d - 2021 WL 4235435**

City moved to vacate default judgment quieting title to real property in which city claimed a recorded-assessment interest, which plaintiff in the quiet-title action averred it had not discovered until after entry of the default judgment.

The Circuit Court denied motion. City appealed.

The Supreme Court held that plaintiff had constructive knowledge of city's interest in real property as well as its "residence," i.e., city hall, and thus plaintiff was required to serve city by some other method before serving notice by publication.

Plaintiff in quiet-title action had constructive knowledge of city's interest in real property as well as its "residence," i.e., city hall, and thus plaintiff was required to serve city by some other method before serving notice by publication; city's deed, which specified that it was prepared by a person whose location was city hall, was recorded about ten years before tax-sale purchaser conveyed the real property to plaintiff, and Rules of Civil Procedure provided that a municipality could be served with process by serving its chief executive officer or clerk, whose offices would ordinarily be at city hall.