

THE HOUSING AUTHORITY OF THE)	
CITY OF BAY MINETTE, ALABAMA,)	
Petitioner,)	IN THE CIRCUIT COURT OF
vs.)	
)	BALDWIN COUNTY, ALABAMA
MINNIE JOHNSON, as Administratrix)	
of the Estate of Melissa Hale, Marie)	
Hale, Eugene Hale, Earl Hale, Gene)	AT LAW. NO. 5679
Hale, Leroy Hale, Mary L. Smith,)	
Willie Adams, Aubrey Smith, Selena)	
D. Smith, Fred Byrd and Columbus)	
Byrd,)	
Defendants.)	

FINAL ORDER OF CONDEMNATION:

On the 4th day of April, 1964, came a jury to assess and ascertain the damages and compensation to which the owners and other interested parties in the tracts of land set forth in the application for condemnation of lands heretofore filed in this cause are entitled and filed their verdict and awarded compensation and damages to the said owners and other interested parties as follows:

MINNIE JOHNSON, as Administratrix of the Estate of Melissa Hale, MARIE HALE, EUGENE HALE, EARL HALE, GENE HALE and LEROY HALE, being identified as Parcel Number 1 in the original Bill of Complaint and being identified as Tract Number 3 of the Irby & Rester Engineering Survey, TWO THOUSAND FOUR HUNDRED FIFTY AND NO/100 DOLLARS (\$2,450.00), and described as follows:

Lot 2, East Douglasville, being a part of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, Baldwin County, Alabama, according to a map or plat thereof recorded in the Office of the Judge of Probate, Baldwin County, Alabama, in Map Book 1, Page 69.

WILLIE ADAMS and MARY L. SMITH, being identified as Parcel Number 2 in the original Bill of Complaint and being identified as Tract Number 4 of the Irby & Rester Engineering Survey, TWO THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$2,500.00), and described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 16, Township 2 South, Range 3 East,

which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville, thence run North 0° 9' East 140 feet to the point of beginning of the property herein described, thence continue North 0° 9' East 85 feet to a point; thence run West 210 feet to a point; thence run South 0° 9' West 85 feet to a point; thence run East 210 feet to the point of beginning.

AUBREY SMITH and SELENA D. SMITH, being identified as Parcel Number 3 in the original Bill of Complaint and being identified as Tract Number 5 of the Irby & Rester Engineering Survey, FOUR HUNDRED SEVENTY AND NO/100 DOLLARS (\$470.00), and described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville; thence run West along the South line of Section 16, a distance of 210 feet to a point; thence run North 0° 9' East 160 feet to the point of beginning of the property herein described; thence run North 0° 9' East 65 feet to a point; thence run West 210 feet to a point; thence run South 0° 9' West 65 feet to a point; thence run East 210 feet to the point of beginning.

FRED BYRD and COLUMBUS BYRD, being identified as Parcel Number 4 in the original Bill of Complaint and being identified as Tract Number 7 of the Irby & Rester Engineering Survey, FIVE HUNDRED SEVENTY AND NO/100 DOLLARS (\$570.00), and described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville; thence run North 0° 9' East 450 feet to the point of beginning of the property herein described; thence continue North 0° 9' East 50 feet to a point; thence run West 210 feet to a point; thence run South 0° 9' West 50 feet to a point; thence run East 210 feet to the point of beginning.

It is therefore, ORDERED, ADJUDGED AND DECREED by the Court that the property described in the application for condemnation heretofore filed in this cause and hereinabove, be, and the same is hereby condemned for the purposes set forth in said application for condemnation upon the payment of the damages and compensation so ascertained, assessed and reported by the jury, or the

deposit of the same in Court as provided in Section 21 of Title 19 of the Code of Alabama, 1940.

And it further appearing that C. LeNoir Thompson, Attorney at Law, Bay Minette, Alabama, was appointed guardian ad litem to represent the interest of certain minors in the above styled cause,

It is further ORDERED, ADJUDGED AND DECREED by the Court that the sum of \$ 375⁰⁰ be, and the same is hereby awarded as a guardian ad litem fee for his services as such in this cause, and that such fee be taxed as a part of the costs of these proceedings.

It is further ORDERED, ADJUDGED AND DECREED by the Court that a copy of this order be recorded.

It is further ORDERED, ADJUDGED AND DECREED by the Court that Petitioner pay all costs of this proceeding.

DONE this 4th day of April, 1964.

H. M. Hall

H. M. Hall, Judge of the Circuit Court of Baldwin County, Alabama.

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 5679.

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APPLICATION FOR CONDEMNATION

TO THE HONORABLE PROBATE COURT OF BALDWIN COUNTY, ALABAMA, AND
TO THE HONORABLE W.R. STUART, JUDGE OF SAID COURT:

Now comes The Housing Authority of The City of Bay Minette,
Alabama, and files this, its Application for Condemnation of the
lands hereinafter described for public use and against Minnie
Johnson as the Administratrix of the Estate of Melissa Hale,
Marie Hale, Eugene Hale, Earl Hale, Gene Hale, Leroy Hale, Mary
L. Smith, Willie Adams, Aubrey Smith, Selena D. Smith, Fred Byrd
and Columbus Byrd, and, thereupon, it respectfully represents
unto the Court and Your Honor as follows:

1. Petitioner, The Housing Authority of The City of Bay
Minette, Alabama, is authorized to institute condemnation pro-
ceedings to acquire real property for public use under and by
the provisions of Title 25, Section 15 of the Code of Alabama.

Minnie Johnson is over the age of 21 years and is a resident
of Baldwin County, Alabama, and serving as Administratrix of the
Estate of Melissa Hale by virtue of an order of the Probate
Court of Baldwin County, Alabama.

Marie Hale is a minor over the age of 14 years, residing with
her grandmother, Ada Hale, in Bay Minette, Baldwin County, Alabama.

Eugene Hale, Earl Hale and Gene Hale are minors under the age
of 14 years, residing with their grandmother, Ada Hale, in Bay
Minette, Baldwin County, Alabama.

Leroy Hale is over the age of 21 years, and a non-resident
of the State of Alabama, and is the father of the aforesaid
minors, whose mailing address is unknown to your

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Filed
Recorded
May 20, 1963
W.R. Stuart
Judge of Probate

petitioner.

Mary L. Smith is over the age of 21 years and is a resident of Bay Minette, Baldwin County, Alabama.

