

BALDWIN COUNTY, : IN THE PROBATE COURT OF  
 Plaintiff : BALDWIN COUNTY, ALABAMA  
 vs. : 5778  
 THOMAS HAND, ET AL, :  
 Defendants. : CASE NO. 5019

NOTICE OF APPEAL

Comes Yupon Hereford Farms, Inc., in the above-styled cause, and prays for and takes an appeal to the Circuit Court of Baldwin County, Alabama, from the Order of Condemnation entered in said cause on the 29th day of August, 1963, insofar as said Order of Condemnation relates to the lands of Yupon Hereford Farms, Inc., described as parcel 6 in plaintiff's condemnation proceedings.

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 on the 29th day of August, 1963.

Yupon Hereford Farms, Inc., does herewith file in the Court of Probate of Baldwin County, Alabama, the court rendering such Order of Condemnation, this its written notice of appeal.

PREMISES CONSIDERED, Yupon Hereford Farms, Inc., prays that a copy of this notice of appeal shall be served upon the attorney for Baldwin County.

Yupon Hereford Farms, Inc., 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 17, Code of Alabama, As Revised.

A jury trial is respectfully demanded.

STATE OF ALABAMA, BALDWIN COUNTY

Sept. 23, 1963 M

W. R. Stewart  
 Judge of Probate

Of Counsel:

Louis E. Braswell  
 622 First National Bank Building  
 Mobile, Alabama  
 Attorney for Yupon Hereford Farms, Inc.

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

TO: NORBORNE C. Stone, Attorney for Baldwin County:

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 23<sup>rd</sup> day of Sept., 1963.

I, Norborne C. Stone, Jr., attorney for Baldwin County, Alabama, do hereby accept service of a copy of the within and foregoing notice of appeal this the 27<sup>th</sup> day of September, 1963.

W. R. Stewart  
 Judge of Probate  
 By: Harry M. Dolan Chief Clerk 722

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS: That Baldwin County, Alabama, acting by and through John B. Hadley, as Chairman of the County Commission of Baldwin County, Alabama, the governing body thereof, as principal, and Fidelity and Deposit Company of Maryland, a Corporation, as surety, are held and firmly bound unto Yupon Hereford Farms, Inc., in the sum of Three Hundred Dollars (\$300.00) for the payment of which well and truly to be made we bind ourselves, our successors and assigns, jointly and severally by these presents:

This the 1 day of Oct., 1963.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That WHEREAS, the said Baldwin County, Alabama, heretofore filed its application in the Court of Probate of Baldwin County, Alabama, against Yupon Hereford Farms, Inc., Ward B. Maurer and Hall Investment Company, a Corporation, seeking to condemn an easement or right-of-way for public road purposes over and across the lands described as "PARCEL SIX" in said application; and

WHEREAS, the said Court of Probate did, in and by a decree dated the 13th day of August, 1963, grant the prayer of said application and appoint commissioners, as required by law, to ascertain and assess the damages and compensation of the defendants as the owners of the lands, and all rights, interests and easements described in said application; and

WHEREAS, said commissioners did ascertain and assess the damages and compensation of the said Yupon Hereford Farms, Inc., Ward B. Maurer and Hall Investment Company, a Corporation, in accordance with the statutes of the State of Alabama, at the sum of One Hundred and Fifty Dollars (\$150.00) as shown by the report of said commissioners; and

WHEREAS, an order was thereafter made by said Court of Probate condemning an easement or right-of-way for public road purposes over and across the lands described in said application as "PARCEL SIX" in paragraph "THIRD" of said application, belonging

to the said Yupon Hereford Farms, Inc., Ward B. Maurer and Hall Investment Company, a Corporation; and

WHEREAS, the said Yupon Hereford Farms, Inc. has filed in the Probate Court of Baldwin County, Alabama, a written notice of appeal from said order of condemnation to the Circuit Court of Baldwin County, Alabama; and

WHEREAS, said Baldwin County, Alabama, has paid into said Court of Probate in money the amount of said damages and compensation so assessed by said commissioners for said Yupon Hereford Farms Inc., Ward B. Maurer and Hall Investment Company, a Corporation, and is desirous that said judgment, or order of condemnation, be not suspended pending such appeal and desires to enter upon said lands for the uses and purposes stated in said application pending appeal;

NOW, THEREFORE, if the said Baldwin County, Alabama, shall pay such damages as the said Yupon Hereford Farms, Inc., may sustain, this obligation shall be void; otherwise to remain in full force and effect.

BALDWIN COUNTY, ALABAMA

By: John B. Hadley  
John B. Hadley, as Chairman of the  
County Commission of Baldwin County,  
Alabama, the governing body thereof

Attest:

\_\_\_\_\_  
Clerk

FIDELITY AND DEPOSIT COMPANY OF  
MARYLAND, a Corporation

By: Katherine L. Linder  
AS Its Attorney-in-Fact

Taken and approved this 27<sup>th</sup>  
day of Sept., 1963.

W. R. Stuart  
Judge of Probate  
By: Nancy M. Davis Chief Clerk

BALDWIN COUNTY, ALABAMA,

Applicant,

vs.

THOMAS HAND, ET AL.,

Defendants.

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IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

BOOK

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APPLICATION

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

Comes now Baldwin County, Alabama, acting by and through  
John B. Hadley as the Chairman of the County Commission of Baldwin  
County, Alabama, the governing body thereof, its agent, and re-  
spectfully represents and shows unto Your Honor and unto this Honor-  
able Court as follows:

FIRST:

That under the laws of the State of Alabama, Baldwin  
County, Alabama, is charged with the duty of providing rights-of-  
way for public roads constructed, or to be constructed, within  
said County; and the Alabama State Highway Department has surveyed  
and proposes to construct a public road over and across the lands  
hereinafter described.

SECOND:

That the County Commission of Baldwin County, Alabama, has,  
by resolution, determined that it is necessary that a right-of-way  
be acquired over and across said lands (and with respect to the  
land described as "PARCEL FIVE" a permanent easement for drainage  
purposes in connection with the construction and maintenance of  
said public road) and it has been requested to acquire such rights-  
of-way and drainage easement by the State Highway Department and  
the State of Alabama, acting by and through D'Olive Bill, its Resi-  
dent Engineer, all as shown by a certified copy of a resolution of  
the County Commission of Baldwin County, Alabama, attached hereto

Filed  
Recorded  
July 27, 1963  
W.R. Stuart  
Judge of Probate

and marked "EXHIBIT A" and by reference made a part hereof.

THIRD:

That the lands over which it is necessary that Baldwin County, Alabama, acquire a right-of-way for such public road and drainage easement are described as follows:

PARCEL ONE

Beginning at a point in the centerline of Woodhaven Road, Project #S-1263 at centerline station 250+70, run thence North 89° 29' East 40 feet to a point; run thence South 00° 31' East and parallel to the centerline of said road 220 feet to a point at the South property line; run thence South 89° 29' West 40 feet to a point in the centerline of said road at Station 252+90; run thence North 00° 31' West along the centerline of said road 220 feet to the point and place of beginning.

Said strip of land lying in the Northwest Quarter of the Northwest Quarter of Section 8, Township 7 South, Range 3 East and containing .202 acres, more or less.

PARCEL TWO

Beginning at a point in the centerline of Woodhaven Road, Project #S-1263 at centerline station 256+85.0 run thence South 89° 29' West 40 feet to a point; run thence South 00° 31' East and parallel to the centerline of said road 140 feet to a point; run thence North 89° 29' East 40 feet to a point in the centerline of said road at centerline station 258+25.0; run thence North 00° 31' West 140 feet to the point and place of beginning.

Said strip of land lying in the Northwest Quarter of the Northwest Quarter of Section 8, Township 7 South, Range 3 East and containing 0.120 acres, more or less, including the present roadway.

PARCEL THREE

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 367+21.0 run thence South 00° 14' West along said centerline a distance of 2636.0 feet to the South property line at centerline station 393+57.0; run thence North 89° 46' West a distance of 40.0 feet to a point; run thence North 00° 14' East a distance of 10 feet to a point; run thence North 44° 46' West a distance of 70.71 feet; run thence South 89° 46' East a distance of 50.0 feet; run thence North 00° 14' East a distance of 80.0 feet; run thence North 89° 46' West a distance of 50.0 feet; run thence North 45° 14' East a distance

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of 70.71 feet; run thence North 00° 14' East a distance of 2446.0 feet to a point 40.0 feet West of and at right angles to centerline station 367+21.0; run thence South 89° 46' East a distance of 40.0 feet to the point of beginning.

