

STATE OF ALABAMA

PETITIONER,

VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

Case No. 5099

FINAL ORDER OF CONDEMNATION

On the 7th day of Nov, 1963, came E. P. BELL

RANDOLPH MCGOWAN, and O. W. LYLES,

commissioners heretofore appointed by this Court to assess and ascertain the damages and compensation to which the owners and other parties interested in the tracts of land set forth in the application for condemnation of lands heretofore filed in this cause are entitled and filed their report in writing and under oath setting forth that they awarded compensation and damages to the said owners and other parties interested in Parcels No. 3, _____, _____, _____, _____, and _____, Project No. F-193(9), in the amount of \$ 15,000.00 for Parcel No. 3, \$ _____ for Parcel No. _____, \$ _____ for Parcel No. _____, \$ _____ for Parcel No. _____, \$ _____ for Parcel no. _____, and \$ _____ for Parcel No. _____.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the said report of commissioners be filed in this Court and recorded.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the property described in the application for condemnation heretofore filed in this cause 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 or the deposit of the same in Court as provided in Section 16 of Title 19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all costs of the proceeding.

Done this 29th day of Nov, 1963.

W. M. Stuart
Judge of Probate

STATE OF ALABAMA,	§	
Condemnor,	§	IN THE CIRCUIT COURT OF
vs.	§	
	§	BALDWIN COUNTY, ALABAMA
R. J. ROBERTSON, ET AL.,	§	
Condemnees.	§	AT LAW NO. 5897
	§	

Comes now R. J. Robertson, one of the Condemnees in the above styled cause, by his attorneys, and appearing specially for the purpose of filing this motion, and for no other different object or purpose, and files this his motion to dismiss the appeal heretofore sought to be taken by the State of Alabama to this Honorable Court from the Probate Court of Baldwin County, Alabama, and respectfully represents and shows unto this Honorable Court as follows:

That on the 4th day of October, 1963, the State of Alabama filed an application for condemnation against this Condemnee and others in the Probate Court of Baldwin County, Alabama, which application was docketed in said Court as case No. 5060, and which application was filed pursuant to and under the authority of Chapter 1, Title 19 of the Code of Alabama of 1940. That subsequent to the filing of said application against this Condemnee, and on to-wit: the 29th day of November, 1963, the Probate Court of Baldwin County, Alabama, in said case entered a final order of condemnation in and by the terms of which the property described in said application for condemnation belonging to this Condemnee was condemned for the purposes set forth in said application for condemnation, upon the payment of damages and compensation so ascertained, assessed and reported or the deposit of the same in Court as provided in Chapter 1, Title 19 of the Code of Alabama of 1940. That on the same date (November 29, 1963) the Probate Court of Baldwin County, Alabama, did, in a condemnation proceeding filed on Octo-

ber 4, 1963, entitled State of Alabama vs. Sherrill R. Manning, et al., and docketed in said Court as case No. 5061, enter a similar order of condemnation; and said Court did, on said date (November 29, 1963) in a condemnation proceeding filed on October 18, 1963, entitled State of Alabama vs. United States Steel Corporation, et al., and docketed in said Court as case No. 5080, enter a similar order of condemnation; and said Court did, on the same date (November 29, 1963) in a condemnation proceeding filed on October 11, 1963, entitled State of Alabama vs. Luther Findley, et al., and docketed in said Court as case No. 5081, enter a similar order of condemnation; and said Court did, on said date (November 29, 1963) in a condemnation proceeding filed on October 18, 1963, entitled State of Alabama vs. Andrew Davison, et al., and docketed in said Court as case No. 5083, enter a similar order of condemnation; and said Court did, on the same date (November 29, 1963) in a condemnation proceeding filed on October 16, 1963, entitled State of Alabama vs. H. V. Harold, et al., and docketed/in said Court as case No. 5099, enter a similar order of condemnation; and said Court did, on the same date (November 29, 1963) in a condemnation proceeding filed on October 31, 1963, entitled State of Alabama vs. Paul E. Goodgame, et al., and docketed in said Court as case No. 5085, enter a similar order of condemnation. That copies of each of said orders of condemnation are attached hereto and marked "EXHIBIT A" through "EXHIBIT G" and by reference made a part hereof as though expressly incorporated herein. That on the 27th day of December, 1963, the State of Alabama filed in the Probate Court of Baldwin County, Alabama, an instrument purporting to be a "Notice of Appeal from Order of Condemnation", a copy of which is attached hereto and marked "EXHIBIT H" and by reference made a part hereof as though expressly incorporated herein, in and by the terms of which the State of Alabama purports or attempts to take "an appeal to the Circuit Court of

Baldwin County, Alabama, from the order of condemnation entered in said cause on the 29th day of November, 1963." That this Condemnee was a party to case No. 5060 in the Probate Court of Baldwin County, Alabama, in which case an order of condemnation was made and entered on November 29, 1963, but he was not a party to, or ~~interested~~ in, cases No. 5061, 5080, 5081, 5083, 5085 or 5099. That there was not, on December 27, 1963, November 29, 1963, or on the date of the filing of this motion, any proceeding then pending in the Probate Court of Baldwin County, Alabama, wherein the State of Alabama was the Condemnor and the persons, firms or corporations named in "EXHIBIT H" attached hereto were condemnees. That no order of condemnation of the Probate Court of Baldwin County, Alabama, was made and entered on November 29, 1963, in any cause wherein the State of Alabama was the Condemnor and the parties named as Condemnees in "EXHIBIT H" attached hereto were jointly named as Condemnees; and there is attached hereto and marked "EXHIBIT I" and by reference made a part hereof, an affidavit of Harry M. D'Olive, who was on November 29, 1963, December 27, 1963, and is now the Chief Clerk of the Probate Court of Baldwin County, Alabama, to that effect. That no notice of appeal as required by Title 19, Section 17 of the Code of Alabama of 1940 has been filed in the Probate Court of Baldwin County, Alabama, in the condemnation proceeding therein entitled State of Alabama vs. W. P. Brown & Sons Lumber Company, a corporation, et al., and docketed in said Court as case No. 5060 in which your Condemnee was a party thereto, although a copy of the attached notice of appeal from order of condemnation was served on this Condemnee.

WHEREFORE, your Condemnee respectfully moves that this Honorable Court enter an order or decree dismissing the appeal attempted or purported to be taken by the State of Alabama to this Honorable Court and remanding said cause to the Probate Court of Baldwin County, Alabama; and that in and by the terms of

said order or decree the Clerk of this Honorable Court be ordered to send back the proceedings had in the Probate Court of Baldwin County, Alabama, in the condemnation proceedings noted above in which this Condemnee was named as a party for further action by the Probate Court of Baldwin County, Alabama.

Respectfully submitted,

CHASON, STONE & CHASON

By:


Attorneys for R. J. Robertson

STATE OF ALABAMA

PETITIONER,

VS.

Brown & Sons Lumber Company, a
(For parcel 1A); Ray E. Loper
Company, a Corp. (For parcels
thru 1E); R.J. Robertson (For parcel
Baldwin County, Alabama, a Poli-
1 Subdivision of the State of
ana.

Respondent.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

Case No. 5060

FINAL ORDER OF CONDEMNATION

On the 7th day of Nov, 1963, came E. P. BELL

RANDOLPH MCGOWAN, and THOMAS M. TAYLOR,

commissioners heretofore appointed by this Court to assess and as-
certain the damages and compensation to which the owners and other
parties interested in the tracts of land set forth in the application
for condemnation of lands heretofore filed in this cause are entitled
and filed their report in writing and under oath setting forth that
they awarded compensation and damages to the said owners and other
parties interested in Parcels No. 1-A, 1-B, 1-C, 1-D,
1-E, and 66, Project No. F-193(9), in the amount of \$ 1,226.50
for Parcel No. 1-A, \$ 1,237.50 for Parcel No. 1-B, \$ 577.50
for Parcel No. 1-C, \$ 1,727.00 for Parcel No. 1-D, \$ 1,094.50
for Parcel no. 1-E, and \$ 11,640.00 for Parcel No. 66.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that
the said report of commissioners be filed in this Court and recorded.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that
the property described in the application for condemnation heretofore
filed in this cause be and the same is hereby condemned for the pur-
poses set forth in said application for condemnation upon the payment
of the damages and compensation so ascertained, assessed and reported
or the deposit of the same in Court as provided in Section 16 of
Title 19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all
costs of the proceeding.

Done this 29th day of November, 1963.

W. R. Stewart
Judge of Probate

STATE OF ALABAMA

PETITIONER,

VS.

SHERILL R. MANNING, (Parcel 25), C.
C. HARDY (Parcel 26), M.V. McNATERS
(Parcel 29), EDWARD E. BAZENDALE
(Parcel 30), MRS. R.R. McCREAR (Par-
cel 30), VINA HARD (Parcel 38); and
BALDWIN COUNTY ALABAMA, A POLITICAL
SUBDIVISION OF THE STATE OF ALABAMA.