Willie Adams is over the age of 21 years and is a non-resident of the State of Alabama, whose mailing address is unknown to your petitioner.

Aubrey Smith is over the age of 21 years and is a resident of Bay Minette, Baldwin County, Alabama.

Selena D. Smith is over the age of 21 years and is a non-resident of the State of Alabama, whose mailing address is unknown to your petitioner.

Fred Byrd and Columbus Byrd are minors over the age of 14 years, who reside at 962 Adams Street, Mobile, Alabama.

2. Petitioner desires to acquire a fee simple title to the property hereinafter described for public housing purposes pursuant to Title 25, Sections 5 through 30, both inclusive, Code of Alabama.

3. The property sought to be condemned for the purposes set forth in the paragraph above is the following described real property situated in Baldwin County, Alabama, to-wit:

PARCEL #1: Lot 2, East Douglasville, being a part of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, Baldwin County, Alabama, according to a map or plat thereof recorded in the office of the Judge of Probate, Baldwin County, Alabama, in Map Book 1, Page 69.

PARCEL #2. Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of Southwest Quarter of Section 16, T2S, R3E, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville, thence run N 00° 09' E 140 feet to the point of beginning of the property herein described, Thence continue N 00° 09' E 85 feet to a point, thence run West 210 feet to a point, thence run S 00° 09' W 85 feet to a point, thence run East 210 feet to the point of beginning.

PARCEL # 3. Commencing at the Southeast corner of the Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 16, T2S, R3E, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville, thence run West along the South line of Section 16, a distance of 210 feet to a point, thence run N 00° 09' E 160 feet to the point of beginning of the property herein described, thence run N 00° 09' E 65 feet to a point, thence run West 210 feet to a point,

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thence run S 00° 09' W 65 feet to a point, thence run East 210 feet to the point of beginning.

PARCEL #4. Commencing at the Southeast corner of the Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 16, T2S, R3E, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville, thence run N 00° 09' E 450 feet to the point of beginning of the property herein described, thence continue N 00° 09' E 50 feet to a point, thence run West 210 feet to a point, thence run S 00° 09' W 50 feet to a point, thence run East 210 feet to the point of beginning.

4. Parcel #1 as described in the preceding paragraph is owned jointly by the minors aforementioned, Marie Hale, Eugene Hale, Earl Hale, and Gene Hale subject to the Letters of Administration issued to Minnie Johnson by the Probate Court of Baldwin County, Alabama, and by Leroy Hale.

Parcel #2 is owned by Willie Adams, subject to a mortgage held by Mary L. Smith, being awarded by decree of the Circuit Court of Baldwin County, Alabama, on the 30th day of January, 1957.

Parcel #3 is owned by Aubrey Smith and Selena D. Smith.

Parcel #4 is owned by Fred Byrd and Columbus Byrd, the sole surviving heirs of Wyoma Byrd, their father being deceased.

THE PREMISES CONSIDERED, petitioner prays that this Honorable Court will take jurisdiction of this petition and make and enter an order appointing a day for the hearing thereof and give notice to the said defendants of the filing of this application and of the date set for hearing the same in the manner prescribed by Title 19, Section 4 of the Code of Alabama; that this Honorable Court will appoint a guardian ad litem to represent the interests of the various minors involved in these proceedings; that on the day appointed for the hearing of this petition or on any other day to which it may be continued, the Court will hear the allegations of this petition and any objections that may be filed to the granting thereof and any legal evidence touching the same, and will make an order granting the application and condemning the above described property for the uses and purposes of the petitioner as stated herein and in the form and manner prescribed by law.

Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA

By *J. H. Faulkner, Jr.*
As its Attorney

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared J.H. Faulkner, who, after being by me first duly and legally sworn, deposes and says:

That he is the Chairman of the Board of Commissioners of The Housing Authority of The City of Bay Minette, Alabama, and he has read over the foregoing petition and that the facts stated therein are true.

J. H. Faulkner

Sworn to and subscribed before me
on this the 18th day of May, 1963.

Dorothy Martin
Notary Public, Baldwin County, Ala.

STATE OF ALABAMA

BALDWIN COUNTY

I hereby acknowledge myself security for all of the costs of the foregoing proceedings.

DATED this the 18th day of May, 1963.

James Owens, Jr.

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Taken and approved on this the 20th day of May, 1963.

W. R. Stewart
Judge of Probate
By: *Harry M. D'Almeida* Chief Clerk

A RESOLUTION

BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE CITY OF
BAY MINETTE, ALABAMA AS FOLLOWS:

SECTION 1: It is in the public interest and necessary
that The Housing Authority of The City of Bay Minette, Alabama,
acquire for public use, to-wit: Municipal public housing
purposes, the following described real property situated in
Bay Minette, Baldwin County, Alabama, to-wit:

PARCEL #1: Lot 2, East Douglasville, being a part of
the Southwest Quarter of the Southeast Quarter of the
Southwest Quarter, Section 16, Township 2 South, Range
3 East, Baldwin County, Alabama, according to a map or
plat thereof recorded in the office of the Judge of
Probate, Baldwin County, Alabama, in Map Book 1, Page
69.

PARCEL #2: Commencing at the Southeast corner of the
Southeast Quarter of the Southwest Quarter of Southwest
Quarter of Section 16, T2S, R3E, which point is also
the Southeast corner of Lot 16, Russell's Addition to
Douglasville, thence run N 00° 09' E 140 feet to the
point of beginning of the property herein described:
Thence continue N 00° 09' E 85 feet to a point, thence
run West 210 feet to a point, thence run S 00° 09' W
85 feet to a point, thence run East 210 feet to the
point of beginning.

PARCEL #3: Commencing at the Southeast corner of the
Southeast Quarter of Southwest Quarter of Southwest
Quarter of Section 16, T2S, R3E, which point is also
the Southeast corner of Lot 16, Russell's Addition to
Douglasville, thence run West along the South line of
Section 16, a distance of 210 feet to a point, thence
run N 00° 09' E 160 feet to the point of beginning of
the property herein described, thence run N 00° 09' E
65 feet to a point, thence run West 210 feet to a point,
thence run S 00° 09' W 65 feet to a point, thence
run East 210 feet to the point of beginning.