Said tract of land lying partly in Lot 3, Fractional Section 19, Township 7 South, Range 3 East, and partly in the Michael McKinsey Grant, Section 37, in said township and range, and contains 2.478 acres, more or less, including the present roadway.

#### PARCEL FOUR

Beginning at a point on the centerline of Woodhaven Road, Project #S1263 at centerline station 393+61.0 run thence South 89° 46' East a distance of 40 feet to a point; run thence South 00° 14' West a distance of 2671 feet to a point; run thence North 89° 46' West a distance of 40 feet to a point; run thence North 00° 14' East a distance of 2671 feet to the point of beginning.

Said strip of land being in the West Half of the Southeast Quarter of Section 19, Township 7 South, Range 3 East and containing 2.457 acres, more or less, a portion of which is a part of the present travelled way.

#### PARCEL FIVE

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 393+61 and run South 00° 14' West a distance of 2671.0 feet to a point; thence North 89° 46' West a distance of 40.0 feet to a point; thence North 00° 14' East a distance of 2671.0 feet to a point; thence South 89° 46' East a distance of 40.0 feet to the point of beginning.

Said strip of land being in the East Half of the Southwest Quarter of Section 19, Township 7 South, Range 3 East and containing 2.457 acres, more or less, a portion of which is a part of the present travelled way.

Also a permanent easement for the purpose of maintaining a drainage ditch on land described as follows:

Beginning at a point that is 40.0 feet West of and at right angles to centerline station 398+25 and run North 61° 36' West a distance of 110.0 to the point of ending.

Said strip of land being 10.0 feet in width on each side of the easement centerline and being located in the Northeast Quarter of the Southwest Quarter of Section 19, Township 7 South, Range 3 East and containing 0.051 acres, more or less.

PARCEL SIX

Beginning at a point on the centerline of Woodhaven Road at centerline station 420+32 of Project #S-1263 and the North property line; thence run East along the North property line a distance of 40 feet; thence run South and parallel to the centerline of said project a distance of 2668 feet, more or less, to a point 40 feet Easterly of and at right angles to centerline station 447+00; thence turn an angle of 45° to the left and run a distance of 70.71 feet to a point on the North right-of-way line of U. S. Highway 98; thence run Westerly along said right-of-way line a distance of 90 feet, to centerline station 447+45; thence run North along the centerline of said project a distance of 2713 feet, more or less, to the point of beginning.

Said strip of land lying in the Northwest Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 30, Township 7 South, Range 3 East and containing 2.525 acres, more or less, a portion of which is a part of the present travelled way.

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PARCEL SEVEN

Beginning at a point on the centerline of Woodhaven Road Project #S-1263 at centerline station 441+10 and run South a distance of 633.0 feet to a point on the North right-of-way line of U. S. Highway No. 98; thence West a distance of 90.0 feet to a point; thence North 45° 00' East a distance of 70.71 feet to a point; thence North a distance of 583.0 feet; thence East a distance of 40.0 feet to the point of beginning.

Said strip of land being in the Southeast Quarter of the Northwest Quarter of Section 30, Township 7 South, Range 3 East and containing 0.611 acres, more or less, a part of which is a part of the present travelled way.

PARCEL EIGHT

Beginning at a point on the centerline of said Project #S-1263 at station 52+30 and run North 00° 43' East a distance of 40.0 feet to a point; thence South 89° 10' East a distance of 540 feet to a point; thence South 00° 43' West a distance of 40.0 feet to a point; thence North 89° 10' West a distance of 540 feet to the point of beginning.

Said strip of land being in the Southeast Quarter of the Northeast Quarter of Section 17, Township 7 South, Range 3 East and containing 0.496 acres, more or less, a portion of which is a part of the present travelled way.

That the names and addressed of the owners of the above described parcels of land are as follows:

PARCEL ONE: Thomas Hand  
260 S. Lawrence Street  
Mobile, Alabama

PARCEL TWO. Dorothy Pence  
1007 E. 126th Street  
Seattle, Washington

Dorreen Davis  
5183 Marathon Street  
Apartment 201  
Hollywood, California

William Mannich  
Bellville, Ohio

Henry Mannich  
Old Homestead Cafe  
Tookland, Virginia

Janice Kline  
1402 Woodlawn Avenue  
Middletown, Ohio

Reuben Mannich  
618 Pritz Avenue  
Dayton, Ohio

Owen Mannich  
4499 Lamme Road  
Dayton, Ohio

Cornelia Thompson  
Sandy Level, Virginia

Clara Smith  
Holden, West Virginia

Rudolph McPhail  
2570 Gill Road  
Mobile, Alabama

PARCEL THREE: H. F. and Mabel Cleveland  
1537 8th Avenue W.  
Birmingham, Alabama

PARCEL FOUR: J. B. Foley  
Foley, Alabama

PARCEL FIVE: George D. and Margaret Stuart  
Magnolia Springs, Alabama

J. B. Foley,  
Foley, Alabama

PARCEL SIX: Yupon Hereford Farms, Inc.  
Foley, Alabama

Ward B. Maurer  
Kansas City, Missouri

Hall Investment Company  
Magnolia Springs, Alabama

PARCEL SEVEN: George D. and Margaret Stuart  
Magnolia Springs, Alabama

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PARCEL EIGHT: Prince James  
Magnolia Springs, Alabama

That each of the above named persons is over the age of twenty-one years.

FOURTH:

That the Applicant does not know of any other person, firm or corporation who owns any right, title or interest in and to any of the above described parcels of land and that it has exercised reasonable diligence to ascertain if any other person, firm or corporation does own any right, title or interest in said lands.

WHEREFORE, the premises considered the Applicant respectfully prays that this Honorable Court will, on the filing of this application, make and enter an order appointing a day for the hearing of the same and will cause notice of the filing of such application and of the day set for hearing the same to be given to each of the above named persons or corporations, resident or domiciled in the State of Alabama by service upon them or it of a copy of such notice at least ten (10) days before the day appointed for the hearing of this application; and will cause notice to be given to those persons named above who reside out of the State of Alabama by advertisement in some newspaper published in Baldwin County, Alabama, for at least three (3) weeks before the day appointed for the hearing of this application, all in accordance with the statutes in such cases made and provided. And your Applicant further prays that on the day set for the hearing of this application, or on any day to which the same might be continued, that this application will be granted by this Honorable Court in whole and that Your Honor will appoint three (3) citizens of Baldwin County, Alabama, who shall possess the qualifications of jurors and who shall be disinterested; and will cause notice of such appointment to be issued to the Sheriff for service upon such persons designated therein, to assess, separately, the damages and compensations to which

the several owners and other parties interested in each of the several parcels of land described above are entitled. And your Applicant further prays that upon the filing of the report of said Commissioners that this Honorable Court will make and enter an order that the report of such Commissioners be recorded and will make orders of condemnation in pursuance thereof upon the land on the payment of the damages and compensations so assessed and reported or the deposit of the same in court. And your Applicant prays for such other, further and different decrees as may be necessary and proper for the acquisition by Baldwin County, Alabama, of an easement or right-of-way for public road purposes over and across the above described lands (and with respect to the land described with "PARCEL FIVE" a permanent easement for the purpose of maintaining a drainage ditch thereof).

Respectfully submitted,

By: John B. Hadley  
As Agent and Chairman of the County  
Commission of Baldwin County, Alabama

STATE OF ALABAMA

BALDWIN COUNTY

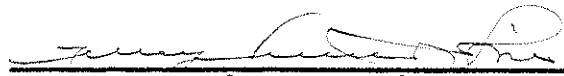
Before me, E. Mac Humphries, a Notary Public, in and for said County in said State, personally appeared John B. Hadley as the Chairman of the County Commission of Baldwin County, Alabama, the governing body thereof, its agent, who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is John B. Hadley; that he signed the foregoing instrument and the matters alleged therein are true and correct.

John B. Hadley

Sworn to and subscribed before me on this

15<sup>th</sup> day of July, 1963.