Respondent.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

Case No. 5061

FINAL ORDER OF CONDEMNATION

On the 27th day of Nov, 1963, came O. W. LYLES, RANDOLPH

McGOWAN

, and

E. P. BELL

Commissioners heretofore appointed by this Court to assess and as-
certain the damages and compensation to which the owners and other
parties interested in the tracts of land set forth in the application
for condemnation of lands heretofore filed in this cause are entitled
and filed their report in writing and under oath setting forth the
amount of compensation and damages to the said owners and other
parties interested in Parcels No. 25, 26, 29, 30
30, and 38, Project No. F-193(9), in the amount of \$ 200.00
for Parcel No. 25, \$ 1650.00 for Parcel No. 26, \$ 3200.00
for Parcel No. 29, \$ 16,780.00 for Parcel No. 38, \$ 1800.00
for Parcel no. 30, and \$ 12,000.00 for Parcel No. 30.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that
the said report of commissioners be filed in this Court and recorded.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that
the property described in the application for condemnation heretofore
filed in this cause be and the same is hereby condemned for the pur-
poses set forth in said application for condemnation upon the payment
of the damages and compensation so ascertained, assessed and reported
or the deposit of the same in Court as provided in Section 16 of
Title 19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all
costs of the proceeding.

Done this 29th day of Nov, 1963.

W. R. Stewart
Judge of Probate

Exhibit B

STATE OF ALABAMA

PETITIONER,

VS.

See Respondents List No. 1,

IN THE PROBATE COURT OF

DALE COUNTY, ALABAMA

Case No. 5020

ATTACHED, to APPLICATION FOR
CONDEMNATION PETITION

FINAL ORDER OF CONDEMNATION

On the _____ day of _____, 1963, came E. P. BELL

Commissioner, and O. W. LYLES

Commissioners heretofore appointed by this Court to assess and as-
sess the damages and compensation to which the owners and other
parties interested in the tracts of land set forth in the application
for condemnation of lands heretofore filed in this cause are entitled
and filed their report in writing and under oath setting forth that
the awarded compensation and damages to the said owners and other
parties interested in Parcels No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 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616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150,

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the property described in the application for condemnation heretofore filed in this cause 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 and the deposit of the same in Court as provided in Section 16 of Article 19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all costs of the proceeding.

Done this 29th day of November, 1963.



Judge of Probate

STATE OF ALABAMA

PETITIONERS,

VS.

LUTHER FINDLEY and MARION FINDLEY,
CLARICE MAY HALE, A. E. HALE,
CLARICE MAY HALE and A. E. HALE,
and BELLEVILLE COUNTY, ALABAMA, A
POLITICAL SUBDIVISION OF THE STATE
OF ALABAMA.

RESPONDENTS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

Case No. 5281

FINAL ORDER OF CONDEMNATION

On the 27th day of November, 1963, came E. P. Bell,

O. E. Lyles, and Randolph McGowan,

commissioners heretofore appointed by this Court to assess and as-
certain the damages and compensation to which the owners and other
parties interested in the tracts of land set forth in the application
for condemnation of lands heretofore filed in this cause are entitled
and filed their report in writing and under oath setting forth that
they awarded compensation and damages to the said owners and other
parties interested in Parcels No. 4, 7 and 8,
and , Project No. F-193(9), in the amount of \$ 800.00
for Parcel No. 4, \$ 10,000.00 for Parcel No. 7, \$ 16,000.00
for Parcel No. 8, \$ for Parcel No. , \$
for Parcel no. , and \$ for Parcel No. .

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that
the said report of commissioners be filed in this Court and recorded.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that
the property described in the application for condemnation heretofore
filed in this cause be and the same is hereby condemned for the pur-
poses set forth in said application for condemnation upon the payment
of the damages and compensation so ascertained, assessed and reported
or the deposit of the same in Court as provided in Section 16 of
Title 19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all
costs of the proceeding.

Done this 29th day of November, 1963.

W. R. Stewart
Judge of Probate

STATE OF ALABAMA

PETITIONER,

VS.

ANDREW DAVIDSON (Parcel 14), RAY E.
LOPER LUMBER CO., INC, A CORP
(Parcel 40A & B), HENRY BRANTLEY
AND DORIS BRANTLEY (Parcel 70), and
BALDWIN COUNTY, ALABAMA, A POLI-
TICAL SUBDIVISION OF THE STATE OF
ALABAMA,

RESPONDENTS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

Case No. 6003

FINAL ORDER OF CONDEMNATION

On the 22nd day of November, 1963, came E. P. Bell, Randolph
McGowan, and O. M. Lyles

commissioners heretofore appointed by this Court to assess and as-
certain the damages and compensation to which the owners and other
parties interested in the tracts of land set forth in the application
for condemnation of lands heretofore filed in this cause are entitled
and filed their report in writing and under oath setting forth that
they awarded compensation and damages to the said owners and other
parties interested in Parcels No. 14, 40A & B, 70,
 , and , Project No. P-193(9), in the amount of \$ 1,000.00
for Parcel No. 14, \$ 3,250.00 for Parcel No. 40A & B, \$ 1,500.00
for Parcel No. 70, \$ for Parcel No. ,
for Parcel no. , and \$ for Parcel No. .

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that
the said report of commissioners be filed in this Court and received.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that
the property described in the application for condemnation heretofore
filed in this cause be and the same is hereby condemned for the pur-
poses set forth in said application for condemnation upon the payment
of the damages and compensation so ascertained, assessed and reported
or the deposit of the same in Court as provided in Section 16 of
Title 19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all
costs of the proceeding.

Done this 29th day of November, 1963.



Judge of Probate

Exhibit E

STATE OF ALABAMA

PETITIONER,

VS.

PAUL E. COODGAM and ERNESTINE
COODGAM (For Parcel 41); BEN
TYUS and VELMA TYUS (For Par-
cel 42); and BALDWIN COUNTY,
ALABAMA, A POLITICAL SUBDIVISION
OF THE STATE OF ALABAMA,

Respondent.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

Case No. 5085

FINAL ORDER OF CONDEMNATION

On the 22nd day of November, 1963, came E. P. Bell,
Randolph McGowan, and O.W. Lyles,

commissioners heretofore appointed by this Court to assess and as-
certain the damages and compensation to which the owners and other
parties interested in the tracts of land set forth in the application
for condemnation of lands heretofore filed in this cause are entitled
and filed their report in writing and under oath setting forth that
they awarded compensation and damages to the said owners and other
parties interested in Parcels No. 41, 42, _____,
_____, and _____, Project No. F-193(9), in the amount of \$ 250.00
for Parcel No. 41, \$ 250.00 for Parcel No. 42, \$ _____
for Parcel No. _____, \$ _____ for Parcel No. _____,
for Parcel no. _____, and \$ _____ for Parcel No. _____.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that
the said report of commissioners be filed in this Court and recorded.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that
the property described in the application for condemnation heretofore
filed in this cause be and the same is hereby condemned for the pur-
poses set forth in said application for condemnation upon the payment
of the damages and compensation so ascertained, assessed and reported
or the deposit of the same in Court as provided in Section 16 of
Title 19 of the Code of Alabama, 1940.

IT IS FURTHER ORDELED by the Court that said Petitioner pay all
costs of the proceeding.

Done this 29th day of November, 1963.

W. N. Stewart
Judge of Probate

STATE OF ALABAMA

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

Case No. 5099

FINAL ORDER OF CONDEMNATION

On the 7th day of Nov, 1963, came E. P. BELL

RANDOLPH MCGOWAN, and O. M. LYLES,

commissioners heretofore appointed by this Court to assess and ascertain the damages and compensation to which the owners and other parties interested in the tracts of land set forth in the application for condemnation of lands heretofore filed in this cause are entitled and filed their report in writing and under oath setting forth that they awarded compensation and damages to the said owners and other parties interested in Parcels No. 3, _____, _____, _____, _____, and _____, Project No. P-193(9), in the amount of \$ 15,000.00 for Parcel No. 3, \$ _____ for Parcel No. _____, \$ _____ for Parcel No. _____, \$ _____ for Parcel No. _____, and \$ _____ for Parcel No. _____.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the said report of commissioners be filed in this Court and recorded.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the property described in the application for condemnation heretofore filed in this cause 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 or the deposit of the same in Court as provided in Section 16 of Title 19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all costs of the proceeding.

Done this 29th day of Nov, 1963.

W. L. Starnes
Judge of Probate

STATE OF ALABAMA

IN THE PROBATE COURT OF

CONDEMNOR,

BALDWIN COUNTY, ALABAMA

VS

W.P BROWN & SONS LUMBER COMPANY, INC. A CORP.

(FOR PARCEL (A): RAY E. LOPER

LUMBER COMPANY, A CORP. (FOR PARCELS

1B THRU 1E); H.V. HARRELL (FOR

PARCEL 3); CLARICE MAY HALE (FOR

PARCEL 7); A.H. BROWN, CLARICE

MAY HALE AND A.H. HALE (FOR PARCEL

8); FRANK M. TAYLOR (FOR PARCEL

9); G. M. BUSH AND ALLERA D. BUSH

(FOR PARCEL 10A); ANDREW DAVIDSON

(FOR PARCEL 14); M.V. McWATERS AND

BUENA A. Mc WATERS (FOR PARCEL 29)

SOUTHERN BELL TELEPHONE AND TELE-

GRAPH COMPANY, INC., A CORP. (FOR

PARCEL 32); LESLIE E. TENISON AND

MAY L. TENISON (FOR PARCEL 34); ELLA

H. WARD (FOR PARCEL #38); RAY E.

LOPER LUMBER COMPANY, INC. (FOR

PARCEL 40 A&B); GARY ELLIS AND SCOTT

ELLIS (FOR PARCEL 44); RUTH L. PAGE

(FOR PARCEL 45); INTERNATIONAL PAPER

COMPANY, INC (FOR PARCEL 46); J.F.

