Petitioner,) IN THE CIRCUIT COURT OF

vs.)

ALLIE BRYARS, RUTH P. MAHOLOVICH)
EUNICE ETHERIDGE, and CHARLIE
BRYARS, as to TRACT NUMBER 36,)

Respondents.)

DECREE OF CONDEMNATION:

This cause came on for trial on the 18th day of September 1964, on appeal from the order of condemnation made and entered in the Probate Court of this County, on the 22nd day of January, 1964 the parties to this proceeding came into open Court in their own person and by their Attorneys of Record, entered an unqualified appearance and the Court is of the opinion and finds that it has jurisdiction of the cause, and of the parties; and the parties, acting by and through their Attorneys of Record, having announced in open Court that they had entered into an agreement as follows:

That the Court does have jurisdiction of the parties and the lands in this cause; that the parties have agreed and consented that the demand for a jury trial in this cause be withdrawn; that it is necessary that the property hereinafter described be condemned for the uses and purposes stated in said petition; that the said application of the Petitioner for order of condemnation should be granted by this Court; and that the Petitioner, State of Alabama, should pay to the Respondents, Allie Bryars, Ruth P. Maholovich, Eunice Etheridge and Charlie Bryars, the sum of Five Hundred Fifty and no/100 Dollars (\$550.00), as a fair and just amount for compensation and damages for lands so taken; all of which being considered by the Court and the Court being of the opinion that said agreement is fair and just, both to the State of Alabama and to the Respondent land owners, it is, therefore, CONSIDERED, CRDERED, ADJUDGED AND DECREED by the Court, and it is the judgment of the Court, that the application of Petitioner for the condemnation of an easement or right of way in, over, on and upon the hereinafter described lands, together with the right to remove all improvements, trees, undergrowth and other obstructions situated on said lands,

and also the right to enter upon said lands for the purpose of constructing, maintaining and repairing the public improvements constructed or installed thereon or thereover, together with all existing, future and potential easements of access between the right of way of the public way described in said petition and all the real property of the respondents remaining after the appropriation of said easement and the right of way described in said petition be, and the same hereby is, granted and allowed.

And now comes the Petitioner, by its Attorney and shows unto the Court that it has heretofore deposited with the Judge of the Probate Court of Baldwin County, Alabama, the sum of \$1,000.00 as damages and compensation for the condemnation of the lands and interest in the lands hereinafter described which said sum has been transferred and delivered by the Judge of the Probate Court of Baldwin County, Alabama, to the Clerk of this Court, who now has possession of said funds.

It is hereby ORDERED, ADJUDGED AND DECREED by the Court that the Clerk of this Court be, and she is hereby authorized and directed to pay to the Respondents, Allie Bryars, Ruth P. Maholovich, Eunice Etheridge and Charlie Bryars, the sum of Five Hundred Fifty and no/100 Dollars (\$550.00), which is the amount of the agreed settlement in this cause, and that the balance in the amount of \$450.00 presently being held by the Clerk, less the cost of court in this cause, which are hereby taxed against the Petitioner, be refunded and repaid by the Clerk to the Petitioner, State of Alabama.

Upon payment of the award and costs in this proceeding by the Petitioner in this cause, the hereinafter described lands and interest in said lands are hereby condemned and awarded to Petitioner, State of Alabama. It is further ORDERED, ADJUDGED AND DECREED by the Court that the Petitioner, the State of Alabama, be and it hereby is given and awarded a right of way and easement in, over, on and upon the hereinafter described lands, together with the right to remove all improvements, trees, undergrowth and other obstructions existing on said lands and the right to prevent any

person from placing or maintaining any obstructions on or upon said lands and also have the right to enter said lands for the purpose of constructing, maintaining and repairing the public road, avenue or highway for which said lands are sought to be condemned herein, and for the uses and purposes sought in said petition or application, together with all existing, future and potential easements of access between the said right of way of the public way hereinafter described and all the remaining property of said respondents, after said appropriation of said easement hereinafter described.