  
\_\_\_\_\_  
Notary Public, Baldwin County, Alabama

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WHEREAS, certain lands are needed and desired as a right-of-way for a public road in Baldwin County, Alabama, and for drainage purposes in connection therewith, which road has been surveyed and approved by the State Highway Department for construction and surfacing, all of which appears by letter from the resident engineer of the Alabama State Highway Department dated the 12<sup>th</sup> day of July, 1963, which said letter is now on file in the Office of the County Commission of Baldwin County, Alabama; and

WHEREAS, it is necessary that Baldwin County, Alabama, acquire an easement over and across said lands for a public right-of-way for a road, and the Alabama State Highway Department has requested that this Commission, as the governing body of Baldwin County, Alabama, acquire an interest in said lands for such purposes;

NOW THEREFORE, BE IT RESOLVED that it is hereby judicially ascertained and determined that it is necessary and proper and to the best interest of Baldwin County, Alabama, that an easement for public road purposes and for drainage purposes in connection therewith, be acquired and owned by Baldwin County, Alabama, over and across the lands described in the letter referred to above, reference to which is hereby made as though the same were expressly incorporated herein; and that John B. Hadley, as Chairman of the County Commission of Baldwin County, Alabama, be, and he is hereby authorized and directed to institute in the name of Baldwin County, Alabama, eminent domain proceedings to acquire an easement over and across said lands for and as a right-of-way for a public road and for drainage purposes where necessary.

\* \* \* \* \*

I, John B. Hadley, as Chairman of the County Commission and as such, the custodian of the records of the said County Commission, do hereby certify that the foregoing is a true and cor-

rect and literal copy of a resolution duly adopted by the County Commission at its meeting on the 15<sup>th</sup> day of July, 1963, as the same appears in the minutes of the said meeting.

Witness my hand and official seal on this the 15<sup>th</sup> day of July, 1963.

John B. Hadley

John B. Hadley, Chairman of  
the Commission

Introduced AS APPLICANT'S Exhibit ONE

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BALDWIN COUNTY, ALABAMA

Applicant,

vs.

THOMAS HAND, ET AL.,

Defendants.

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IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

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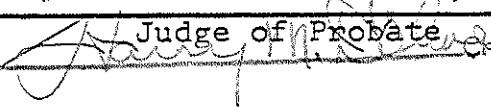
ORDER APPOINTING DAY TO HEAR  
APPLICATION TO CONDEMN LAND

This day came Baldwin County, Alabama, acting by and through John B. Hadley, as its Agent and Chairman of the County Commission of Baldwin County, Alabama, and filed its application to have condemned an easement or right-of-way for public road purposes over and across the lands therein described; and it appearing to the Court from the allegations of said application that it is necessary that Baldwin County, Alabama, acquire such easement or right-of-way and that Baldwin County, Alabama, desires to have such easement or right-of-way 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 all of 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 August, 1963, at 10:00 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 the same be given to those persons who are alleged to be owners of any of the property described in the application and who are non-residents of the State of Alabama, by publication once a week for three consecutive weeks in the Baldwin Times, a newspaper of general circulation published at Bay Minette, Baldwin County, Alabama; and that notice issue to all of the resident owners of the property described in the application in accordance with the

statutes in such cases made and provided.

Dated this the 22nd day of July, 1963.

  
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By:  Judge of Probate Chief Clerk

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BALDWIN COUNTY, ALABAMA,

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Applicant,

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IN THE PROBATE COURT OF

vs.

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BALDWIN COUNTY, ALABAMA

THOMAS HAND, ET AL.,

¶

Defendants.

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TO: HALL INVESTMENT COMPANY, MAGNOLIA SPRINGS, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 22nd day of July, 1963, Baldwin County, Alabama, acting by and through John B. Hadley as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, filed an application in writing for the condemnation of an easement or right-of-way for public road purposes over and across the following described real property situated in Baldwin County, Alabama, to-wit:

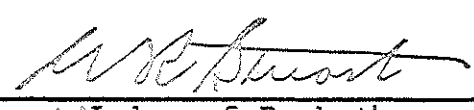

Beginning at a point on the centerline of Woodhaven Road at centerline station 420+32 of Project #S-1263 and the North property line; thence run East along the North property line a distance of 40 feet, thence run South and parallel to the centerline of said project a distance of 2668 feet, more or less, to a point 40 feet Easterly of and at right angles to centerline station 447+00; thence turn an angle of 45° to the left and run a distance of 70.71 feet to a point on the North right-of-way line of U. S. Highway 98; thence run Westerly along said right-of-way line a distance of 90 feet, to centerline station 447+45; thence run North along the centerline of said project a distance of 2713 feet, more or less, to the point of beginning.

Said strip of land lying in the Northwest Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 30, Township 7 South, Range 3 East and containing 2.525 acres, more or less, a portion of which is a part of the present travelled way;

and in which application it is alleged that you are the owner of an interest therein; and that the 13<sup>th</sup> day of August, 1963, at 10:00 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 22<sup>nd</sup> day of July, 1963.

CHASON & STONE  
Attorneys for Applicant

  
Judge of Probate  
By:  Chief Clerk



No. Satch company at  
613 - N - 9th St.

Thomas Hand

NOT FOUND in Jefferson County this  
the 26 day of July 1963  
MELVIN BAILEY, Sheriff  
Jefferson County, Alabama  
By C. E. Childers, D.S.

Received 6 day of Aug. 1963  
and on 2 day of Aug. 1963  
served a copy of the within Notice  
on Hall Investment Co.  
service on Robert Hall

TAYLOR WILKINS, Sheriff  
By Charles Childers, D.S.  
Returned 24 day of July 1963  
Not found in my county after diligent search and in-  
quiry.

Taylor Wilkins, Sheriff  
By Charles Childers  
Deputy Sheriff

Sheriff claims 110 miles at  
Ten Cents per mile Total \$ 11.00  
TAYLOR WILKINS, Sheriff  
By Charles Childers  
DEPUTY SHERIFF

Melvin Bailey, Sheriff of  
Jefferson County, Alabama,  
claims \$1.50 each for serving

\_\_\_\_\_ process(es) and \$1.00  
travel expense on each of

\_\_\_\_\_ process(es) or a total of

\$ \_\_\_\_\_

\_\_\_\_\_ Deputy Sheriff.

3-11-63 PM 52 707-1961

*[Signature]*

BALDWIN COUNTY, ALABAMA,

Applicant,

vs.

THOMAS HAND, ET AL.,

Defendants.

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IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

TO: GEORGE D. and MARGARET STUART, MAGNOLIA SPRINGS, ALABAMA:

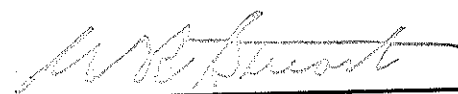
YOU ARE HEREBY NOTIFIED that on the 22nd day of July, 1963, Baldwin County, Alabama, acting by and through John B. Hadley as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, filed an application in writing for the condemnation of an easement or right-of-way for public road purposes over and across the following described real property situated in Baldwin County, Alabama, alleged to be owned by you:

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 441+10 and run South a distance of 633.0 feet to a point on the North right-of-way line of U. S. Highway No. 98; thence West a distance of 90.0 feet to a point; thence North 45° 00' East a distance of 70.71 feet to a point; thence North a distance of 583.0 feet; thence East a distance of 40.0 feet to the point of beginning.

Said strip of land being in the Southeast Quarter of the Northwest Quarter of Section 30, Township 7 South, Range 3 East and containing 0.611 acres, more or less, a portion of which is a part of the present travelled way,

and that the 13<sup>th</sup> day of August, 1963, at 10:00 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 22<sup>nd</sup> day of July, 1963.

  
 Judge of Probate  
 By Harry M. Stone Chief Clerk

CHASON & STONE  
 Attorneys for Applicant

Received 22 day of July 1963

and on 23 day of July 1963

I served a copy of the within Notice

on George D. Margaret

Stuart

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By Charles L. D. S.