PARCEL #4: Commencing at the Southeast corner of
the Southeast Quarter of Southwest Quarter of South-
west Quarter of Section 16, T2S, R3E, which point is
also the Southeast corner of Lot 16, Russell's
Addition to Douglasville, thence run N 00° 09' E
450 feet to the point of beginning of the property
herein described, thence continue N 00° 09' E
50 feet to a point, thence run West 210 feet to a
point, thence run S 00° 09' W 50 feet to a point,
thence run East 210 feet to the point of beginning.

SECTION 2: J. Connor Owens, Jr., as attorney for The
Housing Authority of The City of Bay Minette, Alabama, shall be
and he is hereby fully and completely authorized, empowered,
instructed and directed to file and prosecute a condemnation
suit on behalf of The Housing Authority of The City of Bay

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Minette, Alabama to acquire the above described property.

ADOPTED at a regular meeting of The Housing Authority of
The City of Bay Minette, Alabama held on May 6th, 1963.

CERTIFICATE

I, J.H. Faulkner, as Chairman of the Board of Commissioners
of The Housing Authority of The City of Bay Minette, Alabama,
do hereby certify that the foregoing is a true and correct and
literal copy of the resolution adopted by The Housing Authority
of The City of Bay Minette, Alabama, at its meeting held on the
6th day of May, 1963 as the same appears in the minutes of said
meeting.

Witness my hand and official seal on this the 18th day of
May, 1963.


J. H. Faulkner
Chairman

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THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

X

IN THE CIRCUIT COURT OF

Condemnor,

X

BALDWIN COUNTY, ALABAMA

vs.

X

AT LAW

SELENA SMITH, ET AL.,

X

CASE NO. 5679

Condemnees.

X

Comes now, Selena Smith Jenkins, formerly Selena Smith,
and shows unto the Court that she is the Selena Smith who was
a Condemnee in the above styled cause, and that the Honorable
Court rendered a Decree on the 4th day of April, 1964, awarding
her TWO HUNDRED THIRTY-FIVE (\$235.00) DOLLARS in the Condemnation
proceedings.

The Condemnee now prays that Your Honor will disburse
to her the award given.

This the 26 day of March, 1971.

Selena Smith Jenkins

Sworn to and subscribed before me on this the 26 day
of March, 1971.

Selena C. Hunt
Notary Public,

FILED

APR 20 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

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169 25

THE HOUSING AUTHORITY OF THE	X	
CITY OF BAY MINETTE, BALDWIN		
COUNTY, ALABAMA,	X	IN THE CIRCUIT COURT OF
Condemnor,	X	BALDWIN COUNTY, ALABAMA
vs.	X	AT LAW
SELENA SMITH, ET AL.	X	CASE NO. 5679
Condemnees	X	

Selena Smith Jenkins, having filed with the Court in the above styled cause, a sworn petition alleging that she is the former Selena Smith who was one of the Condemnees in the above styled cause, and that she was awarded damages in the proceedings in the amount of \$235.00. It is, therefore,

ORDERED, ADJUDGED and DECREED that the Clerk of the Court disburse to Selena Smith Jenkins the sum of TWO HUNDRED THIRTY-FIVE (\$235.00) DOLLARS, less the cost of filing this petition.

Done this 20th day of April, 1971.

Telfair J. Mashburn
Telfair J. Mashburn, Circuit Judge

FILED

APR 20 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

169 30 584

5

TO: Eunice B. Blackmon, Clerk of Circuit Court

This is your authorization to pay to Aubrey Smith the approximate \$235.00 now held by you belonging to him as a result of a condemnation proceeding held several years ago.

Jeffery M. Blackmon
JUDGE

I, Aubrey Smith, hereby accept the above-mentioned as payment in full due me in said proceeding.

Kenneth Cooper

Aubrey Smith
AUBREY SMITH

Filed 9-10-71
Eunice B. Blackmon

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 1100.

TO: MARIE HALE, IN CARE OF ADA HALE, DOUGLASVILLE, BAY MINETTE,
BALDWIN COUNTY, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 20th day of MAY,
1963, The Housing Authority of The City of Bay Minette, Alabama,
acting by and through J. Connor Owens, Jr., as its attorney,
filed an application in writing for the condemnation for public
use, to-wit: A municipal public housing project, of the
following described real property situated in Baldwin County,
Alabama, alleged to be owned in part by you:

Lot 2, East Douglasville, being a part of the
Southwest Quarter of the Southeast Quarter of the
Southwest Quarter, Section 16, Township 2 South, Range
3 East, Baldwin County, Alabama, according to a map or
plat thereof recorded in the office of the Judge of
Probate, Baldwin County, Alabama, in Map Book 1, Page
69.

And that the 13th day of JUNE, 1963, at
9:00 A.M. has been appointed as the day for the hearing of
said application, at which time you may appear and contest the
same if you so desire.

Done this the 20th day of May, 1963.

W. R. Stewart
Judge of Probate
By: Harry M. Deluca Clerk

Received 20 day of May 1963
and on 21 day of May 1963
I served a copy of the within Notice
on Marie Hale

By service on _____

TAYLOR WILKINS, Sheriff
By W. A. Talbert D. S.

D. Vell

Sheriff claims 4 miles at
Ten Cents per mile Total \$ 40
TAYLOR WILKINS, Sheriff

BY _____
DEPUTY SHERIFF

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 1180.

TO: GENE HALE, IN CARE OF ADA HALE, DOUGLASVILLE, BAY MINETTE,
BALDWIN COUNTY, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 20th day of MAY,
1963, The Housing Authority of The City of Bay Minette, Alabama,
acting by and through J. Connor Owens, Jr., as its attorney,
filed an application in writing for the condemnation for public
use, to-wit: A municipal public housing project, of the
following described real property situated in Baldwin County,
Alabama, alleged to be owned in part by you:

Lot 2, East Douglasville, being a part of the
Southwest Quarter of the Southeast Quarter of the
Southwest Quarter, Section 16, Township 2 South, Range
5 East, Baldwin County, Alabama, according to a map or
plat thereof recorded in the office of the Judge of
Probate, Baldwin County, Alabama, in Map Book 1, Page
69,

And, that the 13th day of June, 1963, at
9:00 A.M. has been appointed as the day for the hearing of
said application, at which time you may appear and contest the
same if you so desire.

Done this the 20th day of May, 1963.

Harry M. Bolwin
Judge of Probate

Received 20 day of May 1962
and on 21 day of May 1963
I served a copy of the within Notice
on Gene Hale

By service on _____

TAYLOR WILKINS, Sheriff

By W. A. Talbot D. S.