It is further, ORDERED, ADJUDGED AND DECREED by the Court that title to the property hereinafter described be, and the same hereby is divested out of the Respondents and is hereby vested in the Petitioner, the State of Alabama, said property being more particularly described in Exhibit "A" attached hereto, and by reference made a part hereof as though fully set forth herein.

DONE AND ORDERED, this _ day of September, 1964.

Loore

Special Judge.

EXHIBIT "A"

The Later La

March Street vi

and as mices on the right-of-way map of Project No. 1-69-1(18). As recorded in the Office of the Judge of Probate of Maldein County:

appearable to Commoding at the northeast corner of Section II, Tolding Fig. 1, there a l' 25' I along the cast line of cald Devilen a dirience or 990 feet, more or less, to Station 1287/497 on the conversion of Project No. 1-65-1(36); theore 6 51°25° 9 along the entirelian of each Project a Alekanon of 1797 feet; theore turn as engle of 90°00° to the Let's and you a distance of 200 feat; thereas continuestarily along a etralgat line (while if extended would intersect a point that is will That acutions to the color of and at right orgins to the centerline of sold Troject of Dietica 1256.00) a distance of 167 Test, and or last, to the sett property line and the point of neglecting theree continuing continuationly along said line (which if entended would intersect the eald goden that is 500 feet prothematerly of and at right angles to the contextine of maid Project at Station 1255-00) a Glebance of 230 feet, ware or less, to the mosts line of 50% of 15% of Deciles 27, T-1-1, Robert, the enote property like; theree westerly along sold south property line a distance of 155 feet, more or less, to the southwest correct of said 210 fort, more or lase, to the porthwest corner of said property; thence amphorly along the north property live a distance of 225 fort, more or less, to the point of beginning.

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As a part of the openideration berginshow stated the said to be presented that is also be presented as a said to the problem of access by the said to the right of access by the public way identified as Project To. I. C.-2(16), the right of billion, and all of the problem is remaining and property of billion, and all of the problem is remaining and property to be a said to the public of a said to be a said

Commencing at the northeast comment of Section 27, 2-1-3, and 50 the continue of the content into the content into

the left (occours cortisectorly) baring a radius of 1,432.19 feet, along The centeriine of said relocation; a distance of 2)3.99 test to Station 26-02 on the elementine of baid relocation which equals Station 0-00 on the centerline of the relevation of a county road, thence % 0° 30° 16° 2 microg the Centerline of said county road relecation a distance of 209 feet to the south line of self of this of Section 27, 1-1-8, 2-4-5, the south property line and the point of beginning thence westerly along said south property line a distance of 00 feet, note or last, to a point that is 00 feet bort to 100 feet and relocation. on the fall and the same of active of and at right augher to the believelies of said relevanton at Station 3050.95; thereoe turn an ingle of 30° CD° to the right and run a distance -circo evenue) inplic elt et evenue é puels viralenterits along à europe to the right (concerve pontsmanterly) having a radius of BOY. White contenting of wald relocation, a distance of 105 feet, some or less, to the north property lima (organized the centerlitue of sold relocation at Station 2-62.7) a distance of 62 feet, some or less, to a point that is 50 feet northeasterly of and at right engine to the centerline of said releastion; themse southwesterly along a curve to the left (conserv southeesterly) having a redict or 447,46 feet, parallel to the centerline of walk relocation, a discense of 145 feet, more or less, to a point that is 50 feet southeasterly of and at right angles to the desterline of neid relocation at Station 3430.95; There s of 30° lo" W. parallel to the centerline of seld relocation a distance of 65 feet, here or laws, to the south line of SER of HE Section 27, T-1-17, R-4-2, the south property line; thence testerly along smid south property line a Cistance of 40 feet, more or lass, to the point af beginstan,