Harold G. Magnolia  
July

Sheriff claims 184 miles at

Ten Cents per mile Total \$ 18.40

TAYLOR WILKINS, Sheriff

BY Childress  
DEPUTY SHERIFF

BALDWIN COUNTY, ALABAMA,	§	
Applicant,	§	IN THE PROBATE COURT OF
vs.	§	
	§	BALDWIN COUNTY, ALABAMA
THOMAS HAND, ET AL.,	§	
Defendants.	§	

TO: GEORGE D. and MARGARET STUART, MAGNOLIA SPRINGS, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 22nd day of July, 1963, Baldwin County, Alabama, acting by and through John B. Hadley as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, filed an application in writing for the condemnation of an easement or right-of-way for public road purposes over and across the following described real property situated in Baldwin County, Alabama, in which you are alleged to have an interest:

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 393+61 and run South 00° 14' West a distance of 2671.0 feet to a point; thence North 89° 46' West a distance of 40.0 feet to a point; thence North 00° 14' East a distance of 2671.0 feet to a point; thence South 89° 46' East a distance of 40.0 feet to the point of beginning.

Said strip of land being in the East Half of the Southwest Quarter of Section 19, Township 7 South, Range 3 East and containing 2.457 acres, more or less, a portion of which is a part of the present roadway.

ALSO:

A permanent easement for the purpose of maintaining a drainage ditch on land described as follows:

Beginning at a point that is 40.0 feet West of and at right angles to centerline station 398+25 and run North 61° 36' West a distance of 110.0 feet to the point of ending.

Said strip of land being 10.0 feet in width on each side of the easement centerline and being located in the Northeast Quarter of the Southwest Quarter, Section 19, Township 7 South, Range 3 East and containing 0.051 acres, more or less,

and that the 13<sup>th</sup> day of August, 1963, at 10:00 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 22<sup>nd</sup> day of July, 1963.

*[Signature]*  
Judge of Probate  
By: *[Signature]* Chief Clerk

CHASON & STONE  
Attorneys for Applicant

Received 22 day of July 1963  
and on 23 day of July 1963  
I served a copy of the within Notice  
on George D. Stewart  
Margaret Stewart  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By Childress

Sheriff claims 184 miles at

Ten Cents per mile Total \$ 18.40

TAYLOR WILKINS, Sheriff

BY

CC  
DEPUTY SHERIFF

BALDWIN COUNTY, ALABAMA,	§	
Applicant,	§	IN THE PROBATE COURT OF
vs.	§	
THOMAS HAND, ET AL.,	§	BALDWIN COUNTY, ALABAMA
Defendants.	§	

TO: RUDOLPH McPHAIL, 2570 GILL ROAD, MOBILE, ALABAMA:

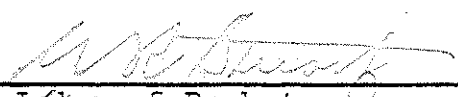
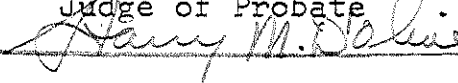
YOU ARE HEREBY NOTIFIED that on the 22nd day of July, 1963, Baldwin County, Alabama, acting by and through John B. Hadley as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, filed an application in writing for the condemnation of an easement or right-of-way for public road purposes over and across the following described real property situated in Baldwin County, Alabama, alleged to be owned by you, jointly with others:

Beginning at a point in the centerline of Woodhaven Road, Project #S-1263, at centerline station 256+85.0 run thence South 89° 29' West 40 feet to a point; run thence South 00° 31' East and parallel to the centerline of said road 140 feet to a point; run thence North 89° 29' East 40 feet to a point in the centerline of said road at centerline station 258+25.0; run thence North 00° 31' West 140 feet to the point and place of beginning.

Said strip of land lying in the Northwest Quarter of the Northwest Quarter of Section 8, Township 7 South, Range 3 East and containing 0.120 acres, more or less, including the present roadway,

and that the 13<sup>th</sup> day of August, 1963, at 10:00 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 22<sup>nd</sup> day of July, 1963.

  
 Judge of Probate  
 By:  Chief Clerk

CHASON & STONE  
 Attorneys for Applicant

7-12- 3787

8/13

307

RECEIVED

JUL 24 1963

SHERIFF'S OFFICE

EXECUTED

This 30 day of July, 1963  
by serving a copy of the within on

Rudolph M. Phair  
RAY D. BRIDGES, Sheriff

By W. L. Fischer D.S.



BALDWIN COUNTY, ALABAMA,

Applicant,

vs.

THOMAS HAND, ET AL.,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

TO: THOMAS HAND, 260 S. LAWRENCE STREET, MOBILE, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 22nd day of July, 1963, Baldwin County, Alabama, acting by and through John B. Hadley as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, filed an application in writing for the condemnation of an easement or right-of-way for public road purposes over and across the following described real property situated in Baldwin County, Alabama, alleged to be owned by you:

Beginning at a point in the centerline of Woodhaven Road, Project #S-1263 at centerline station 250+70, run thence North 89° 29' East 40 feet to a point, run thence South 00° 31' East and parallel to the centerline of said road 220 feet to a point at the South property line; run thence South 89° 29' West 40 feet to a point in the centerline of said road at station 252+90; run thence North 00° 31' West along the centerline of said road 220 feet to the point and place of beginning.

Said strip of land lying in the Northwest Quarter of the Northwest Quarter of Section 8, Township 7 South, Range 3 East and containing .202 acres, more or less,

and that the 13<sup>th</sup> day of August, 1963, at 10:00 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 22<sup>nd</sup> day of July, 1963.

W. B. Street  
Judge of Probate  
By: Harry M. Stone Chief Clerk

CHASON & STONE  
Attorneys for Applicant

del 8/13 3788

304  
me

EXECUTED  
This 30 day of July, 19 63  
by serving a copy of the within on  
Thomas Hanel  
RAY D. BRIDGES, Sheriff  
By C. Miller D.S.

RECEIVED  
JUL 24 1963  
SHERIFF'S OFFICE

BALDWIN COUNTY, ALABAMA,

Applicant,

vs.

THOMAS HAND, ET AL.,

Defendants.

§

§

§

§

§

§

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

TO: H. F. and MABEL CLEVELAND, 1537 8TH AVENUE W., BIRMINGHAM,  
ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 22nd day of July, 1963, Baldwin County, Alabama, acting by and through John B. Hadley as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, filed an application in writing for the condemnation of an easement or right-of-way for public road purposes over and across the following described real property situated in Baldwin County, Alabama, alleged to be owned by you:

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 367+21.0, Run thence South 00° 14' West along said centerline a distance of 2636.0 feet to the South property line at centerline station 393+57.0; run thence North 89° 46' West a distance of 40.0 feet to a point; run thence North 00° 14' East a distance of 10 feet to a point; run thence North 44° 46' West a distance of 70.71 feet; run thence South 89° 46' East a distance of 50.0 feet; run thence North 00° 14' East a distance of 80.0 feet; run thence North 89° 46' West a distance of 50.0 feet; run thence North 45° 14' East a distance of 70.71 feet; run thence North 00° 14' East a distance of 2446.0 feet to a point 40.0 feet West of and at right angles to centerline station 367+21.0; run thence South 89° 46' East a distance of 40.0 feet to the point of beginning.

Said tract of land lying partly in Lot 3, Fractional Section 19, Township 7 South, Range 3 East, and partly in the Michael McKinsey Grant, Section 37, in said township and range, and contains 2.478 acres, more or less, including the present roadway,

and that the 13<sup>th</sup> day of August, 1963, at 10:00 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 22<sup>nd</sup> day of July, 1963.

CHASON & STONE  
Attorneys for Applicant

By: W. R. Stewart Judge of Probate Chief Clerk

EXECUTED this the 23  
day of July 1963  
by leaving a copy of the within with  
A. F. Cleveland

MELVIN BAILEY, Sheriff  
Jefferson County, Alabama  
By Cleveland D.S.

EXECUTED this the 23  
day of July 1963  
by leaving a copy of the within with  
Mahel Cleveland

MELVIN BAILEY, Sheriff  
Jefferson County, Alabama  
By Cleveland D.S.

Melvin Bailey, Sheriff of  
Jefferson County, Alabama,  
claims \$1.50 each for serving

2 process(es) and \$1.00  
travel expense on each of

2 process(es) or a total of

\$ 4.00  
Cleveland Deputy Sheriff.