BARNES (FOR PARCEL 47); EUGENE T.

REID (FOR PARCEL 50); EUGENE T. REID

(FOR PARCEL 53); RUSSELL SHERMAN

AND DELAYNE R. SHERMAN (FOR PARCEL

54); JESSIE M. REID (FOR PARCEL

58 B&C); R.J. ROBERTSON AND MARY F.

ROBERTSON (FOR PARCEL 66); L.T.

RHODES, JR. (FOR PARCEL 72-A); and

BALDWIN COUNTY, ALABAMA, A POLITICAL

SUBDIVISION OF THE STATE OF ALABAMA,

CONDEMNNEES.

NOTICE OF APPEAL FROM ORDER OF CONDEMNATION

Comes now the STATE OF ALABAMA, acting by Kenneth Cooper, Duly Appointed Special Assistant Attorney General, State of Alabama, Comdemnor in above entitled 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 27 day of November, 1963, insofar as said order of condemnation relates to the lands described in the following Parcels, which pertain to Project F-193(9), Baldwin County, Alabama;

1. Parcel 1A, owned by W.P. Brown and Sons Lumber Company, Inc. with address % Ray E. Loper, Bay Minette, Alabama, and as described in Exhibit "A" hereto.
2. Parcels 1B, 1C, 1D and 1E, owned by Ray E. Loper Lumber Company, Inc., address % Ray E. Loper, Bay Minette, Alabama, and as described in Exhibit "B" hereto.
3. Parcel 3, owned by H.V. Harrell, Stapleton, Alabama, and as described in Exhibit "C" hereto.
4. Parcel 7, owned by Clarice May Hale, Stapleton, Alabama, and as described in Exhibit "D" hereto.

Dec. 27, 1963

Harry M. Delane

5. Parcel 8, owned by A.H. Brown, Clarice May Hale and A.H. Hale, Stapleton, Alabama, and as described in Exhibit "E" hereto.
6. Parcel 9, owned by Frank M. Taylor, Stapleton, Alabama, and as described in Exhibit "F" hereto.
7. Parcel 10 A, owned by G.M. Bush and Allera D. Bush, Stapleton, Alabama, and as described in Exhibit "G" hereto.
8. Parcel 14, owned by Andrew Davidson, Stapleton, Alabama, and as described in Exhibit "H" hereto.
9. Parcel 29, owned by M.V. McWaters and Buena A. McWaters, of Stapleton, Alabama, and as described in Exhibit "I" hereto.
10. Parcel 32, owned by Southern Bell Telephone and Telegraph Company, Inc., % Hon J. B. Blackburn, Bay Minette, Alabama, and as described in Exhibit "J" hereto.
11. Parcel 34, owned by Leslie E. Tenison and May L. Tenison, % Ray Stephens, First National Bank, Bay Minette, Alabama, and as described in Exhibit "K" hereto.
12. Parcel 38, owned by Ella H. Ward, Stapleton, Alabama, and as described in Exhibit "L" hereto.
13. Parcels 40A and B, owned by Ray E. Loper Lumber Company, Inc., % Ray E. Loper, Bay Minette, Alabama, and as described in Exhibit "M" hereto.
14. Parcel 44, owned by Gary Ellis of Stapleton, Alabama, and Scott Ellis, of Route 2, Hotchkiss, Colorado, and as described in Exhibit "N" hereto.
15. Parcel 45, owned by Ruth L. Page of Bay Minette, Alabama, and as described in Exhibit "O" hereto.
16. Parcel 46, owned by International Paper, Company, Inc, Mobile, Alabama, and as described in Exhibit "P" hereto.
17. Parcel 47, owned by J.F. Barnes, Bay Minette, Alabama, and as described in Exhibit "Q" hereto.
18. Parcel 50, owned by Eugene T. Reid, Bay Minette, Alabama, and as described in Exhibit "R" hereto.
19. Parcel 53, owned by Eugene T. Reid, Bay Minette, Alabama, and as described in Exhibit "S" hereto.
20. Parcel 54, owned by Russell Sherman and Delayne R. Sherman, Bay Minette, Alabama, and as described in Exhibit "T" hereto.
21. Parcel 58 B&C, owned by Jessie M. Reid, Bay Minette, Alabama, and as described in Exhibit "U" hereto.
22. Parcel 66, owned by R.J. Robertson and Mary F. Robertson, Bay Minette, Alabama and as described in Exhibit "V" hereto.
23. Parcel 72A, owned by L.T. Rhodes, Jr., Bay Minette, Alabama and as described in Exhibit "W" hereto.
24. For tax interest on all parcels, Baldwin County, Alabama, % John Hadley, Bay Minette, Alabama.

EXHIBIT I

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Harry M. D'Olive 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 Harry M. D'Olive. That he is now and was on the 29th day of November, 1963, and at all times subsequent thereto, Chief Clerk of the Probate Court of Baldwin County, Alabama, in Bay Minette, Baldwin County, Alabama. That as such Chief Clerk of the Probate Court of Baldwin County, Alabama, he is familiar with and has personal knowledge of the records on file in the Probate Court of Baldwin County, Alabama, and, in particular, the records with respect to any and all condemnation proceedings instituted in said court. That there was not, on November 29, 1963, December 27, 1963 and there is not now any condemnation proceeding pending in the Probate Court of Baldwin County, Alabama, or from which an appeal has been taken by the Condemnor wherein the State of Alabama is the Condemnor and W. P. Brown & Sons Lumber Company, Inc. a Corp. (For Parcel (A): Ray E. Loper Lumber Company, a Corp. (For Parcels 1B thru 1E); H. V. Harrell (For Parcel 3); Clarice May Hale (For Parcel 7); A. H. Brown, Clarice May Hale and A. H. Hale (For Parcel 8); Frank M. Taylor (For Parcel 9); G. M. Bush and Allera D. Bush (For Parcel 10A); Andrew Davidson (For Parcel 14); M. V. McWaters and Buena A. McWaters (For Parcel 29) Southern Bell Telephone and Telegraph Company, Inc., a Corp. (For Parcel (32); Leslie E. Tenison and May L. Tenison (For Parcel 34); Ella H. Ward (For Parcel #38); Ray E. Loper Lumber Company, Inc. (For Parcel 40 A & B); Gary Ellis and Scott Ellis (For Parcel 44); Ruth L. Page (For Parcel 45); Inter-

dam, wherein H. V. Harrell was the Condemnee and said case was docketed in said court as Case #5099.

Sworn to and subscribed before

me on this the 20th day of January,

1964.

Notary Public, Baldwin County, Alabama
[Signature]

FILED

JAN 22 1964

ALICE J. DUCK, CLERK
REGISTER

And the Condemnor, the State of Alabama, does herewith file in the Court of Probate, Baldwin County, Alabama, the Court rendering such Order of Condemnation, this its written Notice Of Appeal to the Circuit Court of Baldwin County, Alabama, and said appeal is taken against each and all claimants to the aforesaid parcels of lands described.

The Condemnor, the State of Alabama, demands a trial by jury in this cause to each and every parcel described herein,

STATE OF ALABAMA,
Richmond Flowers.
Attorney General
By: *Kenneth Cooper*
Duly Appointed Special
Assistant Attorney General
State Of Alabama

national Paper Company, Inc (For Parcel 46); J. F. Barnes (For Parcel 47); Eugene T. Reid (For Parcel 50); Eugene T. Reid (For Parcel 53); Russell Sherman and Delayne R. Sherman (For Parcel 54); Jessie M. Reid (For Parcel 58 B & C); R. J. Robertson and Mary F. Robertson (For Parcel 66); L. T. Rhodes, Jr. (For Parcel 72-A); and Baldwin County, Alabama, A Political Subdivision of the State of Alabama, are the Condemnees. That no order of condemnation of the Probate Court of Baldwin County, Alabama, was made and entered on November 29, 1963, in any cause wherein the State of Alabama was the Condemnor and the parties named above were jointly named as Condemnees.