Robert and continue of large lying in the SDE of MEE of Section 27, 1-1-4,

PARSON BO. A Commercial section as the continues a content of Section 27, Seles, Paragraphic S. L. 25° E. Along the energ line of said forbide a discussion of 990 feet, some or less, to tradition Libbyey; on the center Libb of said Traject a Clatanda of 2,571.61 foot to Station 1252-25.39 on the centerline of under Project Ctick equals Station 2000 on the conterline of the relocation of Alabama Magnes, No. 677 the tre 68° 15° Delong the centerline of said relocation a distance of 627.05 feets thence northeasterly along a curve to the left (common northwesterly) maring a radius of 1,430.39 feet, along the venterline of ealth relocation, a distance of 253.95 feet to Station 28-01 on the descertise of said relocation which equals Station 10000 of the two critica (of the relicenties of a county road; there of a of 50 100 100 read of boation a distable of 330.97 feet; throse northesterly along a curve to the right (condain solutions terly) beving a radius of 477.46 feet, along the centerlime of walk relocation, a discense of 490.15 feet to the west property line and the point of beginnings themse cortaarly along said were property line a distance of Al feet, more or less, to the present worth right-ofway line of Alabama Highway No. 47, the north property line; these easterly along the paid sorth property line (evenily the penterline of east relocation at Station 9005) a Tistance of 235 feet, more or less, to a point that is 30 feet continue terly of and at right angles to the centerline of Fault relocation at Staplon 1846). 18; thence southwesterly along a curve to Lalland Commune of the calland a galvane electron and an electron of the commune the state of the second second the second the too wast property like; thence cortherly along said west property like a distance of il feet, more or less, to the point of beginning.

Hon L. D. Owen
Judge of Probate
Bay Minette, Alabama

Re: Tract 36 on I-65-1(28)
Allie Bryars, et al.

Dear Judge Owen:

Reference our phone conversation this date on above tract No. 36.

A consent settlement in the sum of \$550.00 was reached between the State and Condemnees in above tract last September. Prior thereto the State had paid into your funds, I understand, \$1,000.00.

Please consider this as your authorization to forward to Mrs. Alice J. Duck the total amount deposited by the State with you, that is the \$1,000.00. She will make disbursement to the property owners, as provided in the consent order or settlement. And this is her authority to make the disbursement of said \$550.00 as provided by law-Mrs. Duck should immediately return the remaining \$450.00 to the State of Alabama. And with the money returned she should submit her cost bill in this case and she will receive a warrant in due course.

Sincerely,

Kenneth Cooper

CC: Mrs. Alice J. Duck Clerk Circuit Court Bay Minette, Alabama

> Hon Samuel L. Stockman 951 Gov't Street Bldg. Mobile, Alabama

Petitioner,

Petitioner,

IN THE PROBATE COURT

VS.

ALLIE BRYARS, RUTH P. MAHOLOVICH,
EUNICE ETHERIDGE, CHARLIE BRYARS,
as to TRACT 36, Parcels 1 thru 3;
LESLIE E. GRIFFITH and MARGIE J.
GRIFFITH, as to TRACT 37; EVERETT
C. WHITE as to TRACT 40; CHARLES
WHITE, HIBBERT D. ETHERIDGE, CELIA
ETHERIDGE, as to TRACT 50, Parcels
1 thru 6, and BALDWIN COUNTY, a
Political Subdivision of the
State of Alabama,

Respondents.

CONDEMNATION OF LANDS

APPEARANCE

Comes now Blackmarr & Stockman and file this their appearance for and on behalf of the Defendant Charlie Bryars in the above styled cause.

BLACKMARR & STOCKMAN

KEENER T. BLACKMARK SAMMEL I. Stockware Attorneys for the Defendant

Charlie Bryars.

Address of Blackmarr & Stockman:

951 Government Street Building Mobile, Alabama

TE FEE BILL (Code 1940, Tit. 13, Sec. 29)				(Bex 59	1-2)	7625 MA1	RSHALL & BRUCE-	HABHYILLE
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/ 3 Will-Order on Presentation, \$1.00	/	60				BROUGHT FORWARD,	22	.75
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Issuing Subpoenas for Witness, 5007		20 50				App'ting and Notifying Guard. ad Litem, 50c		
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13) Issuing Commission to Take Deposition, 50c	1.5	50				Examining, Stating Acc't and Ap. Hear., \$1.00 Order to Publish Notice of Sale, 50c		
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Affidavit of Justification, 25c			The second secon			Order for Settlement, 25c Order to Publish Day of Settlement, 25c		
Granting Order of Appraisement, 50c						Issuing Notice of Day of Settlement, 25c		
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Order Removing Executor, Adm. Guard. \$2.00			Activities and the control of the co			App'ting and Notifying Guard. ad Litem 50c		
Order Appointing General Guardian, \$1.00 Order Appointing General Administ'r, \$1.00					1	SALE OF REAL ESTATE—Affidavit in Petition, 25c		
Order Appointing Adm'r ad Litem, \$1.00						Recording Petition, per 100 words, 15c	14-14-14-14-14-14-14-14-14-14-14-14-14-1	
Recording Decree						Order App't'g Day of Hear, and Notice, \$1.00 Order to Publish Notice of same, 50c		
						Issuing Citations, ent'g Sheriff's Return, 50c		
						App'ting and Notifying Guard. ad Litem, 50c Issuing Commission to take Deposition, 50c		
HOMESTEAD—Rec. Pet'n for Com., 100 words, 15c Record, Order for App., per 100 words, 15c						Filing Interrogatories, 10c		$\{175$
Recording Order for Com., per 100 words, 15c						Copy of Interrogatories, per 100 words, 15c App't'g Com. to Divide and Issue Writ, \$2.00	120	
Notice to Commissioners, 50c Recording Report of Com., per 100 words, 15c						Affidavit to Report of Same, 25c		
Recording Report of Com., per 100 words, 15c						Order Approving Division and Report, \$1.00		
						Recording same, per 100 words, 15c Hearing Applic'n for Dower, Iss'g Writ, \$4.00		
INVENTORY—Order to Approve and Record, 50c Affidavit to same, 25c						Exam'g Testim'y and Grant Ord'r to Sell, \$2.00		
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PROBATE COURT OF
N COUNTY, ALABAMA
SE NO: 5084
, BALDWIN COUNTY,
ndsey, H. B. McGill
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STATE OF ALABAMA,		I	6938
	Petitioner,	1	
vs.		I	IN THE PROBATE COURT OF
ALLIE BRYARS, ET	AL.,	I	PAIDMIN COUNTY AT A TORSE
	Respondents.	I	BALDWIN COUNTY, ALABAMA
		I	CASE NO: 5084
		I	
		I	
	V1		

REPORT OF COMMISSIONERS:

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

Come the undersigned, Walter M. Lindsey, H. B. McGill and O. W. Lyles

the Commissioners duly appointed to assess the damages to PREFERE Tract Numbers 37.40 and 50

of Project No. I-65-1(28), to which the owner and other parties interested in the parcels of land set forth and described in the original application for condemnation of lands filed in this cause, are entitled for the condemnation of such lands, and having been duly sworn as jurors are sworn, and having viewed the lands described in

said application for condemnation, and having set a time and place for the hearing of the evidence to be offered by any party touching the amount of damages the owners of the lands and other parties interested therein will sustain and the amount of compensation they are entitled to receive, and having received all legal evidence offered, do hereby state that the amount of damages and compensation has been

ascertained and assessed by the undersigned, according to law and

that the said owners of said Parcels of land and other parties in

interested therein are entitled to receive as damages and compen-

sation for the condemnation of their property, the following amount:

Project	No.	I-65-1(28),	Percel No. 30	2	\$ 1000 €
Project	No.	I-65-1(28),	TRACT No. 37	7	\$ 100000
Project	No.	I-65-1(28),	FEACT No. 4	2	\$ 35000
Project	No.	I-65-1(28),	Percel No. 5	0	\$ 180000
Project	No.	I-65-1(28),	Parcel No		\$
Project	No.	I-65-1(28),	Parcel No	-	\$
Project	No.	I-65-1(28),	Parcel No.		\$
Project	No.	I-65-1(28).	Parcel No.		d•

1 BOOK UJS PAGE 43

We hereby certify that we have not been consulted with, advised with or approached by any person with reference to the value of the lands other than as to the evidence submitted to and considered by us, or the proceedings to condemn the same prior to the assessment of damages, and that we knew nothing of the same prior to our appointment.