D. Vill

Sheriff claims 4 miles at

Ten Cents per mile Total \$ 40

TAYLOR WILKINS, Sheriff

BY _____
DEPUTY SHERIFF

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 1100.

TO: EARL HALE, IN CARE OF ADA HALE, DOUGLASVILLE, BAY MINETTE,
BALDWIN COUNTY, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 20th day of MAY,
1963, The Housing Authority of The City of Bay Minette, Alabama,
acting by and through J. Connor Owens, Jr., as its attorney,
filed an application in writing for the condemnation for public
use, to-wit: A municipal public housing project, of the
following described real property situated in Baldwin County,
Alabama, alleged to be owned in part by you:

Lot 2, East Douglasville, being a part of the
Southwest Quarter of the Southeast Quarter of the
Southwest Quarter, Section 16, Township 2 South, Range
3 East, Baldwin County, Alabama, according to a map or
plat thereof recorded in the office of the Judge of
Probate, Baldwin County, Alabama, in Map Book 1, Page
69,

And that the 13th day of JUNE, 1963, at
9:00 A.M. has been appointed as the day for the hearing of
said application, at which time you may appear and contest the
same if you so desire.

Done this the 20th day of May, 1963.


Judge of Probate

By:  Harry M. Davis Clerk

Received 20 day of May 1923
and on 21 day of May 1923
I served a copy of the within Notice
on Earle Hale

By service on _____

TAYLOR WILKINS, Sheriff
By W. A. Talbot D.
D. Will

Sheriff claims 4 miles at
Ten Cents per mile Total \$ 40
TAYLOR WILKINS, Sheriff
by _____
DEPUTY SHERIFF

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 1100.

TO: EUGENE HALE, IN CARE OF ADA HALE, DOUGLASVILLE, BAY MINETTE,
BALDWIN COUNTY, ALABAMA:

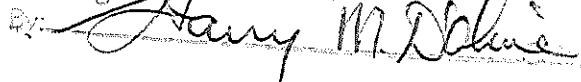
YOU ARE HEREBY NOTIFIED that on the 20th day of MAY,
1963, The Housing Authority of The City of Bay Minette, Alabama,
acting by and through J. Connor Owens, Jr., as its attorney,
filed an application in writing for the condemnation for public
use, to-wit: A municipal public housing project, of the
following described real property situated in Baldwin County,
Alabama, alleged to be owned in part by you:

Lot 2, East Douglasville, being a part of the
Southwest Quarter of the Southeast Quarter of the
Southwest Quarter, Section 16, Township 2 South, Range
5 East, Baldwin County, Alabama, according to a map or
plat thereof recorded in the office of the Judge of
Probate, Baldwin County, Alabama, in Map Book 1, Page
69,

And that the 13th day of JUNE, 1963, at
9:00 A.M. has been appointed as the day for the hearing of
said application, at which time you may appear and contest the
same if you so desire.

Done this the 20th day of May, 1963.


Judge of Probate

By:  Clerk

Received 20 day of May 1963
and on 21 day of May 1963
served a copy of the within Notice
on Eugene Hale

By service on _____

TAYLOR WILKINS, Sheriff
By W. A. Zeller D. S.
D. Hill

Sheriff claims 04 miles at
Ten Cents per mile Total \$.40
TAYLOR WILKINS, Sheriff
BY _____
DEPUTY SHERIFF

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 1100.

TO: MINNIE JOHNSON, as the Administratrix of the Estate of
Melissa Hale, DOUGLASVILLE, BAY MINETTE, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 20th day of MAY,
1963, The Housing Authority of The City of Bay Minette, Alabama,
acting by and through J. Connor Owens, Jr., as its attorney,
filed an application in writing for the condemnation for public
use, to-wit: A municipal public housing project, of the
following described real property situated in Baldwin County,
Alabama, alleged to be owned in part or in which the Estate of
Melissa Hale has some right title and interest:

Lot 2, East Douglasville, being a part of the
Southwest Quarter of the Southeast Quarter of the
Southwest Quarter, Section 16, Township 2 South, Range
3 East, Baldwin County, Alabama, according to a map or
plat thereof recorded in the office of the Judge of
Probate, Baldwin County, Alabama, in Map Book 1, Page
69,

And that the 13th day of JUNE, 1963, at
9:00 A.M. has been appointed as the day for the hearing of
said application, at which time you may appear and contest the
same if you so desire.

Done this the 20th day of May, 1963.

W. C. Stewart
Judge of Probate
By: Harry M. Delane Chief Clerk

Received 20 day of May 1963
and on 22 day of May 1963
served a copy of the within Notice
on ~~Melissa Italy~~
Minnie Johnson
By service on _____

TAYLOR WILKINS, Sheriff
By W. A. Talbot D. S.
D. Vill

Sheriff claims 4 miles at
Ten Cents per mile Total \$ 40
TAYLOR WILKINS, Sheriff
BY _____
DEPUTY SHERIFF

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. _____.

ORDER APPOINTING DAY TO HEAR THE
APPLICATION TO CONDEMN LANDS

This day came The Housing Authority of The City of Bay Minette, Alabama, acting by and through J. Connor Owens, Jr., as its attorney, and filed its application to have condemned for public use, to-wit: A municipal public housing project, the lands described in said petition; and it appearing to the Court from the allegations of said application that it is necessary that The Housing Authority of The City of Bay Minette, Alabama, acquire such property, and that The Housing Authority of The City of Bay Minette, Alabama desires to have such property condemned; and the Court, having considered the same, is of the opinion that an order should be entered appointing a day for the hearing of said application and that notice should be given to the owners of such lands as shown by the application; it is, therefore,

ORDERED, ADJUDGED and DECREED by the Probate Court of Baldwin County, Alabama, that the 13th day of June, 1963, at 9:00 A.M. be, and the same is hereby, appointed as the day for the hearing of said application and that notice of the filing of said application and of the day set for the hearing of said application be given to Minnie Johnson, as the Administratrix of the Estate of Melissa Hale, Marie Hale, Eugene Hale, Earl Hale, Gene Hale, Leroy Hale, Mary L. Smith, Willie Adams, Aubrey Smith, Selena D. Smith, Fred Byrd and Columbus Byrd by service upon them

BOOK 032 PAGE 388

by the Sheriff of Baldwin County, Alabama, or by publication as required by Law, of the notice of the filing of said application and of the day set for the hearing of the same.