BALDWIN COUNTY, ALABAMA,	§	
Applicant,	§	IN THE PROBATE COURT OF
vs.	§	
THOMAS HAND, ET AL.,	§	BALDWIN COUNTY, ALABAMA
Defendants.	§	

TO: YUPON HEREFORD FARMS, INC., FOLEY, ALABAMA:

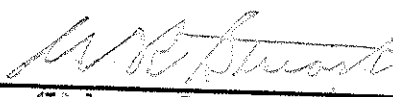
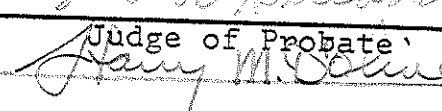
YOU ARE HEREBY NOTIFIED that on the 22nd day of July, 1963, Baldwin County, Alabama, acting by and through John B. Hadley as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, filed an application in writing for the condemnation of an easement or right-of-way for public road purposes over and across the following described real property situated in Baldwin County, Alabama, alleged to be owned by you:

Beginning at a point on the centerline of Woodhaven Road at centerline station 420+32 of Project #S-1263 and the North property line; thence run East along the North property line a distance of 40 feet; thence run South and parallel to the centerline of said project a distance of 2668 feet, more or less, to a point 40 feet Easterly of and at right angles to centerline station 447+00; thence turn an angle of 45° to the left and run a distance of 70.71 feet to a point on the North right-of-way line of U. S. Highway 98; thence run Westerly along said right-of-way line a distance of 90 feet, to centerline station 447+45; thence run North along the centerline of said project a distance of 2713 feet, more or less, to the point of beginning.

Said strip of land lying in the Northwest Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 30, Township 7 South, Range 3 East and containing 2.525 acres, more or less, a portion of which is a part of the present travelled way,

and that the 13<sup>th</sup> day of August, 1963, at 10:00 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 22<sup>nd</sup> day of July, 1963.

  
 Judge of Probate  
 By:  Chief Clerk

CHASON & STONE  
 Attorneys for Applicant

Received 22 day of July 1963  
and on 23 day of July 1963  
served a copy of the within Notice  
on Upon Newfane Farms  
Myrl D. Hend Jr. Mgr.  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
BY [Signature] D. S.

4 mi. west

Sheriff claims 92 miles at  
Ten Cents per mile Total \$ 9.20  
TAYLOR WILKINS, Sheriff  
BY Childress  
DEPUTY SHERIFF

BALDWIN COUNTY, ALABAMA,

Applicant,

vs.

THOMAS HAND, ET AL.,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

TO: PRINCE JAMES, MAGNOLIA SPRINGS, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 22nd day of July, 1963, Baldwin County, Alabama, acting by and through John B. Hadley as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, filed an application in writing for the condemnation of an easement or right-of-way for public road purposes over and across the following described real property situated in Baldwin County, Alabama, alleged to be owned by you:

Beginning at a point on the centerline of said Project #S-1263 at station 52+30 and run North 00° 43' East a distance of 40.0 feet to a point; thence South 89° 10' East a distance of 540 feet to a point; thence South 00° 43' West a distance of 40.0 feet to a point; thence North 89° 10' West a distance of 540 feet to the point of beginning.

Said strip of land being in the Southeast Quarter of the Northeast Quarter of Section 17, Township 7 South, Range 3 East and containing 0.496 acres, more or less, a portion of which is a part of the present travelled way,

and that the 13<sup>th</sup> day of August, 1963, at 10:00 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 22<sup>nd</sup> day of July, 1963.

W. K. Burdett  
Judge of Probate

By: J. M. Dolan Chief Clerk

CHASON & STONE  
Attorneys for Applicant

BALDWIN COUNTY, ALABAMA,

Applicant,

vs.

THOMAS HAND, ET AL.,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

TO: PRINCE JAMES, MAGNOLIA SPRINGS, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 22nd day of July, 1963, Baldwin County, Alabama, acting by and through John B. Hadley as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, filed an application in writing for the condemnation of an easement or right-of-way for public road purposes over and across the following described real property situated in Baldwin County, Alabama, alleged to be owned by you:

Beginning at a point on the centerline of said Project #S-1263 at station 52+30 and run North 00° 43' East a distance of 40.0 feet to a point; thence South 89° 10' East a distance of 540 feet to a point; thence South 00° 43' West a distance of 40.0 feet to a point; thence North 89° 10' West a distance of 540 feet to the point of beginning.

Said strip of land being in the Southeast Quarter of the Northeast Quarter of Section 17, Township 7 South, Range 3 East and containing 0.496 acres, more or less, a portion of which is a part of the present travelled way,

and that the 13<sup>th</sup> day of August, 1963, at 10:00 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 22<sup>nd</sup> day of July, 1963.

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

CHASON & STONE  
Attorneys for Applicant



Received 22 day of July 1963

and on \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

I served a copy of the within notice

on Prince James

\_\_\_\_\_

By service on \_\_\_\_\_

\_\_\_\_\_

TAYLOR WILKINS, Sheriff

By \_\_\_\_\_ D. S.

BALDWIN COUNTY, ALABAMA,

§

Applicant,

§

IN THE PROBATE COURT OF

vs.

§

§

BALDWIN COUNTY, ALABAMA

THOMAS HAND, ET AL.,

§

Defendants.

§

TO: J. B. FOLEY, FOLEY, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 22nd day of July, 1963, Baldwin County, Alabama, acting by and through John B. Hadley as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, filed an application in writing for the condemnation of an easement or right-of-way for public road purposes over and across the following described real property situated in Baldwin County, Alabama, alleged to be owned by you:

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 393+61.0 run thence South 89° 46' East a distance of 40 feet to a point; run thence South 00° 14' West a distance of 2671 feet to a point; run thence North 89° 46' West a distance of 40 feet to a point; run thence North 00° 14' East a distance of 2671 feet to the point of beginning.

Said strip of land being in the West Half of the Southeast Quarter of Section 19, Township 7 South, Range 3 East and containing 2.457 acres, more or less, a portion of which is a part of the present travelled way.

ALSO

The following described real property situated in Baldwin County, Alabama, alleged to be owned by you jointly with others:

Beginning at a point on the centerline of Woodhaven Road, Project #S1263 at centerline station 393.61 and run South 00° 14' West a distance of 2671.0 feet to a point; thence North 89° 46' West a distance of 40.0 feet to a point; thence North 00° 14' East a distance of 2671.0 feet to a point; thence South 89° 46' East a distance of 40.0 feet to the point and place of beginning.

Said strip of land being in the East Half of the Southwest Quarter of Section 19, Township 7 South, Range 3 East and containing 2.457 acres, more or less, a portion of which is a portion of the present travelled way.

ALSO

A permanent easement for the purpose of maintaining



a drainage ditch on land described as follows:

Beginning at a point that is 40.0 feet West of and at right angles to centerline station 398+25 and run North 61° 36' West a distance of 110.0 feet to the point of ending.

Said strip of land being 10.0 feet in width on each side of the easement centerline and being located in the Northeast Quarter of the Southwest Quarter of Section 19, Township 7 South, Range 3 East and containing 0.051 acres, more or less,

and that the 13<sup>th</sup> day of August, 1963, at 10:00 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 22<sup>nd</sup> day of July, 1963.

  
\_\_\_\_\_  
Judge of Probate  
By:  Chief Clerk

CHASON & STONE  
Attorneys for Applicant

Received 22 day of July 1963  
at on 23 day of July 1963

I served a copy of the within Notice  
on J. B. Toluy

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By [Signature] D. S.

Sheriff claims 72 miles at

Ten Cents per mile Total \$ 7.20

TAYLOR WILKINS, Sheriff

BY Childress  
DEPUTY SHERIFF

BALDWIN COUNTY, ALABAMA,	§	
Applicant,	§	IN THE PROBATE COURT OF
vs.	§	
	§	BALDWIN COUNTY, ALABAMA
THOMAS HAND, ET AL.,	§	
Defendants.	§	

NOTICE OF APPOINTMENT OF COMMISSIONERS

TO TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA:

YOU ARE HEREBY NOTIFIED that the undersigned Judge of Probate of Baldwin County, Alabama, has, in the above styled cause now pending in said Court, appointed Marshall Crosby

Howard Rhodes and Gray Moore

as Commissioners to assess the damages and compensation, if any, to which the owners hereinafter named of the following described parcels of land situated in Baldwin County, Alabama, to-wit:

PARCEL ONE

Beginning at a point in the centerline of Woodhaven Road, Project #S-1263 at centerline station 250+70, run thence North 89° 29' East 40 feet to a point; run thence South 00° 31' East and parallel to the centerline of said road 220 feet to a point at the South property line; run thence South 89° 29' West 40 feet to a point in the centerline of said road at Station 252+90; run thence North 00° 31' West along the centerline of said road 220 feet to the point and place of beginning.