That on October 4, 1963, the State of Alabama, as Condemnor, filed in the Probate Court of Baldwin County, Alabama, a condemnation proceeding under the provisions of Title 19, Chapter 1 of the 1940 Code of Alabama wherein W. P. Brown & Sons Lumber Company, a corporation, Ray E. Loper Lumber Company, a corporation, R. J. Robertson and Baldwin County, Alabama, were the Condemnees and said case was docketed in said court as case #5060; that on October 4, 1963, the State of Alabama, as Condemnor, filed in the Probate Court of Baldwin County, Alabama, a condemnation proceeding under the provisions of Title 19, Chapter 1 of the 1940 Code of Alabama wherein Sherrill R. Manning, C. C. Hardy, M. V. McWaters, Howard E. Baxendale, Mrs. E. R. McCreary, Vina Ward and Baldwin County, Alabama, were the Condemnees and said Case was docketed in said court as Case #5061; that on October 18, 1963, the State of Alabama, as Condemnor, filed in the Probate Court of Baldwin County, Alabama, a condemnation proceeding under the provisions of Title 19, Chapter 1 of the 1940 Code of Alabama wherein the United States Steel Corporation, T. C. Bryant and Bessie Bryant, Frank M. Taylor, G. M. Bush and Allera Bush, James E. Wiggins and Virginia Wiggins, Liberty National Life Insurance Company, K. B. Bush and Grace M. Bush, Southern Bell Telephone & Telegraph Company, a corporation, Laslie E. Tenison and May I. Tenison, Archie

A. Bacon and Bitha Bacon, Galilee Primitive Baptist Church, Inc., First National Bank of Bay Minette, Alabama, Gary Ellis and Scott Ellis, Ruth L. Page, International Paper Company, Inc., a corporation, J. F. Barnes, Estate of J. S. Lowrey, B. B. White, William J. Sneering, Eugene Reid, John C. Graham and Lucia Aline Graham, Bernice Reid, Stanley T. Milligan, Russell Sherman and Delayne R. Sherman, Emma L. Lee, Jessie M. Reed, Veterans Administration, Bryan-Smith Oil Company, Inc., a corporation, Birmingham Trust National Bank, L. T. Rhodes, Jr. and Baldwin County, Alabama, were the Condemnees and said case was docketed in said court as Case #5080; that on October 11, 1963, the State of Alabama, as Condemnor, filed in the Probate Court of Baldwin County, Alabama, a condemnation proceeding under the provisions of Title 19, Chapter 1 of the 1940 Code of Alabama wherein Luther Findley and Maggie Findley, Clarice May Hall, A. H. Brown, Clarice May Hale, A. H. Hale and Baldwin County, Alabama, were the Condemnees and said case was docketed in said court as Case #5081; that on October 18, 1963, the State of Alabama, as Condemnor, filed in the Probate Court of Baldwin County, Alabama, a condemnation proceeding under the provisions of Title 19, Chapter 1, of the 1940 Code of Alabama wherein Andrew Davison, Ray E. Loper Lumber Company, Inc., a corporation, Emory Brantley and Doris Brantley and Baldwin County, Alabama, were the Condemnees and said case was docketed in said court as Case #5083; that on October 31, 1963, the State of Alabama, as Condemnor, filed in the Probate Court of Baldwin County, Alabama, a condemnation proceeding under the provisions of Title 19, Chapter 1, of the 1940 Code of Alabama wherein Paul E. Goodgame and Ernestine Goodgame, Ben Tyus and Velma Tyus, and Baldwin County, Alabama, were the Condemnees and said case was docketed in said court as Case #5085; that on October 16, 1963, the State of Alabama, as Condemnor, filed in the Probate Court of Baldwin County, Alabama, a condemnation proceeding under the provisions of Title 19, Chapter 1, of the 1940 Code of Ala-

national Paper Company, Inc (For Parcel 46); J. F. Barnes (For Parcel 47); Eugene T. Reid (For Parcel 50); Eugene T. Reid (For Parcel 53); Russell Sherman and Delayne R. Sherman (For Parcel 54); Jessie M. Reid (For Parcel 58 B & C); R. J. Robertson and Mary F. Robertson (For Parcel 66); L. T. Rhodes, Jr. (For Parcel 72-A); and Baldwin County, Alabama, A Political Subdivision of the State of Alabama, are the Condemnees. That no order of condemnation of the Probate Court of Baldwin County, Alabama, was made and entered on November 29, 1963, in any cause wherein the State of Alabama was the Condemnor and the parties named above were jointly named as Condemnees.

That on October 4, 1963, the State of Alabama, as Condemnor, filed in the Probate Court of Baldwin County, Alabama, a condemnation proceeding under the provisions of Title 19, Chapter 1 of the 1940 Code of Alabama wherein W. P. Brown & Sons Lumber Company, a corporation, Ray E. Loper Lumber Company, a corporation, R. J. Robertson and Baldwin County, Alabama, were the Condemnees and said case was docketed in said court as case #5060; that on October 4, 1963, the State of Alabama, as Condemnor, filed in the Probate Court of Baldwin County, Alabama, a condemnation proceeding under the provisions of Title 19, Chapter 1 of the 1940 Code of Alabama wherein Sherrill R. Manning, C. C. Hardy, M. V. McWaters, Howard E. Baxendale, Mrs. E. R. McCreary, Vina Ward and Baldwin County, Alabama, were the Condemnees and said Case was docketed in said court as Case #5061; that on October 18, 1963, the State of Alabama, as Condemnor, filed in the Probate Court of Baldwin

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Received 3 day of Jan 1964
 and on 6 day of Jan 1964
 I served a copy of the within Notice
 on J. P. Barnes
 By service on J. B. Blackburn

TAYLOR WILKINS, Sheriff

By W. A. Talley

O m

STATE OF ALABAMA

IN THE PROBATE COURT OF

CONDEMNOR,

BALDWIN COUNTY, ALABAMA

VS

W.P BROWN & SONS LUMBER COMPANY, INC. A CORP.
(FOR PARCEL (A): RAY E. LOPER
LUMBER COMPANY, A CORP. (FOR PARCELS
1B THRU 1E); H.V. HARRELL (FOR
PARCEL 3); CLARICE MAY HALE (FOR
PARCEL 7); A.H. BROWN, CLARICE
MAY HALE AND A.H. HALE (FOR PARCEL
8); FRANK M. TAYLOR (FOR PARCEL
9); G. M. BUSH AND ALLERA D. BUSH
(FOR PARCEL 10A); ANDREW DAVIDSON
(FOR PARCEL 14); M.V. McWATERS AND
BUENA A. Mc WATERS (FOR PARCEL 29)
SOUTHERN BELL TELEPHONE AND TELE-
GRAPH COMPANY, INC., A CORP. (FOR
PARCEL 32); LESLIE E. TENISON AND
MAY L. TENISON (FOR PARCEL 34); ELLA
H. WARD (FOR PARCEL #38); RAY E.
LOPER LUMBER COMPANY, INC. (FOR
PARCEL 40 A&B); GARY ELLIS AND SCOTT
ELLIS (FOR PARCEL 44); RUTH L. PAGE
(FOR PARCEL 45); INTERNATIONAL PAPER
COMPANY, INC (FOR PARCEL 46); J.F.
BARNES (FOR PARCEL 47); EUGENE T.
REID (FOR PARCEL 50); EUGENE T. REID
(FOR PARCEL 53); RUSSELL SHERMAN
AND DELAYNE R. SHERMAN (FOR PARCEL
54); JESSIE M. REID (FOR PARCEL
58 B&C); R.J. ROBERTSON AND MARY F.
ROBERTSON (FOR PARCEL 66); L.T.
RHODES, JR. (FOR PARCEL 72-A); and
BALDWIN COUNTY, ALABAMA, A POLITICAL
SUBDIVISION OF THE STATE OF ALABAMA,

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CONDEMNNEES.

NOTICE OF APPEAL FROM ORDER OF CONDEMNATION

Comes now the STATE OF ALABAMA, acting by Kenneth Cooper,
Duly Appointed Special Assistant Attorney General, State of
Alabama, Condemnor in above entitled 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 29 day of
November, 1963, insofar as said order of condemnation relates to
the lands described in the following Parcels, which pertain to
Project F-193(9), Baldwin County, Alabama;

1. Parcel 1A, owned by W.P. Brown and Sons Lumber Company, Inc.
with address % Ray E. Loper, Bay Minette, Alabama, and as
described in Exhibit "A" hereto.
2. Parcels 1B, 1C, 1D and 1E, owned by Ray E. Loper Lumber
Company, Inc., address % Ray E. Loper, Bay Minette, Alabama,
and as described in Exhibit "B" hereto.
3. Parcel 3, owned by H.V. Harrell, Stapleton, Alabama, and
as described in Exhibit "C" hereto.
- ✓ 4. Parcel 7, owned by Clarice May Hale, Stapleton, Alabama,
and as described in Exhibit "D" hereto.