It is further ORDERED, ADJUDGED and DECREED that C. LeNoir Thompson, an Attorney at Law, be appointed Guardian ad Litem for the minors, Marie Hale, Eugene Hale, Earl Hale and Gene Hale.

It is further ORDERED, ADJUDGED and DECREED that C. LeNoir Thompson, an Attorney at Law, be appointed Guardian ad Litem for the minors, Fred Byrd and Columbus Byrd.

Done at Bay Minette, Alabama, this the 20th day of May, 1963.

W. E. Stewart
Judge of Probate
By: Amy M. Davis Chief Clerk

BOOK 032 PAGE 389

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

MINNIE JOHNSON, as the Administratrix
of the Estate of Melissa Hale, MARIE
HALE, EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L. SMITH,
WILLIE ADAMS, AUBREY SMITH, SELENA
D. SMITH, FRED BYRD and COLUMBUS BYRD

Defendants

X

X

X

X

X

X

X

X

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

NO. _____

BOOK 032 PAGE 390

I, Marie Hale Sewell, a minor respondent over the age of fourteen years, named in the bill of complaint filed in the above styled cause, do hereby designate and appoint, C. LeNoir Thompson, who is a practicing attorney, as my guardian ad litem to represent me in this cause.

This the 11 day of June, 1963.

X Marie Hale Sewell

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Marie Hale Sewell, who is a minor over fourteen years of age and being informed of the contents of the foregoing appointment acknowledged before me this day that she executed the foregoing appointment of guardian ad litem on the day it bears date.

C. LeNoir Thompson



I, C. LeNoir Thompson, the person designated by Marie Hale Sewell, who is a minor over fourteen years of age, to act as her guardian ad litem in the above styled cause, do hereby consent and agree to said appointment and to act as such guardian ad litem.

C. LeNoir Thompson
Guardian ad Litem for Marie Hale Sewell

STATE OF ALABAMA, BALDWIN COUNTY

Filed June 12, 1963

Recorded W. R. Sewell

Judge of Probate

VOL 50 PAGE 554

THE STATE OF ALABAMA, Baldwin COUNTY

PROBATE COURT, June TERM, 19 63

To C. LeNoir Thompson

BOOK 032 PAGE 391

Take Notice, That by an order of this Court, this day made and entered, you were appointed to act as Guardian ad litem for Marie Hale Sewell, a Minor, Eugene Hale; Earl Hale; Gene Hale, Minors,

~~minor heirs of~~ deceased, to represent and protect their interest upon the hearing of the petition of the Housing Authority of the City of Bay Minette, Alabama, VS Minnie Johnson, et al, a condemnation proceeding,

Given under my hand, this 12th day of June, 1963.

Judge of Probate

I hereby accept the appointment of Guardian ad litem for Marie Hale Sewell, a Minor, Eugene Hale; Earl Hale; Gene Hale. Minors.

~~minor heirs of~~ deceased, to represent and protect their interests upon the hearing of the above named proceedings and hereby deny each and every allegation contained in said proceedings and demand proof thereof.

Witness my hand, this 12th day of June, 1963.

Guardian ad litem

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 1180.

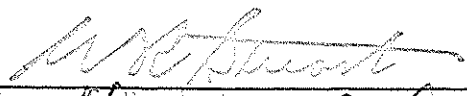
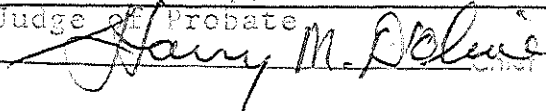
TO: AUBREY SMITH, BAY MINETTE, BALDWIN COUNTY, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 20th day of MAY,
1963, The Housing Authority of The City of Bay Minette, Alabama,
acting by and through J. Connor Owens, Jr., as its attorney,
filed an application in writing for the condemnation for public
use, to-wit: A municipal public housing project, of the
following described real property situated in Baldwin County,
Alabama, alleged to be owned in part by you:

Commencing at the Southeast corner of the Southeast
Quarter of Southwest Quarter of Southwest Quarter
of Section 16, T2S, R3E, which point is also the
Southeast corner of Lot 16, Russell's Addition to
Douglasville, thence run West along the South line
of Section 16, a distance of 210 feet to a point,
thence run N 00° 09' E 160 feet to the point of be-
ginning of the property herein described, thence run
N 00° 09' E 65 feet to a point, thence run West 210
feet to a point, thence run S 00° 09' W 65 feet to
a point, thence run East 210 feet to the point of
beginning,

And, that the 13th day of JUNE, 1963, at
9:00 A.M. has been appointed as the day for the hearing of
said application, at which time you may appear and contest the
same if you so desire.

Done this the 20th day of May, 1963.


Judge of Probate
By:  Clerk

Received 20 day of May 1963
and on 21 day of May 1963
I served a copy of the within Notice
on Aubrey Smith

By service on _____

TAYLOR WILKINS Sheriff

By W. A. Zuber D. S.

0 min

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Administratrix
of the Estate of Melissa Hale, Marie
Hale, Eugene Hale, Earl Hale, Gene
Hale, Leroy Hale, Mary L. Smith,
Willie Adams, Aubrey Smith, Selena
D. Smith, Fred Byrd and Columbus
Byrd,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW. NO. 5679.

We, the Jury, find for The Housing Authority of the City
of Bay Minette, Alabama, and against the following named condemnees
and tracts, and fix the compensation and damages as follows:

Minnie Johnson, et al., Tract #3	\$ <u>2450⁰⁰</u>
Mary Smith, et al., Tract #4	\$ <u>2500⁰⁰</u>
Aubrey Smith, et al., Tract #5	\$ <u>470⁰⁰</u>
Fred Byrd, et al., Tract #7	\$ <u>570⁰⁰</u>



Jury Foreman.

THE STATE OF ALABAMA

Baldwin COUNTY

PROBATE COURT

LETTERS OF GUARDIANSHIP OVER THE ESTATE OF

5223

Freddie Byrd - age 18Columbus Byrd - age 17

are hereby granted to Hagar English, who has duly
qualified and given bond as required by law, and is authorized to discharge all the functions attached to
said guardianship.

Dated this 22nd day of May, A.D. 1964

Code 1940—Tit. 21, Sec. 1.