Said strip of land lying in the Northwest Quarter of the Northwest Quarter of Section 8, Township 7 South, Range 3 East and containing .202 acres, more or less.

PARCEL TWO

Beginning at a point in the centerline of Woodhaven Road, Project #S-1263 at centerline station 256+85.0 run thence South 89° 29' West 40 feet to a point; run thence South 00° 31' East and parallel to the centerline of said road 140 feet to a point; run thence North 89° 29' East 40 feet to a point in the centerline of said road at centerline station 258+25.0; run thence North 00° 31' West 140 feet to the point and place of beginning.

Said strip of land lying in the Northwest Quarter of the Northwest Quarter of Section 8, Township 7 South, Range 3 East and containing 0.120 acres, more or less, including the present roadway.

PARCEL THREE

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 367+21.0 run thence South 00° 14' West along said centerline a distance of 2636.0 feet to the South property line at centerline station 396+57.0; run thence North 89° 46' West a distance of 40.0 feet to a point; run thence North 00° 14' East a distance of 10 feet to a point; run thence North 44° 46' West a distance of 70.71 feet; run thence South 89° 46' East a distance of 50.0 feet; run thence North 00° 14' East a distance of 80.0 feet; run thence North 89° 46' West a distance of 50.0 feet; run thence North 45° 14' East a distance of 70.71 feet; run thence North 00° 14' East a distance of 2446.0 feet to a point 40.0 feet West of and at right angles to centerline station 367+21.0; run thence South 89° 46' East a distance of 40.0 feet to the point of beginning.

Said tract of land lying partly in Lot 3, Fractional Section 19, Township 7 South, Range 3 East, and partly in the Michael McKinsey Grant, Section 37, in said township and range, and contains 2.478 acres, more or less, including the present roadway.

PARCEL FOUR

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 393+61.0 run thence South 89° 46' East a distance of 40 feet to a point; run thence South 00° 14' West a distance of 2671 feet to a point; run thence North 89° 46' West a distance of 40 feet to a point; run thence North 00° 14' East a distance of 2671 feet to the point of beginning.

Said strip of land being in the West Half of the Southeast Quarter of Section 19, Township 7 South, Range 3 East and containing 2.457 acres, more or less, a portion of which is a part of the present travelled way.

PARCEL FIVE

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 393+61 and run South 00° 14' West a distance of 2671.0 feet to a point; thence North 89° 46' West a distance of 40.0 feet to a point; thence North 00° 14' East a distance of 2671.0 feet to a point; thence South 89° 46' East a distance of 40.0 feet to the point of beginning.

Said strip of land being in the East Half of the Southwest Quarter of Section 19, Township 7 South, Range 3 East and containing 2.457 acres, more or less, a portion of which is a part of the present travelled way

Also a permanent easement for the purpose of maintaining a drainage ditch on land described as follows:

Beginning at a point that is 40.0 feet West of and at right angles to centerline station 398+25 and run North  $61^{\circ} 36'$  West a distance of 110.0 feet to the point of ending.

Said strip of land being 10.0 feet in width on each side of the easement centerline and being located in the Northeast Quarter of the Southwest Quarter of Section 19, Township 7 South, Range 3 East and containing 0.051 acres, more or less.

#### PARCEL SIX

Beginning at a point on the centerline of Woodhaven Road at centerline station 420+32 of Project #S-1263 and the North property line; thence run East along the North property line a distance of 40 feet; thence run South and parallel to the centerline of said project a distance of 2668 feet, more or less, to a point 40 feet Easterly of and at right angles to centerline station 447+00; thence turn an angle of  $45^{\circ}$  to the left and run a distance of 70.71 feet to a point on the North right-of-way line of U. S. Highway 98; thence run Westerly along said right-of-way line a distance of 90 feet, to centerline station 447+45; thence run North along the centerline of said project a distance of 2713 feet, more or less, to the point of beginning.

Said strip of land lying in the Northwest Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 30, Township 7 South, Range 3 East and containing 2.525 acres, more or less, a portion of which is a part of the present travelled way.

#### PARCEL SEVEN

Beginning at a point on the centerline of Woodhaven Road Project #S-1263 at centerline station 441+10 and run South a distance of 633.0 feet to a point on the North right-of-way line of U. S. Highway No. 98; thence West a distance of 90.0 feet to a point; thence North  $45^{\circ} 00'$  East a distance of 70.71 feet to a point; thence North a distance of 583.0 feet; thence East a distance of 40.0 feet to the point of beginning.

Said strip of land being in the Southeast Quarter of the Northwest Quarter of Section 30, Township 7 South, Range 3 East and containing 0.611 acres, more or less, a part of which is a part of the present travelled way,

are entitled.

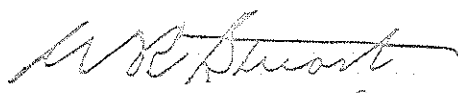
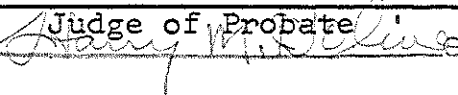
The names of the owners of the above described parcels of land are as follows: Thomas Hand, "PARCEL ONE"; Dorothy Pence, Dorreen Davis, William Mannich, Henry Mannich, Janice Kline, Reuben Mannich, Owen Mannich, Cornelia Thompson, Clara Smith, Rudolph McPhail, "PARCEL TWO"; H. F. and Mabel Cleveland, "PARCEL THREE";

J. B. Foley, "PARCEL FOUR"; George D. and Margaret Stuart and J. B. Foley, "PARCEL FIVE"; Yupon Hereford Farms, Inc., Ward B. Maurer and Hall Investment Company, "PARCEL SIX" and George D. and Margaret Stuart, "PARCEL SEVEN".

And you are hereby required to serve a copy of this notice upon each of the above designated Commissioners within five (5) days of the receipt of this notice, which said Commissioners must, within twenty days from this date, make a report in writing to the Court stating the amount of damages and compensation, if any, ascertained by them for the several owners of the above described parcels of land.

And you are hereby required to make due return on this notice to this Court.

Done this the 13th day of August, 1963.

  
\_\_\_\_\_  
Judge of Probate  
By:  Chief Clerk

BOOK 033 PAGE 372



Received 14 day of Aug 1963  
and on 19 day of August 1963  
I served a copy of the within Marshall Crosby  
on Gray Moore, Howard Rhodes

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By Jm Eastman D. S.

Magnolia Springs

Sheriff claims 252 miles at  
Ten Cents per mile Total \$ 25.20  
TAYLOR WILKINS, Sheriff

BY \_\_\_\_\_  
DEPUTY SHERIFF

Received 14 day of Aug 1963  
 and on 19 day of August 1963  
 I served a copy of the within Marshall Crosby  
 on Gray Moore, Howard Rhodes

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
 By J. M. Easton D. S.  
Magnolia Springs

Sheriff claims 252 miles  
 Ten Cents per mile Total \$ 25.20  
 TAYLOR WILKINS, Sheriff  
 BY \_\_\_\_\_  
 DEPUTY SHERIFF

THIS CERTIFICATE IS VALID FOR THE PURPOSES OF THE ACT OF MARCH 3, 1879, CHAP. 122, SEC. 1.

WITNESSED BY ME, CLERK OF THE COURT, AT THE COURT HOUSE, IN THE CITY OF JACKSON, MISSISSIPPI, THIS 19TH DAY OF AUGUST, 1963.

CLERK OF THE COURT

THIS CERTIFICATE IS VALID FOR THE PURPOSES OF THE ACT OF MARCH 3, 1879, CHAP. 122, SEC. 1.

THIS CERTIFICATE IS VALID FOR THE PURPOSES OF THE ACT OF MARCH 3, 1879, CHAP. 122, SEC. 1.

BALDWIN COUNTY, ALABAMA,

Applicant,

vs.