STATE OF ALABAMA, BALDWIN COUNTY

FILED

Dec. 27, 1963

Recorded

Harry M. Saline

- ✓ 5. Parcel 8, owned by A.H. Brown, Clarice May Hale and A.H. Hale, Stapleton, Alabama, and as described in Exhibit "E" hereto.
6. Parcel 9, owned by Frank M. Taylor, Stapleton, Alabama, and as described in Exhibit "F" hereto.
- ✓ 7. Parcel 10 A, owned by G.M. Bush and Allera D. Bush, Stapleton, Alabama, and as described in Exhibit "G" hereto.
- ✓ 8. Parcel 14, owned by Andrew Davidson, Stapleton, Alabama, and as described in Exhibit "H" hereto.
9. Parcel 29, owned by M.V. McWaters and Buena A. McWaters, of Stapleton, Alabama, and as described in Exhibit "I" hereto.
10. Parcel 32, owned by Southern Bell Telephone and Telegraph Company, Inc., % Hon J. B. Blackburn, Bay Minette, Alabama, and as described in Exhibit "J" hereto.
11. Parcel 34, owned by Leslie E. Tenison and May L. Tenison, % Ray Stephens, First National Bank, Bay Minette, Alabama, and as described in Exhibit "K" hereto.
- ✓ 12. Parcel 38, owned by Ella H. Ward, Stapleton, Alabama, and as described in Exhibit "L" hereto.
13. Parcels 40A and B, owned by Ray E. Loper Lumber Company, Inc., % Ray E. Loper, Bay Minette, Alabama, and as described in Exhibit "M" hereto.
14. Parcel 44, owned by Gary Ellis of Stapleton, Alabama, and Scott Ellis, of Route 2, Hotchkiss, Colorado, and as described in Exhibit "N" hereto.
15. Parcel 45, owned by Ruth L. Page of Bay Minette, Alabama, and as described in Exhibit "O" hereto.
16. Parcel 46, owned by International Paper, Company, Inc, Mobile, Alabama, and as described in Exhibit "P" hereto.
17. Parcel 47, owned by J.F. Barnes, Bay Minette, Alabama, and as described in Exhibit "Q" hereto.
18. Parcel 50, owned by Eugene T. Reid, Bay Minette, Alabama, and as described in Exhibit "R" hereto.
19. Parcel 53, owned by Eugene T. Reid, Bay Minette, Alabama, and as described in Exhibit "S" hereto.
20. Parcel 54, owned by Russell Sherman and Delayne R. Sherman, Bay Minette, Alabama, and as described in Exhibit "T" hereto.
21. Parcel 58 B&C, owned by Jessie M. Reid, Bay Minette, Alabama, and as described in Exhibit "U" hereto.
22. Parcel 66, owned by R.J. Robertson and Mary F. Robertson, Bay Minette, Alabama and as described in Exhibit "V" hereto.
23. Parcel 72A, owned by L.T. Rhodes, Jr., Bay Minette, Alabama and as described in Exhibit "W" hereto.
24. For tax interest on all parcels, Baldwin County, Alabama, % John Hadley, Bay Minette, Alabama.

And the Condemnor, the State of Alabama, does herewith file in the Court of Probate, Baldwin County, Alabama, the Court rendering such Order of Condemnation, this its written Notice Of Appeal to the Circuit Court of Baldwin County, Alabama, and said appeal is taken against each and all claimants to the aforesaid parcels of lands described.

The Condemnor, the State of Alabama, demands a trial by jury in this cause to each and every parcel described herein,

STATE OF ALABAMA,

Richmond Flowers.
Attorney General

By: *Kenneth Cooper*
Duly Appointed Special
Assistant Attorney General
State Of Alabama

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EXHIBIT A; PARCEL 1A

Beginning at a point 40 feet left of and at right angles to the centerline at Station 0+00 on the southwest leg of the "Y" intersection south of Stapleton of Project Number F-193(9), the point of beginning of the parcel of land hereinafter described. Thence N $30^{\circ} 40'$ E along the present right of way line a distance of 518.8 feet; thence northeasterly along a curve to the left (concave northwesterly) having a radius of 1870.1 feet; a distance of 1079.2 feet; thence N $2^{\circ} 24'$ W a distance of 565.2 feet to the point on the north boundary line of SEC 5; thence S $87^{\circ} 36'$ W a distance of 45.0 feet; thence S $6^{\circ} 21'$ W a distance of 568.0 feet; thence S $1^{\circ} 36'$ W a distance of 389.0 feet; thence southwesterly along a curve to the right (concave northwesterly) having a radius of 1351.6 feet a distance of 402.0 feet; thence S $27^{\circ} 10'$ W a distance of 389.0 feet; thence S $30^{\circ} 40'$ W a distance of 392.7 feet; thence S $59^{\circ} 20'$ E a distance of 10.0 feet to the point of beginning.

Said parcel of land lying in the $SE\frac{1}{4}$ of $NW\frac{1}{4}$, $NE\frac{1}{4}$ of $NW\frac{1}{4}$, Section 5, T-4-S, R-3-E and containing 2.23 acres, more or less.

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EXHIBIT B: PARCELS 1B, 1C, 1D and 1E

PARCEL B

Beginning at Station 62+58 of Project Number F-193(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence S $88^{\circ} 42'$ W a distance of 30.3 feet to a point on the present right of way line of U.S. Route Number 31; thence northeasterly along said right of way line along a curve to the right (concave southeasterly) having a radius of 2904.9 feet a distance of 968.0 feet; thence N $13^{\circ} 14'$ E a distance of 306.0 feet to a point on the north property line; thence S $88^{\circ} 24'$ W a distance of 33.0 feet to a point on the centerline of said project at Station 75+26; thence S $88^{\circ} 24'$ W a distance of 64.0 feet; thence S $15^{\circ} 57'$ W a distance of 149.0 feet; thence southwesterly along a curve to the left (concave southeasterly) having a radius of 3085.7 feet, a distance of 1089.7 feet; thence S $13^{\circ} 40'$ E a distance of 32.0 feet to a point on the south property line; thence N $88^{\circ} 42'$ E a distance of 49.2 feet to the point of beginning.

Said parcel of land lying in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 32, T-3-S, R-3-E and containing 2.25 acres, more or less.

PARCEL C

Also beginning at Station 150+00 of Project Number F-193(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence N $88^{\circ} 37'$ E a distance of 60.0 feet to a point on the present right of way line of U.S. Route Number 31; thence N $41^{\circ} 41'$ E a distance along said right of way line of 316.0 feet; thence N $1^{\circ} 34'$ W a distance of 92.0 feet to a point on the centerline at Station 154+20; thence N $1^{\circ} 34'$ W a distance of 105.0 feet; thence southwesterly along a curve to the right (concave northwesterly) having a radius of 2953.7 feet a distance of 436.0 feet; thence S $41^{\circ} 41'$ W a distance of 60.0 feet; thence N $88^{\circ} 37'$ E a distance of 84.9 feet to the point of beginning.

Said parcel of land lying in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 20, T-3-S, R-3-E and containing 1.05 acres, more or less.

PARCEL D

Also beginning at Station 176+64 of Project Number F-193(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence N $88^{\circ} 33'$ E a distance of 41.0 feet to a point on the present right of way line of U.S. Route Number 31; thence N $9^{\circ} 31'$ E a distance along said right of way line of 912.0 feet; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 1472.7 feet a distance of 472.0 feet to a point on the north property line; thence S $88^{\circ} 33'$ W a distance of 281.0 feet to a point on the centerline of said project at Station 190+50; thence S $88^{\circ} 33'$ W a distance of 70.0 feet; thence southwesterly along a curve to the left (concave southeasterly) having a radius of 23.54.0 feet a distance of 532.0 feet; thence S $10^{\circ} 05'$ W a distance of 255.0 feet; thence S $9^{\circ} 03'$ W a distance of 598.0 feet; thence N $88^{\circ} 33'$ E a distance of 63.1 feet to the point of beginning.

Said parcel of land lying in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 21, T-3-S, R-3-E and containing 3.14 acres, more or less.

PARCEL E

Also beginning at Station 308+70 of Project Number F-193(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence N 87° 58' E a distance of 49.0 feet to a point on the present right of way line of U.S. Route Number 31; thence N 15° 50' W along said right of way line a distance of 773.0 feet to a point on the north property line; thence S 88° 58' W a distance of 49.0 feet to a point on the centerline of said project at Station 316+43; thence S 88° 58' W a distance of 72.0 feet; thence S 16° 47' E a distance of 462.0 feet; thence S 15° 47' E a distance of 316.0 feet; thence N 87° 58' E a distance of 63.8 feet to the point of beginning.

Said parcel of land lying in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 4, T-3-S, R-3-E and containing 1.99 acres, more or less.

EXHIBIT C: PARCEL 3

Beginning at a point 40 feet left of and at right angles to the centerline at Station 4+15 on the southeast leg of the "Y" intersection south of Stapleton of Project Number F-193(9), the point of beginning of the parcel of land hereinafter described. Thence N $26^{\circ}55'$ W along the present right of way line of Alabama State Route #59 a distance of 250.0 feet; thence northwesterly along a curve to the right (concave northeasterly) having a radius of 1950.1 feet a distance of 370.0 feet; thence S $87^{\circ}36'$ W a distance of 50.0 feet; thence southwesterly along a curve to the right (concave northwesterly) having a radius of 1950.1 feet a distance of 472.0 feet; thence S $30^{\circ}40'$ W a distance of 150.0 feet; thence S $89^{\circ}35'$ E a distance of 32.0 feet; thence N $33^{\circ}10'$ E a distance of 423.0 feet; thence N $89^{\circ}20'$ E a distance of 58.0 feet; thence S $26^{\circ}40'$ E a distance of 405.0 feet; thence S $89^{\circ}35'$ E a distance of 40.0 feet to the point of beginning.

Said parcel of land lying in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 5, T-4-S, R-3-E, and containing 1.55 acres, more or less.

EXHIBIT D: PARCEL 7

Beginning at Station 27+25 of Project Number F-193(9) the south property line; thence S 87° 36' W a distance of 32.0 feet to a point on the present right of way line of U. S. Route #31; the point of beginning of the parcel of land hereinafter described. Thence N 2° 24' W along said right of way line a distance of 715.0 feet to a point on the north property line; thence S 87° 41' W a distance of 16.0 feet; thence S 2° 24' E a distance of 715.0 feet; thence N 87° 36' E a distance of 16.0 feet to the point of beginning.