L. S. Owen, Judge of Probate

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

VS.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 4979

NOTICE OF APPEAL

Now comes The Housing Authority of the City of Bay Minette, Alabama, a Corporation, petitioner in the above styled condemnation proceeding, by and through its attorney of record, and in compliance with Title 19, Sections 17 and 20, Code of Alabama, As Revised, files this its written notice of appeal from the order denying its application to condemn certain lands in Baldwin County, Alabama, which was entered by the Court of Probate of Baldwin County on June 13, 1963, and appeals to the Circuit Court, Twenty-Eighth Judicial Circuit of Alabama, and further gives notice that such appeal is given in writing within thirty days after the entering of such order by the Court of Probate of Baldwin County, Alabama on June 13, 1963.

PREMISES CONSIDERED, petitioner prays that a copy of this notice of appeal shall be served upon the Honorable Kenneth Cooper, as attorney for Minnie Johnson as the Administratrix of the Estate of Melissa Hale;

Petitioner further prays that such notice of appeal also be served upon the Honorable C. LeNoir Thompson, as attorney for Marie Hale, Eugene Hale, Earl Hale, Gene Hale, Leroy Hale, Mary L. Smith, Willie Adams, Aubrey Smith, Selena D. Smith, Fred Byrd and Columbus Byrd, and as guardian ad litem for such of the above as might be minors.

Petitioner further prays that this matter shall be set for trial de novo in the Circuit Court, Twenty-Eighth Judicial Circuit of Alabama, in accordance with Title 19, Section 20, Code of

Alabama, As Revised.

Harmon Owens, Jr.

TO: Hon. Kenneth Cooper, as attorney for Minnie Johnson as the
Administratrix of the Estate of Melissa Hale;
Hon. C. LeNoir Thompson, as attorney for Marie Hale, et
al.

You are hereby notified that the above notice of appeal was
filed in the office of the Judge of Probate of Baldwin County,
Alabama, on the 28 day of June, 1963.

Witness my hand, this the 28 day of June, 1963.

W. B. Smith
Judge of Probate / W. B. Smith Chief Clerk
By: W. B. Smith

STATE OF ALABAMA I
BALDWIN COUNTY I

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

VS.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

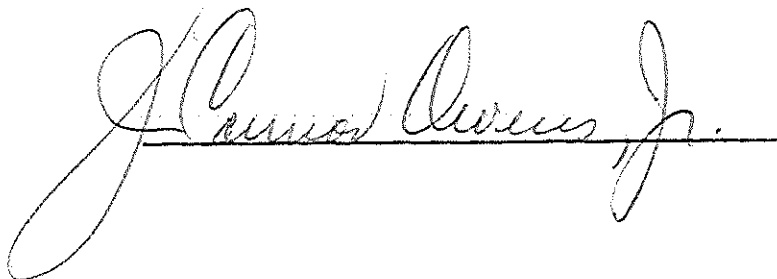
Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 4979

Now comes J. Connor Owens, Jr. and hereby acknowledges
himself as security for costs of appeal to the Circuit Court,
Twenty-Eighth Judicial Circuit of Alabama, returnable to
the present term thereof. And for the payment of the above
security he hereby waives his right to exemption to personal
property under the Constitution and Laws of the State of
Alabama.

A handwritten signature in cursive script, reading "J. Connor Owens, Jr.", is written over a horizontal line.

7780

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA,
NO. 4979

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

VS.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

NOTICE OF APPEAL

J. CONNOR OWENS, JR.
ATTORNEY AT LAW
Dahlberg Building
BAY MINETTE, ALABAMA

Received 2 day of July 1963.
and on 2 day of July 1963
I served a copy of Notice
on Mr. Neil Thompson
Kenneth Cooper, Atty
for Minnie Johnson
Estate of Melissa Hale
TAYLOR
By W. O. Owens
omi

42306
50 574

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

VS.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 4979

NOTICE OF APPEAL

Now comes The Housing Authority of the City of Bay Minette, Alabama, a Corporation, petitioner in the above styled condemnation proceeding, by and through its attorney of record, and in compliance with Title 19, Sections 17 and 20, Code of Alabama, As Revised, files this its written notice of appeal from the order denying its application to condemn certain lands in Baldwin County, Alabama, which was entered by the Court of Probate of Baldwin County on June 13, 1963, and appeals to the Circuit Court, Twenty-Eighth Judicial Circuit of Alabama, and further gives notice that such appeal is given in writing within thirty days after the entering of such order by the Court of Probate of Baldwin County, Alabama on June 13, 1963.

PREMISES CONSIDERED, petitioner prays that a copy of this notice of appeal shall be served upon the Honorable Kenneth Cooper, as attorney for Minnie Johnson as the Administratrix of the Estate of Melissa Hale;

Petitioner further prays that such notice of appeal also be served upon the Honorable C. LeNoir Thompson, as attorney for Marie Hale, Eugene Hale, Earl Hale, Gene Hale, Leroy Hale, Mary L. Smith, Willie Adams, Aubrey Smith, Selena D. Smith, Fred Byrd and Columbus Byrd, and as guardian ad litem for such of the above as might be minors.

Petitioner further prays that this matter shall be set for trial de novo in the Circuit Court, Twenty-Eighth Judicial Circuit of Alabama, in accordance with Title 19, Section 20, Code of

Alabama, As Revised.

James Owens, Jr.
TO: Hon. Kenneth Cooper, as attorney for Minnie Johnson as the
Administratrix of the Estate of Melissa Hale;
Hon. C. LeNoir Thompson, as attorney for Marie Hale, et
al.

You are hereby notified that the above notice of appeal was
filed in the office of the Judge of Probate of Baldwin County,
Alabama, on the 28 day of June, 1963.

Witness my hand, this the 28 day of June, 1963.

W. B. Burdett
Judge of Probate

By: W. B. Burdett

Chief Clerk

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA,
NO. 4979

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

VS.

MINNIE JOHNSON, as the Admin-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD AND COLUMBUS BYRD,

Defendants.

NOTICE OF APPEAL

J. CONNOR OWENS, JR.
ATTORNEY AT LAW
Dahlberg Building
BAY MINETTE, ALABAMA

Received _____ day of _____ 19____
and on 3 day of July 1963
I served a copy of the within _____ on _____

By service on

C. Dennis Thompson

TAYLOR WILKINS Sheriff

By A. C. Samuel S.

789 374 00

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 1106.