THOMAS HAND, ET AL.,

Defendants.

§

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§

§

§

§

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

ORDER GRANTING APPLICATION

This being the day heretofore appointed for the hearing of the application heretofore filed in this cause and it having been made to appear to the Court from the testimony of John B. Hadley, as Chairman of the County Commission of Baldwin County, Alabama, and of D'Olive Bill, Resident Engineer of Baldwin County, Alabama, for the State Highway Department of the State of Alabama, and the exhibit introduced in connection therewith, that it is necessary that a right-of-way for public road purposes be acquired over and across the lands described in said application (and with respect to the land described as "PARCEL FIVE", a permanent easement for drainage purposes in connection with the construction and maintenance of said road); and it further appearing to the Court that the Applicant has been requested by the State of Alabama to acquire such right-of-way and drainage easement; and it further appearing to the Court that notice has been given to all of the Defendants in accordance with the statutes in such cases made and provided except to Prince James, as the owner of "PARCEL EIGHT" as described in said application, which notice to said Defendant has been returned to this Court with a notation by the Sheriff of Baldwin County, Alabama, that said Defendant is deceased; and it appearing to the Court that said application should be granted in all respects with the exception of so much thereof as applies to "PARCEL EIGHT"; and the Court having considered all of the above, it is therefore

ORDERED, ADJUDGED and DECREED by the Probate Court of Bald-

win County, Alabama, as follows:

1. That the application of Baldwin County, Alabama, heretofore filed in this cause be, and the same is hereby, granted with respect to the lands described therein as "PARCEL ONE", through "PARCEL SEVEN", inclusive;

2. That MARSHALL Crosby, HOWARD Rhodes and GRAY MOORE are three citizens of Baldwin County, Alabama, who possess the qualifications of jurors and who are disinterested, and that they be, and they are hereby, appointed as Commissioners to view the lands and to award the damages, if any, to which each of the several land owners are entitled; and

3. That notice of the appointment of said Commissioners be issued forthwith for service upon them by the Sheriff of Baldwin County, Alabama, in accordance with the statutes in such cases made and provided.

Done this the 13th day of August, 1963.

W. R. Stewart  
Judge of Probate

BALDWIN COUNTY, ALABAMA,

Applicant,

vs.

THOMAS HAND, ET AL.,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

REPORT OF COMMISSIONERS

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

We, the undersigned

Marshall L. Luby,  
Howard Rhodes and Gray Moore,

who were heretofore appointed by the Probate Court of Baldwin County, Alabama, as Commissioners to assess the damages and compensation to which the several owners of the parcels of land described in the application filed in this cause and the notice of appointment served on the undersigned, are entitled, do hereby respectfully report that pursuant to said commission we viewed said lands after having been sworn as jurors are sworn, and thereafter we proceeded to assess the damages and compensation to which the owners of the several tracts of land are entitled by reason of the condemnation of an easement over and across said lands for road purposes (and with respect to "PARCEL FIVE", an additional easement for drainage purposes), and we, and each of us, separately ascertained and assessed the damages and compensation as follows:

To Thomas Hand as the owner of "PARCEL ONE"....\$ 1<sup>00</sup>

To Dorothy Pence, Dorreen Davis, William Mannich, Henry Mannich, Janice Kline, Reuben Mannich, Owen Mannich, Cornelia Thompson, Clara Smith and Rudolph McPhail as the owners of "PARCEL TWO".....\$ 1<sup>00</sup>

To H. F. and Mabel Cleveland, as the owners of "PARCEL THREE".....\$ 1<sup>00</sup>To J. B. Foley, as the owner of "PARCEL FOUR".....\$ 1<sup>00</sup>To George D. and Margaret Stuart and J. B. Foley, as owners of "PARCEL FIVE".....\$ 750<sup>00</sup>

Filed Aug 28, 1963  
 Recorded  
 W. R. Stuart  
 Judge of Probate

To Yupon Herefore Farms, Inc., Ward B.  
Maurer and Hall Investment Company as  
owners of "PARCEL SIX".....\$

150<sup>00</sup>

To George D. and Margaret Stuart, as  
owners of "PARCEL SEVEN".....\$

1<sup>00</sup>

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Done this 28 day of August, 1963.

Marshall Crosby

Howard Rhodes

Gray Moore

CERTIFICATE OF COMMISSIONERS

We, the undersigned, as Commissioners heretofore appointed by the Judge of Probate of Baldwin County, Alabama, in the above styled cause, do hereby certify that we each possess the qualifications of jurors, that neither of us had ever been consulted, advised or approached by any person in reference to the value of the lands which are the subject of this proceeding, or the proceedings to condemn the same prior to the assessment of the damages, and that we, and each of us, knew nothing of the same prior to our appointment as such Commissioners.

And each of us do hereby certify that we were sworn as jurors are sworn and that the following oath was administered to us: "You do solemnly swear that you will well and truly try all issues, and execute all writs of inquiry, which may be submitted to you during the present session, and true verdicts render according to the evidence-----so help you God.".

Done this the 28<sup>th</sup> day of August, 1963.

Marshall Crosby

Howard Rhodes

Gray Moore

As Commissioners aforesaid

Sworn to and subscribed before

me on this the 28<sup>th</sup> day of

August, 1963.

Chas. J. Ebert.

Notary Public, Baldwin County, Alabama

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Received 74 day of Aug 1963  
and on \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

I serve a copy of the within \_\_\_\_\_  
on \_\_\_\_\_

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By \_\_\_\_\_ D. S.



BALDWIN COUNTY, ALABAMA,

Applicant,

vs.

THOMAS HAND, ET AL.,

Defendants.

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IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

BOOK

033  
PAGE 379

ORDER OF CONDEMNATION

The Commissioners heretofore appointed by this Court to assess the damages and compensation to which Thomas Hand, as the owner of "PARCEL ONE" is entitled; to which Dorothy Pence, Dorreen Davis, William Mannich, Henry Mannich, Janice Kline, Reuben Mannich, Owen Mannich, Cornelia Thompson, Clara Smith and Rudolph McPhail, are entitled as the owners of "PARCEL TWO"; to which H. F. and Mabel Cleveland, as the owners of "PARCEL THREE" are entitled; to which J. B. Foley, as the owner of "PARCEL FOUR" is entitled; to which George D. and Margaret Stuart and J. B. Foley, as owners of "PARCEL FIVE" are entitled; to which Yupon Hereford Farms, Inc., Ward B. Maurer and Hall Investment Company, as the owners of "PARCEL SIX" are entitled and to which George D. and Margaret Stuart, as the owners of "PARCEL SEVEN" are entitled, having heretofore, on to-wit: August 28, 1963, filed their report in writing to which was attached their certificate as required by law in and by the terms of which report it appears that said Commissioners have determined that Thomas Hand is entitled to the sum of \$1.00; that Dorothy Pence, Dorreen Davis, William Mannich, Henry Mannich, Janice Kline, Reuben Mannich, Owen Mannich, Cornelia Thompson, Clara Smith and Rudolph McPhail are entitled to the sum of \$1.00; that H. F. and Mabel Cleveland are entitled to the sum of \$1.00; that J. B. Foley is entitled to the sum of \$1.00; that George D. and Margaret Stuart and J. B. Foley are entitled to the sum of \$750.00; that Yupon Hereford Farms, Inc., Ward B. Maurer and Hall Investment Company are entitled to the sum of \$150.00 and George D. and

Margaret Stuart are entitled to the sum of \$1.00.

And it further appearing to the Court that Baldwin County, Alabama, has this day paid into Court the costs of this proceeding and the damages and compensation so assessed and reported and that an order should be entered condemning an easement or right-of-way over and across the lands hereinafter described in favor of Baldwin County, Alabama, for public road purposes (and with respect to "PARCEL FIVE" an additional easement for drainage purposes), and the Court having considered all of the above it is, therefore

ORDERED, ADJUDGED and DECREED by the Probate Court of Baldwin County, Alabama, that an easement or right-of-way for public road purposes (and with respect to "PARCEL FIVE", a permanent easement for the purpose of maintaining a drainage ditch on lands hereinafter described) be, and the same is hereby, condemned, granted and awarded to Baldwin County, Alabama, over, across and upon each of the following described parcels of real property situated in Baldwin County, Alabama, to-wit:

PARCEL ONE

Beginning at a point in the centerline of Woodhaven Road, Project #S-1263 at centerline station 250+70, run thence North 89° 29' East 40 feet to a point; run thence South 00° 31' East and parallel to the centerline of said road 220 feet to a point at the South property line; run thence South 89° 29' West 40 feet to a point in the centerline of said road at station 252+90; run thence North 00° 31' West along the centerline of said road 220 feet to the point and place of beginning.