Said parcel of land lying in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, T-3-S, R-3-E and containing 0.26 acres, more or less.

EXHIBIT E: PARCEL 8

Beginning at Station 34+39 of Project Number F-193(9) the south property line; thence S87° 41'W a distance of 32.0 feet to a point on the present right of way line of U.S. Route #31, the point of beginning of the parcel of land hereinafter described. Thence N2° 24'W along said right of way line a distance of 78.0 feet to a point on the north property line; thence S87° 41'W a distance of 17.0 feet; thence southerly along a curve to the right (concave westerly) having a radius of 14276.0 feet a distance of 78.0 feet; thence N87° 41'E a distance of 16.0 feet to the point of beginning.

Said parcel of land lying in the Se $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, T-3S, R-3-E and containing 0.03 acres, more or less.

EXHIBIT P: PARCEL 46

Beginning at Station 281+80 of Project Number F-193(9) the south property line, The point of beginning of the parcel of land hereinafter described. Thence N 88°48'E a distance of 54.0 feet to a point on the present right of way line of U.S.Route Number 31; thence northwesterly along a curve to the left (concave westerly) having a radius of 1870.1 feet a distance along said right of way line of 85.0 feet; thence N 8° 44' W a distance of 1248.0 feet; thence northwesterly along a curve to the left (concave southwesterly) having a radius of 568° .7 feet a distance of 703.4 feet; thence N 150° 50' W a distance of 652.0 feet to a point on the north property line; thence S 87°58'W a distance of 49.0 feet to a point on the centerline of said project at Station 308+70; thence S 87° 58'W a distance of 63.8 feet; thence S 15°47' E a distance of 395.0 feet;thence southeasterly along a curve to the right (concave southwesterly) having a radius of 11397.2 feet a distance of 736.0 feet; thence S 9° 44'W a distance of 672.0 feet; thence S 8°11'W a distance of 554.0 feet; thence southerly along a curve to the right (concave westerly) having a radius of 2940.7 feet a distance of 328.0 feet; thence N 88° 48' E a distance of 75.0 feet to the point of beginning.

Said parcel of land lying in the SE $\frac{1}{4}$ of Ne $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 9, T-3-S, R-3-E and containing 6.94 acres, more or less.

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EXHIBIT Q: PARCEL 47

Beginning at Station 316+43 of Project Number E-193(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence N $88^{\circ} 58'$ E a distance of 40.0 feet to a point on the present right of way line of U. S. Route Number 31; thence N $15^{\circ} 50'$ W along said right of way line a distance of 600.0 feet to a point on the north property line; thence S $88^{\circ} 58'$ W a distance of 49.0 feet to a point on the centerline of said project at Station 322+43; thence S $88^{\circ} 58'$ W a distance of 74.0 feet; thence S $15^{\circ} 58'$ E a distance of 600.0 feet; thence N 88 degrees 58' E a distance of 72.0 feet to the point of beginning.

Said parcel of land lying in the $SE\frac{1}{4}$ of $SE\frac{1}{4}$, Section 4, T-3-S, R-3-E and containing 1.63 acres, more or less.

EXHIBIT F: PARCEL 9

Beginning at Station 35+37 of Project Number F-193(9) the south property line; thence S87° 41'W a distance of 31.0 feet to a point on the present right of way line of U.S. Route #31, the point of beginning of the parcel of land hereinafter described. Thence N2° 24'W along said right of way line a distance of 240.0 feet to a point on the north property line; thence S87° 41'W a distance of 21.0 feet; thence southerly along a curve to the right (concave westerly) having a radius of 14276.0 feet a distance of 240.0 feet; thence N87° 41'E a distance of 17.0 feet to the point of beginning.

Said parcel of land lying in the Ne $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, T-3-S, R-3-E and containing 0.25 acres, more or less.

EXHIBIT G: PARCEL 10A

Beginning at Station 37+77 of Project Number F-193(9) the south property line; thence S $87^{\circ} 41' W$ a distance of 26.0 feet to a point on the present right of way line of U. S. Route Number 31, the point of beginning of the parcel of land hereinafter described. Thence N $2^{\circ} 24' W$ along said right of way line a distance of 12.0 feet; thence northerly along a curve to the left (concave westerly) having a radius of 5689.7 feet a distance of 163.0 feet to a point on the north property line; thence S $87^{\circ} 41' W$ a distance of 26.0 feet; thence southerly along a curve to the right (concave westerly) having a radius of 14276.0 feet a distance of 175.0 feet; thence N $87^{\circ} 41' E$ a distance of 21.0 feet to the point of beginning.

Said parcel of land lying in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, T-3-S, R-3-E and containing 0.09 acres, more or less.

EXHIBIT H: PARCEL 14

Beginnign at Station 43+33 of Project Number F-193(9) the south property line; thence S87° 41'W a distance of 28.0 feet to a point on the present right of way line of U. S. Route Number 31, the point of beginning of the parcel of land hereinafter described. Thence N 70°20' W along said right of way line a distance of 50.5 feet to a point on the north property line; thence S 87° 41'W a distance of 20.0 feet; thence southeasterly along a curve to the right (concave westerly) having a radius of 14276.0 feet a distance of 50.5 feet; thence N 87° 41' E a distance of 20.0 feet to the point of beginning.

Said parcel of land lying in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, T-3-S, R-3-E and containing 0.02 acres, more or less.

EXHIBIT I: PARCEL 29

Beginning at Station 79+45 of Project Number F-193(9), the south property line, the point of beginning of the parcel of land hereinafter described. Thence N 88° 24' E a distance of 36.0 feet to a point on the present right of way line of U.S. Route Number 31; thence N 13° 14' E along said right of way line a distance of 367.5 feet to a point on the north property line; thence S 88° 59' W a distance of 37.4 feet to a point on the centerline of said project at Station 83+10.6; thence S 88° 59' W a distance of 64.0 feet; thence S 12° 54' W a distance of 365.0 feet; thence N 88° 24' E a distance of 64.0 feet to the point of beginning.

Said parcel of land lying in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 29, T-3-S, R-3-E, and containing 0.80 acres, more or less.

EXHIBIT J: PARCEL 32

Beginning at Station 97+13.2 of Project Number F-193(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence S $76^{\circ}46'$ E a distance of 43.4 feet to a point on the present right of way line of U.S. Route Number 31; thence N $13^{\circ}14'$ E along said right of way line a distance of 220.0 feet to a point on the north property line; thence N $76^{\circ}46'$ W a distance of 44.5 feet to a point on the centerline of said project at Station 99 + 13.2; thence N $76^{\circ}46'$ W a distance of 77.0 feet; thence S $12^{\circ}26'$ W a distance of 200.0 feet; thence S $76^{\circ}46'$ E a distance of 76.0 feet to the point of beginning.

Said parcel of land lying in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 29, T-3-E, R-3-E and containing 0.55 acres, more or less.

EXHIBIT K: PARCEL34

Beginning at Station 104+75 of Project Number F-193(9) the south property line, the point of beginning of the parcel of land herein after described. Thence N 87°54'E a distance of 50.0 feet to a point on the present right of way line of U.S. Route Number 31; thence N 13°14'E along said right of way line a distance of 400.0 feet to a point on the north property line; thence S 87°54'W a distance of 52.0 feet to a point on the centerline of said project at Station 108+75; thence S 87°54'W a distance of 64.2 feet; thence S 12°54'W a distance of 400.0 feet; thence N 87°54'E a distance of 64.2 feet to the point of beginning.

Said parcel of land lying in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 29, T-3-S, R-3-E and containing 1.01 acres, more or less.

EXHIBIT L: PARCEL 38

Beginning at Station 132+99 of Project Number F-193(9), the south property line, the point of beginning of the parcel of land herein after described. Thence N 88°19'E a distance of 59.0 feet to a point on the present right of way line of U.S. Route 31; thence N13°14'E along said right of way line a distance of 75.0 feet; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 1472.7 feet a distance of 732.1 feet; thence N 41°41'E a distance of 581.0 feet to a point on the north property line; thence S 88°37'W a distance of 60.0 feet to a point on the centerline of said project at Station 146+92; thence S 88°37'W a distance of 84.9 feet; thence S 41°41'W a distance of 206.0 feet; thence S40°41'W a distance of 254.0 feet; thence southwesterly along a curve to the left (concave southeasterly) having a radius of 2354.0 feet a distance of 592.0 feet; thence S 26°09'W a distance of 206.0 feet; thence S 12°54'W a distance of 127.0 feet; thence N 88°19' E a distance of 69.6 feet to the point of beginning.

Said parcel of land lying in the Se $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 20, T-3-S, R-3-E and containing 3.28 acres, more or less.