TO: COLUMBUS BYRD, 962 ADAMS STREET, MOBILE, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 20th day of MAY,
1963, The Housing Authority of The City of Bay Minette, Alabama,
acting by and through J. Connor Owens, Jr., as its attorney,
filed an application in writing for the condemnation for public
use, to-wit: A municipal public housing project, of the
following described real property situated in Baldwin County,
Alabama, alleged to be owned in part by you:

Commencing at the Southeast corner of the Southeast
Quarter of Southwest Quarter of Southwest Quarter of
Section 16, T2S, R3E, which point is also the Southeast
corner of Lot 16, Russell's Addition to Douglasville,
thence run N 00° 09' E 450 feet to the point of
beginning of the property herein described, thence
continue N 00° 09' E 50 feet to a point, thence run
West 210 feet to a point, thence run S 00° 09' W 50
feet to a point, thence run East 210 feet to the point
of beginning,

And, that the 13th day of JUNE, 1963, at
9:00 A.M. has been appointed as the day for the hearing of
said application, at which time you may appear and contest the
same if you so desire.

Done this the 20th day of May, 1963.

W. K. Stewart
Judge of Probate
By: Harry M. Dolwe Chief Clerk

File 6-13 3705

Received 22 day of May 1963
and on 23 day of May 1963

I served a copy of the within Notice
on Columbus Byrd

By service on _____

TAYLOR WILKINS, Sheriff
By A. L. Linn D. S.

RECEIVED

MAY 21 1963

SHERIFF'S OFFICE

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 1100.

TO: FRED BYRD, 962 ADAMS STREET, MOBILE, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 20th day of MAY,
1963, The Housing Authority of The City of Bay Minette, Alabama,
acting by and through J. Connor Owens, Jr., as its attorney,
filed an application in writing for the condemnation for public
use, to-wit: A municipal public housing project, of the
following described real property situated in Baldwin County,
Alabama, alleged to be owned in part by you:

Commencing at the Southeast corner of the Southeast
Quarter of Southwest Quarter of Southwest Quarter of
Section 16, T2S, R3E, which point is also the Southeast
corner of Lot 16, Russell's Addition to Douglasville,
thence run N 00° 09' E 450 feet to the point of
beginning of the property herein described, thence
continue N 00° 09' E 50 feet to a point, thence run
West 210 feet to a point, thence run S 00° 09' W 50
feet to a point, thence run East 210 feet to the point
of beginning,

And, that the 13th day of JUNE, 1963, at
9:00 A.M. has been appointed as the day for the hearing of
said application, at which time you may appear and contest the
same if you so desire.

Done this the 20th day of May, 1963.

Judge of Probate

By: Harry M. O'Neal Clerk

FL 6-13 3703

Received 20 day of May 1963
and on 23 day of May 1963
I served a copy of the within Notice
on Ired Byrd

By service on _____
TAYLOR WILKINS, Sheriff
By A. Sirmen D. S.

RECEIVED
MAY 21 1963
SHERIFF'S OFFICE

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 1100.

TO: MARY L. SMITH, BAY MINETTE, BALDWIN COUNTY, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 20th day of MAY,
1963, The Housing Authority of The City of Bay Minette, Alabama,
acting by and through J. Connor Owens, Jr., as its attorney,
filed an application in writing for the condemnation for public
use, to-wit: A municipal public housing project, of the
following described real property situated in Baldwin County,
Alabama, alleged to be owned in part by you or in which you
have some right, title and interest:

Commencing at the Southeast corner of the Southeast
Quarter of the Southwest Quarter of Southwest
Quarter of Section 16, T2S, R3E, which point is also
the Southeast corner of Lot 16, Russell's Addition to
Douglasville, thence run N 00° 09' E 140 feet to the
point of beginning of the property herein described,
Thence continue N 00° 09' E 85 feet to a point, thence
run West 210 feet to a point, thence run S 00° 09' W
85 feet to a point, thence run East 210 feet to the
point of beginning,

And, that the 13th day of JUNE, 1963, at
9:00 A.M. has been appointed as the day for the hearing of
said application, at which time you may appear and contest the
same if you so desire.

Done this the 20th day of May, 1963.

[Signature]
Judge of Probate

By: [Signature] Clerk

Received 20 day of May 1963
and on 25 day of May 1963
I served a copy of the within Notice
on Mary L. Smith

By service on _____

TAYLOR WILKINS, Sheriff

By W. A. Talbot, S.

D. Vill

Sheriff claims 4 miles at
Ten Cents per mile Total \$ 40

BY TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner

vs

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD AND COLUMBUS BYRD,

Defendants

X

X

X

X

X

X

X

X

BOOK 032 PAGE 392

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

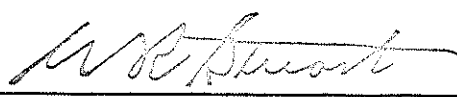
NO. _____

DECREE

This being the day regularly appointed to hear the petition of
The Bay Minette Housing Authority, heretofore filed in this court,
praying that the Court condemn certain lands described in said petition
for the purposes set forth therein and the Bay Minette Housing Authority
being represented in court by its attorney, Honorable J. Conner Owens,
Jr., and also the defendants being represented in court by C. LeNoir
Thompson, as their attorney, guardian ad litem or as Amicus Curaie, and
it appearing to the Court that all interested parties have had due and
legal notice of the filing of said petition and of the day set to hear
same; It appears to the Court upon the evidence of the said petitioner
and of the evidence of the said defendants touching upon the petition and
the Court having considered same;

It is therefore ordered and decreed by the Court that said petition
be and the same is hereby denied.

Done this the 13th day of June, 1963.



Probate Judge, Baldwin County, Alabama
By: Harry M. Stoline Chief Clerk

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

VS.

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

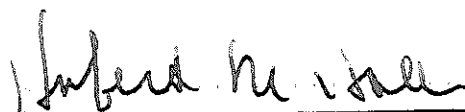
NO. 5679.

This cause coming on to be heard on the original petition for condemnation, service on the parties as required by law, order of the Probate Judge denying the right of condemnation, notice of appeal, appeal bond filed by the petitioner, defendants' motion to dismiss appeal, cross motion by petitioner, and other pleadings and testimony of the witnesses heard ore tenus, and the Court having considered the same, and is of the opinion that petitioner is entitled to proceed with these proceedings;

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED as follows:

1. That the defendants' motion to dismiss the appeal be, and the same is, hereby denied.
2. That the petitioner's motion to allow the Probate Judge to place his written approval on the appeal bond dated as of June 28, 1963, is hereby allowed.
3. The petitioner is entitled to condemn the property of the defendants as described in the original petition for condemnation.
4. The determination of the damages to be awarded the defendants shall be set for trial by jury as provided for by law.