Said strip of land lying in the Northwest Quarter of the Northwest Quarter of Section 8, Township 7 South, Range 3 East and containing .202 acres, more or less.

PARCEL TWO

Beginning at a point in the centerline of Woodhaven Road, Project #S-1263 at centerline station 256+85.0 run thence South 89° 29' West 40 feet to a point; run thence South 00° 31' East and parallel to the centerline of said road 140 feet to a point; run thence North 89° 29' East 40 feet to a point in the centerline of said road at centerline station 258+25.0; run thence North 00° 31' West 140 feet to the point and place of beginning.

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Said strip of land lying in the Northwest Quarter of the Northwest Quarter of Section 8, Township 7 South, Range 3 East and containing 0.120 acres, more or less, including the present roadway.

PARCEL THREE

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 367+21.0 run thence South 00° 14' West along said centerline a distance of 2636.0 feet to the South property line at centerline station 393+57.0; run thence North 89° 46' West a distance of 40.0 feet to a point; run thence North 00° 14' East a distance of 10 feet to a point; run thence North 44° 46' West a distance of 70.71 feet; run thence South 89° 46' East a distance of 50.0 feet; run thence North 00° 14' East a distance of 80.0 feet; run thence North 89° 46' West a distance of 50.0 feet; run thence North 45° 14' East a distance of 70.71 feet; run thence North 00° 14' East a distance of 2446.0 feet to a point 40.0 feet West of and at right angles to centerline station 367+21.0; run thence South 89° 46' East a distance of 40.0 feet to the point of beginning.

Said tract of land lying partly in Lot 3, Fractional Section 19, Township 7 South, Range 3 East, and partly in the Michael McKinsey Grant, Section 37, in said township and range, and contains 2.478 acres, more or less, including the present roadway.

PARCEL FOUR

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 393+61.0 run thence South 89° 46' East a distance of 40 feet to a point; run thence South 00° 14' West a distance of 2671 feet to a point; run thence North 89° 46' West a distance of 40 feet to a point; run thence North 00° 14' East a distance of 2671 feet to the point and place of beginning.

Said strip of land being in the West Half of the Southeast Quarter of Section 19, Township 7 South, Range 3 East and containing 2.457 acres, more or less, a portion of which is a part of the present traveled way.

PARCEL FIVE

Beginning at a point on the centerline of Woodhaven Road, Project #S-1263 at centerline station 393+61 and run South 00° 14' West a distance of 2671.0 feet to a point; thence North 89° 46' West a distance of 40.0 feet to a point; thence North 00° 14' East a distance of 2671.0 feet to a point; thence South 89° 46' East a distance of 40.0 feet to the point of beginning.

Said strip of land being in the East Half of the Southwest Quarter of Section 19, Township 7 South, Range 3 East and containing 2.457 acres, more or less, a portion of which is a part of the present traveled way.

Also a permanent easement for the purpose of maintaining a drainage ditch on land described as follows:

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Beginning at a point that is 40.0 feet West of and at right angles to centerline station 398+25 and run North 61° 36' West a distance of 110.0 feet to the point of ending.

Said strip of land being 10.0 feet in width on each side of the easement centerline and being located in the Northeast Quarter of the Southwest Quarter of Section 19, Township 7 South, Range 3 East and containing 0.051 acres, more or less.

#### PARCEL SIX

Beginning at a point on the centerline of Woodhaven Road at centerline station 420+32 of Project #S-1263 and the North property line; thence run East along the North property line a distance of 40 feet; thence run South and parallel to the centerline of said project a distance of 2668 feet, more or less, to a point 40 feet Easterly of and at right angles to centerline station 447+00; thence turn an angle of 45° to the left and run a distance of 70.71 feet to a point on the North right-of-way line of U. S. Highway 98; thence run Westerly along said right-of-way line a distance of 90 feet, to centerline station 447+45; thence run North along the centerline of said project a distance of 2713 feet, more or less, to the point of beginning.

Said strip of land lying in the Northwest Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 30, Township 7 South, Range 3 East and containing 2.525 acres, more or less a portion of which is a part of the present traveled way.

#### PARCEL SEVEN

Beginning at a point on the centerline of Woodhaven Road Project #S-1263 at centerline station 441+10 and run South a distance of 633.0 feet to a point on the North right-of-way line of U. S. Highway No. 98; thence West a distance of 90.0 feet to a point; thence North 45° 00' East a distance of 70.71 feet to a point; thence North a distance of 583.0 feet; thence East a distance of 40.0 feet to the point of beginning.

Said strip of land being in the Southeast Quarter of the Northwest Quarter of Section 30, Township 7 South, Range 3 East and containing 0.611 acres, more or less, a part of which is a part of the present traveled way.

And that such easements be, and the same hereby are, divested out of the Defendants and in Baldwin County, Alabama.

It is further ORDERED, ADJUDGED and DECREED by the Court that all of the papers now on file in this Court, including the report of the Commissioners, be recorded.

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Done this the 29th day of August, 1963.

*M. R. Stuart*

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Probate Judge

1. Beck, Charles C., Businessman, Lillian  
 2. Blalock, Greene C., Carpenter, Fairhope  
 3. Bloch, Herman, Farmer, Elberta  
 4. Malone, T.E., Merchant, Fairhope  
 5. Mason, Jimmy, Salesman, Fairhope  
 6. Mosley, Rufus, Farmer, Stapleton  
 7. Eslava, Clarence, Farmer, Mag. Spgs.  
 8. Haden, James T., Salesman, Robertsdale  
 9. Quinley, Wilburn, Farmer, Bay Minette  
 10. Rhodes, Charles R., Farmer, Foley  
 11. Rhodes, Larkin T., Jr., Farmer, Bay Minette  
 12. Rieben, Ray, Paper Mill, Bay Minette  
 13. Roberson, Mutt, Laborer, Robertsdale  
 14. Lazzari, Anglo, Farmer, Belforest  
 15. Lazzari, Joe, Jr., Farmer, Belforest  
 16. Lazzari, John, Farmer, Belforest  
 17. Lager, J.E., Salesman, Foley  
 18. Little, W.F. Mgr. Bell Tele. Commercial, Spanish Fort  
 19. Robinson, Dale L., Ins. Agt., Foley  
 20. Sanders, E. Frank, Banker, Foley  
 21. Andress, Herbert E., Farmer, Foley  
 22. Dickey, O.L., Butcher, Robertsdale  
 23. Crosby, James W., Bookkeeper, Foley  
 24. Arnould, M.L., Floor Finisher, Robertsdale  
 25. Barton, John, Jr., Newport, Bay Minette  
 26. Thompson, Albert M., Merchant, Bay Minette  
 27. Wenzel, Emmett O., Merchant, Gulf Shores  
 28. Woodward, C.H., Merchant, Fairhope  
 29. Wright, Justice D., Forester, Stapleton  
 30. Boan, Jessie Forest, Farmer, Stapleton  
 31. Bung, Floyd, Merchant, Fairhope  
 32. Oblak, John, Jr., Farmer, Silverhill  
 33. Leiterman, Nick, Civil Service, Elberta  
 34. Smith, Clinton, Defense Worker, Bay Minette  
 35. Suddith, Jack, Officer Manager, Bay Minette  
 36. Bosby, Eugene, Construction Worker, Fairhope  
 37. Bryant, Nathan, Clerk, Fairhope  
 38. Denton, Alphonse, Carpenter, Fairhope  
 39. Lamar, Reuben, Laborer, Foley  
 40. McReynolds, Leon, Labor Worker, Bay Minette  
 41. Moore, Jessie, Court House, Bay Minette  
 42. Wilson, Frank E., Brookley Field, Daphne  
 43. Tullos, Abe, Brookley Field, Fairhope  
 44. Nix, C. Herbert, Reserve Fleet, Bay Minette

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appeal

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appellant