EXHIBIT M: PARCELS 40A and 40B

PARCEL A: Beginning at Station 154+20 of Project Number F-193(9) the west property line, the point of beginning of the parcel of land hereinafter described. Thence S $1^{\circ}34'$ E a distance of 92.0 feet to a point on the present right of way line of U.S. Route Number 31; thence N $41^{\circ}41'$ E along said right of way line a distance of 171.0 feet; thence northeasterly along a curve to the left (concave northwesterly) having a radius of 1392.7 feet a distance of 782.3 feet; thence N $9^{\circ}31'$ E a distance of 763.0 feet to a point on the north property line; thence S $88^{\circ}33'$ W a distance of 36.0 feet to a point on the centerline of said project at Station 170+16; thence S $88^{\circ}33'$ W a distance of 71.2 feet; thence S $9^{\circ}03'$ W a distance of 223.0 feet; thence S $13^{\circ}38'$ W a distance of 566.0 feet; thence southwesterly along a curve to the right (concave northwesterly) having a radius of 2953.7 feet a distance of 680.0 feet; thence S $1^{\circ}34'$ E a distance of 105.0 feet to the point of beginning.

PARCEL B: Also beginnign at Station 172+32 of Project Number F-193(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence N $88^{\circ}33'$ E a distance of 38.0 feet to a point on the present right of way line of U.S. Route number 31; thence N $9^{\circ}31'$ E along said right of way line a distance of 216.0 feet to a point on the north property line; thence S $88^{\circ}33'$ W a distance of 40.0 feet to a point on the centerline of said project at Station 174+48; thence S $88^{\circ}33'$ W a distance of 171.2 feet; thence S $9^{\circ}03'$ W a distance of 216.0 feet; thence N $88^{\circ}33'$ E a distance of 71.2 feet to the point of beginning.

Said parcels of land lying in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 21, T-3-S, R-3-E and containing 5.92 acres, more or less.

EXHIBIT R: PARCEL 50

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Beginning at station 336+30 of Project Number F-193(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence N 88°58' E a distance of 49.0 feet to a point on the present right of way line of U. S. Route Number 31; thence N 15°50' W along said right of way line a distance of 667.0 feet; thence northwesterly along a curve to the right (concave northeasterly) having a radius of 2904.9 feet a distance of 578.0 feet; thence N 4°40' W a distance of 102.0 feet to a point on the north property line; thence S 88°58' W a distance of 42.0 feet to a point on the centerline of said project at Station 349+76; thence S 88°58' W a distance of 70.6 feet; thence S 8°17' E a distance of 171.0 feet; thence southeasterly along a curve to the left (concave northeasterly) having a radius of 7709.5 feet a distance of 214.0 feet; thence S 4°00' E a distance of 202.0 feet; thence southeasterly along a curve to the left (concave northeasterly) having a radius of 7577.5 feet a distance of 593.0 feet; thence S 15°47' E a distance of 166.0 feet; thence N 88°58' E a distance of 63.0 feet to the point of beginning.

Said parcel of land lying in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 4, T-3-S, R-3-E and containing 3.19 acres, more or less.

EXHIBIT S: PARCEL 53

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Beginning at Station 352+90 of Project Number F-103(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence N 88° 58' E a distance of 63 feet to a point on the present right of way line of U. S. Route Number 31; thence N 4° 40' W along said right of way line a distance of 71.0 feet; thence northwesterly along a curve to the left (concave southwesterly) having a radius of 2824.9 feet a distance of 440.00 feet to a point on the north property line; thence S 88° 58' W a distance of 72.0 feet to a point on the centerline of said project at Station 358+02; thence S 88° 58' W a distance of 70.5 feet; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 5659.7 feet a distance of 342.0 feet; thence S 8° 17' E a distance of 171.0 feet; thence N 88° 58' E a distance of 70.5 feet to the point of beginning.

Said parcel of land lying in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 4, T-3-S, R-3-E and containing 1.63 acres, more or less.

EXHIBIT T: PARCEL 54

Beginning at Station 358+02 of Project Number F-193(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence N 88° 58' E a distance of 72.0 feet to a point on the present right of way line of U. S. Route Number 31; thence northwesterly along a curve to the left (concave southwesterly) having a radius of 2824.9 feet a distance along said right of way line of 313.0 feet; thence N 19° 40' W a distance of 211.0 feet to a point on the north property line; thence S 88° 59' W a distance of 37.0 feet to a point on the centerline of said project at station 363+17; thence S 88° 59' W a distance of 86.0 feet; thence S 19° 06' E a distance of 238.0 feet; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 5659.7 feet a distance of 280.0 feet; thence N 88° 58' E a distance of 70.5 feet to the point of beginning.

Said parcel of land lying in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 4, T-3-S, R-3-E and containing 1.51 acres, more or less.

EXHIBIT U: PARCELS 58B and 58C

PARCEL 58B: Beginning at Station 382+47 of said project, the south property line, the point of beginning of the parcel of land hereinafter described. Thence N 88° 40' E a distance of 14.0 feet to a point on the present right of way line of U. S. Route No. 31; thence northwesterly along a curve to the right (concave northeasterly) having a radius of 2332.0 feet a distance along said right of way line of 380.0 feet; thence N 0° 05' E a distance of 430.0 feet to a point on the north property line; thence S 88° 55' W a distance of 20.0 feet to a point on the centerline of said project at Station 390+59; thence S 88° 55' W a distance of 62.0 feet; thence S 4° 33' W a distance of 156.0 feet; thence S 1° 26' E a distance of 179.0 feet; thence southeasterly along a curve to the left (concave northeasterly) having a radius of 3,085.7 feet a distance of 226.0 feet; thence S 8° 00' E a distance of 250.0 feet; thence N 88° 40' E a distance of 62.5 feet to the point of beginning.

PARCEL 58C: Beginning at the intersection of the present west right of way line of the Louisville and Nashville Railroad and the present east right of way line of U. S. Highway 31; thence northeasterly along a curve to the right (concave easterly) having a radius of 2,251.83 feet, along the present east right of way line of said U. S. Highway, a distance of 490 feet, more or less, to a point that is southeasterly of and at right angles to the centerline of Project F-193(9) at Station 387+20.9; thence northeasterly along present east right of way line of said U. S. Highway, a distance of 335 feet, more or less, to the north line of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33, T-2-S, R-3-E, the north property line; thence easterly along said north property line a distance of 20 feet more or less, to a point that is 120 feet southeasterly of and at right angles to the centerline of said project; thence S 0° 10' W, parallel to the centerline of said project, a distance of 335 feet, more or less, to present west right of way line of the Louisville and Nashville Railroad; thence southernly along said present west right of way line a distance of 490 feet, more or less, to the point of beginning.

Said parcels of land lying in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33, T-2-S, R-3-E and containing 1.88 acres, more or less.

FILED U.S. MAR 31 1960

EXHIBIT V: PARCEL 66

Beginning at Station 419+13 of Project Number R-193(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence N 88° 40' E a distance of 33.0 feet to a point on the present right of way line of U. S. Route Number 31; thence N 00° 05' E along said right of way line a distance of 292.0 feet; thence northerly along a curve to the left (concave westerly) having a radius of 5689.7 feet a distance of 520.0 feet; thence N 50° 09' W a distance of 1726.0 feet to a point on the north property line; thence S 87° 32' W a distance of 38.0 feet to a point on the centerline of said project at Station 444+51; thence S 87° 32' W a distance of 62.0 feet; thence S 40° 45' E a distance of 1348.0 feet; thence southerly along a curve to the right (concave westerly) having a radius of 22800.3 feet a distance of 1186.0 feet; thence N 88° 40' E a distance of 62.0 feet to the point of beginning.

Said parcel of land lying in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, and NW $\frac{1}{4}$ of SE $\frac{1}{4}$, and the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 28, T-2-S, R-3-E and containing 6.16 acres, more or less.

EXHIBIT W: PARCEL 72A

Beginning at Station 457+26 of Project Number F-193(9) the south property line, the point of beginning of the parcel of land hereinafter described. Thence N 88° 50' E a distance of 39.0 feet to a point on the present right of way line of U. S. Route Number 31; thence northwesterly along a curve to the left (concave southwesterly) having a radius of 5689.7 feet a distance along said right of way line of 233.0 feet; thence N 13° 03' W a distance of 646.0 feet to a point on the north property line; thence S 88° 50' W a distance of 35.0 feet to a point on the centerline of said project at Station 474+48; thence S 88° 50' W a distance of 73.0 feet; thence S 15° 33' E a distance of 214.0 feet; thence S 13° 00' E a distance of 312.2 feet; thence Southeasterly along a curve to the right (concave southwesterly) having a radius of 7577.5 feet a distance of 354.0 feet; thence N 88° 50' E a distance of 62.8 feet to the point of beginning.

Said parcel of land lying in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 28, T-2-S, R-3-E and containing 1.88 acres, more or less.

STATE OF ALABAMA

BALDWIN COUNTY

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

TO: Addressees with addresses as shown in NOTICE
OF APPEAL FROM ORDER OF CONDEMNATION

You are hereby notified that the foregoing NOTICE OF APPEAL
was filed in the Office of the Judge of Probate of Baldwin County,
Alabama, on the 27 day of December, 1963.

Witness my hand this 27 day of December, 1963.

Harry M. DeLine
Judge of Probate
Baldwin County, Alabama

BOOK 104 PAGE 328

STATE OF ALABAMA

BALDWIN COUNTY

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

ORDER TO SERVE

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to serve the foregoing NOTICE OF
APPEAL FROM ORDER OF CONDEMNATION upon each Condemnee as named
in Paragraphs 1 through 24 of this NOTICE OF APPEAL, and make
due return to this Court of such notice.

Dated this 27 day of December, 1963.