DONE at Bay Minette, Alabama, this the 19 day of September, 1963.


Judge

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA

Petitioner

VS

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD,

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Come the defendants in the above styled cause separately and several-
ly by their attorneys of record, Thompson & White and respectfully ask
for a jury trial in each of said cases.

THOMPSON & WHITE

BY:

Attorneys for defendants

FILED

JUL 9 1963

ALICE I. DUCK, CLERK
REGISTER

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

MINNIE JOHNSON, as the Adminis-
tratrix of the Estate of
Melissa Hale, MARIE HALE,
EUGENE HALE, EARL HALE, GENE
HALE, LEROY HALE, MARY L.
SMITH, WILLIE ADAMS, AUBREY
SMITH, SELENA D. SMITH, FRED
BYRD and COLUMBUS BYRD.

Defendants

X
X
X
X
X
X
X
X
X
X
X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 5679

Come the defendants in the above styled cause and move this
Honorable Court to dismiss the appeal filed in said cause and as
grounds for said motion show unto this Honorable Court as follows:

-1-

That for aught appears in the record that the said appellant
has failed to file with the Court or with the Clerk thereof, an
appeal bond approved by the Judge of Probate of Baldwin County,
as required by Title 19, Section 20, of the Code of Alabama as
revised 1958.

-2-

That for aught appears in the record said appellant has failed
to file with this court or with the Clerk thereof an appeal bond
properly approved as provided in Title 19, Section 20.

-3-

That said appellant has permitted its workable program under
which these eminent domain proceedings were instituted expire on
July 1, 1963.

-4-

That the said plaintiff has failed to comply with the require-
ments of the Housing and Home Finance Agency in that a comprehensive
committee plan has not been prepared and filed under which sound
community developments in the future will be carried out.

-5-

The said plaintiff has failed to comply with the regulations of
the Housing and Home Finance Agency in that housing resources have not
been specified to meet the needs for housing displaced families under
a community wide re-location program.

-6-

The said plaintiff has failed to comply with the regulations
of the Housing and Home Finance Agency in that citizen participation
has not been provided as a part of the workable program in that a

special committee on minority group housing, on which committee, minority groups are represented has not been established.

-7-

That the said plaintiff is dependent on its funds for the approval of the Housing and Home Finance Agency, which required that to obtain these funds, the said project must be certified and such certification requires the enactments of codes and ordinances in the community, meeting the approval of the U. S. Housing and Home Finance Agency, the preparation and establishing of a comprehensive committee plan under the approval of the Federal Housing and Home Finance Agency, establishment of an administrative organization or revision of existing local government departments with the possible increase in the tax base of the community, citizen participation is required and minority group participation is required on the citizen committees.

-8-

That the said program of the Bay Minette Housing Authority has lapsed and therefore, the plaintiff being ineligible for Federal aid, is without funds to continue the condemnation; hence this motion for dismissal.

-9-

That said bond does not meet the requirements of the law if approved, in that the mortgages against the property of said bondsmen far exceed the assessed valuation of said properties.

-10-

That said condemnation proceedings is based on a program requiring an increase in taxation in the community.

-11-

That the operation of said Housing Authority is dependent on the community complying with all necessary rules and regulations of a federal agency.

-12-

That the said alleged bond is invalid in that the homestead property of the said bondsman in the name of the said bondsman and his wife is assessed in the total amount of \$7,000.00 whereas the mortgages of record against said property in Mortgage Book 244, pages 13-16 is in the amount of \$9,900.00, said recordings being in the office of the Judge of Probate of Baldwin County.

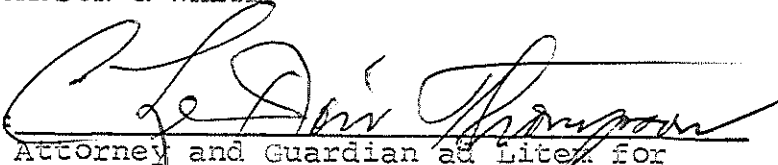
Wherefore, said bonds are nullities; hence this motion.

-13-

That appellant is an alleged corporation without assets or funds and has no money to pay the costs or damages to the appellees, landowners, the title to whose property is clouded by lis pendens filed by appellant against said property.

THOMPSON & WHITE

BY:


Attorney and Guardian ad Litem for
Defendants.

FILED
SEP 18 1968
ALICE J. DUCK, CLERK
REGISTER

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BYRD and COLUMBUS BYRD,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

NO. _____.

MOTION

Now comes the Petitioner in this cause, by its attorneys,
and shows this Honorable Court as follows:

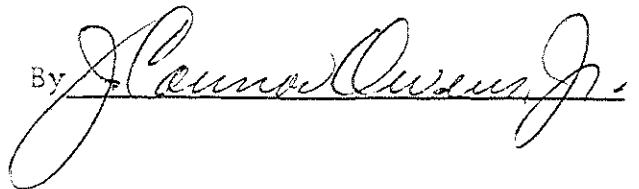
1. That the bond for security for costs in the appeal in
this cause was approved by the Honorable W.R. Stuart, Judge
of Probate, Baldwin County, Alabama, on the 28th day of June,
1963.

2. That the Clerk of the Probate Court of Baldwin County,
Alabama failed to indicate such approval by written endorsement
on the said bond;

WHEREFORE, Petitioner moves that this Honorable Court
allow the said W.R. Stuart, Judge of Probate, Baldwin County,
Alabama, to place his written approval on said bond dated of
the date of said approval.

MASHBURN & OWENS
Attorneys for Petitioner

By



State of Alabama
Baldwin County

To whom it May Concern:

This is to Certify that I am this day
filing my appearance as Attorney of
Record in the Case of Hagar English as
Guardian for Faddie Byrd and
Columbus Byrd Jr. in Baldwin County
Probate Court, Case No. 5223 and Baldwin
County Circuit Court Case No 5679.

Dated this 22nd day of May, 1964

Reuben T. McFarley
Attorney for Hagar English

FILED

MAY 22 1964

ALICE L. DUCK, CLERK
REGISTER

2500.00
43.53
2456.47

case no. 3544

Mary Smith vs
Willie Adams

Total cost (not PD) \$43.53