Harry M. DeLine
Judge of Probate,
Baldwin County, Alabama

11/5/77

004 11/5/77

11/5/77
O. B. B. B. B.
O. B. B. B. B.
O. B. B. B. B.
O. B. B. B. B.

Ray Stephen

28 Dec 1963

SECRET

21 to 22 May 2000

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The figure is a map of the study area, showing the spatial distribution of the mean number of species per site. The map includes latitude and longitude coordinates along the axes.

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[Faint, illegible handwritten notes]

STATE OF ALABAMA,

X

Complainant,

X

IN THE CIRCUIT COURT OF

Vs.

X

BALDWIN COUNTY, ALABAMA

A. H. BROWN, (FOR PARCEL 8),
et al,

X

AT LAW

Defendants.

X

X

Comes now Wilters & Brantley and files this notice that they are the Attorneys of Record for A. H. Brown, one of the Defendants in the above styled cause.

FILED

FEB 11 1964

ALICE L. DUCK, CLERK
REGISTER

WILTERS & BRANTLEY

BY:

William M. Brantley
Attorneys for A. H. Brown

STATE OF ALABAMA

X

Complainant,

X

IN THE CIRCUIT COURT OF

Vs.

X

BALDWIN COUNTY, ALABAMA

W. P. BROWN & SONS LUMBER
COMPANY, INC., et al,

X

AT LAW

Defendants.

X

X

Comes now Wilters & Brantley and files this notice that
they are the Attorneys of Record for G. M. Bush and Allera D.
Bush, Defendants in the above styled cause.

WILTERS & BRANTLEY

BY:



Attorneys for G.M. Bush and
Allera D. Bush

FILED

FEB 11 1964

ALICE I. DUCK, CLERK
REGISTER

STATE OF ALABAMA,	X	
Complainant,	X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
W. P. BROWN & SONS LUMBER COMPANY, INC., et al,	X	AT LAW
Defendants.	X	

Comes now Wilters & Brantley and files this notice that they are the Attorneys of Record for A. H. Hale and Clarice May Hale, Defendants in the above styled cause.

WILTERS & BRANTLEY

BY: *S. Robert M. Brantley*
Attorneys for Defendants, A. H.
Hale and Clarice May Hale

FILED
FEB 11 1964
CLERK OF COURT

STATE OF ALABAMA,

X

Complainant,

X

IN THE CIRCUIT COURT OF

Vs.

X

BALDWIN COUNTY, ALABAMA

W. P. BROWN & SONS LUMBER
COMPANY, INC., et al,

X

AT LAW

Defendants.

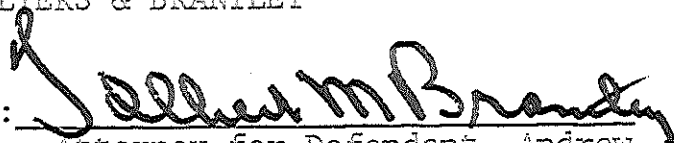
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Comes now Wilters & Brantley and files this notice that
they are the Attorneys of Record for Andrew Davison, one of
the Defendants in the above styled cause.

WILTERS & BRANTLEY

BY:


Attorney for Defendant, Andrew
Davison

FILED

FEB 11 1934

ALICE L. DICK, CLERK
REGISTER

STATE OF ALABAMA,)	
)	
Condemnor,)	IN THE CIRCUIT COURT OF
)	
VS.)	BALDWIN COUNTY, ALABAMA
)	
ELLA H. WARD,)	AT LAW
)	NO. 5897
Condemnee.)	

MOTION TO DISMISS APPEAL

Now comes Ella H. Ward, condemnee in the above styled cause, by her attorney, and appearing specially for the purpose of filing this motion and for no other purpose and files this her motion to dismiss the appeal heretofore filed by the State of Alabama to this court from the Probate Court of Baldwin County, Alabama, and respectfully represents and shows unto the court and your honor as follows:

1. That on the 4th day of October, 1963, the State of Alabama filed an application for condemnation against this condemnee and others in the Probate Court of Baldwin County, Alabama, which application was docketed as case number 5061 in said Probate Court and which application was filed pursuant and under the authority of Chapter One, Title 19 of the 1940 Code of Alabama. That on to-wit, the 29th day of November, 1963, the Probate Court of Baldwin County, Alabama, entered a final order of condemnation in said case in and by the terms of which the property described in the said application for condemnation belonging to this condemnee was condemned for the purposes set forth in said application for condemnation upon the payment of damages and compensation so ascertained, assessed, and reported or the deposit of the same in court as provided in Chapter One of Title 19 of the 1940 Code of Alabama.

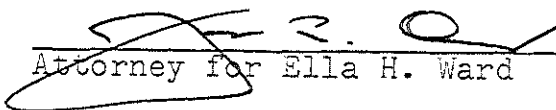
2. That on to-wit, November 29, 1963, the Probate Court of Baldwin County, Alabama, did in a condemnation proceeding filed on October 4, 1963, entitled State of Alabama vs. W. P. Brown & Sons Lumber Company, a Corporation, et al, and docketed as case number 5060 in said court, enter a similar order of condemnation; and said court on November 29, 1963, did in a condemnation proceeding filed on October 18, 1963, entitled State of Alabama vs. Frank M. Taylor, et al, and docketed as case number 5080 in said court enter a similar

order of condemnation; and said court did on November 29, 1963, in a condemnation proceeding filed on October 11, 1963, entitled State of Alabama vs. Luther Findley, et al, and docketed in said court as case number 5081, enter a similar order of condemnation; and said court did on said date, November 29, 1963, in a condemnation proceeding filed on October 18, 1963, entitled State of Alabama vs. Andrew Davison, et al, and docketed in said court as case number 5083, enter a similar order of condemnation; and said court did on November 29, 1963, in a condemnation proceeding filed on October 31, 1963, entitled State of Alabama vs. Paul E. Goodgame, et al, and docketed in said court as case number 5085, enter a similar order or condemnation; and that said court did on said date, November 29, 1963, in a condemnation proceeding filed on October 16, 1963, entitled State of Alabama vs. H. V. Harrell and docketed in said court as case number 5099, enter a similar order of condemnation.

3. That on to-wit, December 27, 1963, the State of Alabama filed in the Probate Court of Baldwin County, Alabama, an instrument purporting to be a notice of appeal from order of condemnation in and by the terms of which the State of Alabama purported or attempted to take an appeal to the Circuit Court of Baldwin County, Alabama, from the order of condemnation entered in said cause on the 29th day of November, 1963. That Ella H. Ward was a party to case number 5061 in the Probate Court of Baldwin County, Alabama, in which case an order of condemnation was made and entered on November 29, 1963, but she was not a party to, or interested in cases numbered 5080, 5060, 5081, 5083, 5085 or 5099. That there was not on December 27, 1963, or on the date of the filing of this motion, any proceeding then pending in the Probate Court of Baldwin County, Alabama, wherein the State of Alabama was the condemnor and the persons named in the notice of appeal from order of condemnation were condemnees. That no order of condemnation of the Probate Court of Baldwin County, Alabama, was made and entered on November 29, 1963,

in any cause wherein the State of Alabama was condemnor and the parties named in the notice of appeal from order of condemnation were condemnees. That no notice of appeal as required by Title 19, Section 17 of the Code of Alabama of 1940 has been filed in the Probate Court of Baldwin County, Alabama, in the condemnation proceeding therein entitled State of Alabama vs. Sherrill R. Manning, et al, and docketed in said court as case number 5061, in which proceeding your condemnee was a party thereto, although a copy of the attached notice of appeal from order of condemnation was served on your condemnee.

WHEREFORE, your condemnee respectfully moves the court to enter an order or decree dismissing the appeal attempted or purported to be taken by the State of Alabama to this Honorable Court and remanding said cause to the Probate Court of Baldwin County, Alabama; and that in and by the terms of said order the clerk of this Honorable Court be ordered to return the proceedings had in the Probate Court of Baldwin County, Alabama, in the condemnation proceeding noted above in which this condemnee was named as a party for further action by the Probate Court of Baldwin County, Alabama.


Attorney for Ella H. Ward

FILED

MAR 18 1964

ALICE J. DUCK, CLERK
REGISTER

STATE OF ALABAMA,

Condemnor,

VS.

ELLA H. WARD,

Condemnee.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 5897

ORDER

This cause coming on to be heard on the motion to dismiss appeal filed by the condemnor, the same is hereby set for hearing on March 20, 1964. *3 PM*

ORDERED on this the 17 day of March, 1964.

Hubert M. Hall
Judge

FILED

MAR 20 1964

JOSE L. DUCK, CLERK
REGISTER

JAN 21 1965

FEB 25 1965 APPLICATION FOR REHEARING OVERRULED. NO
OPINION WRITTEN ON REHEARING

J. Reuben Thomas, Clerk

THE STATE OF ALABAMA - - - - - JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

OCTOBER TERM, 1964-65

I Div. 226

State of Alabama

v.

W. P. Brown & Sons Lumber Company,
a Corporation, et al.

Appeal from Baldwin Circuit Court

MERRILL, JUSTICE.

This appeal is from an order of the circuit court dismissing an appeal by the State of Alabama from awards made in the probate court in eminent domain proceedings. The trial court dismissed the appeal on the ground that the notice of