Commissioner

Compissioner

Commissioner

Sworn to and subscribed before me

this 20th day of December, 1963.

W. R. Stuart, Judge of Probate.

STATE OF ALABAMA, Ĭ Petitioner, I vs. Ĭ IN THE PROBATE COURT OF Ĭ ALLIE BRYARS, ET AL., BALDWIN COUNTY, ALABAMA I Respondents. CASE NO. 5084 Ţ I Ĭ Ţ

FINAL ORDER OF CONDEMNATION:

On the 20th day of December, 1963, came Walter M	! .
Lindsey, H. B. McGill 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 applicat	ion
for condemnation of lands heretofore filed in this cause are entit	led
and filed their report in writing and under oath, setting forth the	at
they awarded compensation and damages to the said owners and other	
parties interested in Färčers No. 36 , Parcels 1 thru 3;	
, and Project	ct
No. I-65-1(28), in the amount of \$ 1,000.00, for Parest No. 37	;
\$\frac{1,000.00}{\}, \text{ for Rargel No. 40} \\$\frac{350.00}{\}, \text{ for Rargel No. 40}	
50, Parcels & thru 6 , *************** , \$ 1800.00	,
for Parcel No, \$, for Parcel No,	
\$, for Parcel No; and \$, for Parcel	
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It is therefore OPDEDED ADJUDGED AND DECREED by the	

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 12 Nd day of JANUARY, 1964.

State, Judge of Probate.

STATE OF ALABAMA,	I	
Petitioner,	I	IN THE PROBATE COURT OF
vs. ALLIE BRYARS, RUTH P. MAHOLOVICH, EUNICE ETHERIDGE, and CHARLIE BRYARS, as to TRACT NUMBER 36,	I	BALDWIN COUNTY, ALABAMA
	I	Dittal Court is a real real real real real real real re
	I	CASE NUMBER 5084.
ET AL.,	I.	
Defendants.		

NOTICE OF APPEAL

Comes the State of Alabama in the 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 22nd day of January, 1964, insofar as said order of condemnation relates to the Tract of land and the owners and parties interested therein as follows:

TRACT NUMBER 36: Allie Bryars, Ruth P. Maholovich, Eunice Etheridge and Charlie Bryars, are the owners of said tract.

That a copy of the description of the above designated tract is hereto attached, marked Exhibit "A", and by reference made a part hereof, as though fully set out herein.

The State of Alabama does herewith file in the Probate Court of Baldwin County, Alabama, the court rendering such order of condemnation, this, its written notice of appeal.

DONE this 31st day of January, 1964.

RICHMOND M. FLOWERS, Attorney General State of Alabama

By: Dictary H. Washington

Duly appointed Special Assistant

Attorney General for the State of Alabama

Petitioner hereby demands a trial of this cause by Jury.

Duly appointed Special Assistant
Attorney General for State of Alabama. STATE OF ALABAMA, BALDWIN COUNTY

Filed

Recorded

Recorded

Judge of Probate

The undersigned hereby acknowledges himself security for costs in this cause.

Coppend 31 In 1964
Coppend from the State

Duly appointed Special Assistant Attorney General for State of Alabama.

TO: ALLIE BRYARS, RUTH P. MAHOLOVICH, EUNICE ETHERIDGE and CHARLIE BRYARS.

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 31st day of January, 1964.

WITNESS my hand this 31st day of January, 1964.

Judge, Probate Court of Balawin County, Ala Dy: Harry M. Solvie Chiek Clark

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STATE OF ALABAMA,		I	
	Petitioner,	I	
vs.		I	IN THE PROBATE COURT OF
ALLIE BRYARS, ET	A 7	I	BALDWIN COUNTY, ALABAMA
	AL.,	I	
	Respondents.	I	CASE NO.
		I	
		I	
		I	

ORDER OF PROBATE JUDGE GRANTING APPLICATION FOR CONDEMNATION AND APPOINTING COMMISSIONER:

MHEREUPON, after examination of said application and after hearing the evidence in support thereof, the Court is of the opinion that the allegations contained in said application are true and that it is necessary to condemn the easement or right of way over the lands as described in said application, all for the uses and purposes of a public road or highway in and for the State of Alabama, and no cause having been shown why such application should not be granted;

IT IS THEREFORE, ORDERED, ADJUDGED and DECREED by the Court that the prayer of said application for condemnation be granted and that the easement or right of way over the lands described in said application is hereby condemned for the uses and purposes of a public road or highway in Baldwin County, Alabama

It is FURTHER ORDERED by the Court that WALTER M. LINDSEY

H. B. McGILL and , O. W. LYLES ,

who are resident citizens of Baldwin County, Alabama, possessing the qualifications of jurors and who are disinterested in these

Said strip of land lying in the SDE of NDE of Section 27, 7-1-0, R-4-2 and containing C.12 acres, more or less.

proceedings (each of these facts being ascertained by the Court) be and they are hereby appointed Commissioners to view said property and hear any evidence offered by interested parties and report to the Court within Twenty (20) days after their appointment, the amount of damages and compensation to which the owners and interested parties are entitled to receive for the condemnation of said right of way.

It is FURTHER ORDERED by this Court that a notice of their appointment be at once issued to said Commissioners, and that the Sheriff of said County serve notice of said appointment upon each of the Commissioners as required by law.

Done	this	5th	day	of	November,]	1963	•
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By: Harry M. Doline Chief Clerk

By: ______

BOOK D'35 PAGE 36

NOTICE TO SHERIFF:

STATE OF ALABAMA)
BALDWIN COUNTY)
You are hereby COMMANDED to notify: 0. W. LYLES BAY MINETTE, ALABAMA
that in a proceeding in this Court styled State of Alabama vs. Allie Bryars,, et al
and Baldwin County, a political subdivision of the State of Alabama,
in which the State of Alabama sought to condemn a certain right of
way or easement over certain lands in this County for the purposes
of a public highway or road as stated in the application for con-
demnation in this cause, this Court rendered a decree condenning the
right of way or easement over the lands therein sought, and appoint-
ed them to view said property sought to be condemned, hear evidence
and assess such damages and compensation as the owners and interest-
ed parties are entitled to recover for the taking of the same for
said public uses and purposes.
You are hereby commanded to serve a copy of the commission
hereto attached upon each of said commissioners within five (5) days
from the receipt hereof, and make return as to how you have execut-
ed this mandate.
Done this 5th day of November, 1963.
By W. R. Stnart, Judge of Probate. By W. Doline the Class
By:

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NOTICE TO SHERIFF:

STATE OF ALABAMA)	
BALDWIN COUNTY)	
You are hereby COMMANDED to notify: WALTE BAY MINETTE, ALABAMA	R M. LINDSEY,
that in a proceeding in this Court styled State of Alab	cama vs.
Allie Bryars, et al.,	, et al
and Baldwin County, a political subdivision of the Stat	te of Alabama,
in which the State of Alabama sought to condemn a certa	ain right of
way or easement over certain lands in this County for t	the purposes
of a public highway or road as stated in the application	on for con-
demnation in this cause, this Court rendered a decree	condenning the
right of way or easement over the lands therein sought,	, and appoint-
ed them to view said property sought to be condemned, l	hear evidence
and assess such damages and compensation as the owners	and interest-
ed parties are entitled to recover for the taking of the	he same for
said public uses and purposes.	
You are hereby commanded to serve a copy of	the commission
hereto attached upon each of said commissioners within	five (5) days
from the receipt hereof, and make return as to how you	have execut-
ed this mandate.	
Done thisday ofNovember	_, 1963.
W. R. Stuart, Judge By: W. W. Stuart, Judge	of Probate.
By:	

on Watler m. 5 By service on... TAYLOR WILKINS Em . Year out a . I detailed Albandar (abbertar by: usem uson (n.P.). Tie general Ledejae vroong elembel el heterepasem zomborek and the second s , amerikan dan bander serri Sarahabahatuan bandaran pengerangan pengerapakan pengerapakan pengerapakan pengera Programme Consideration of the common of the patients of the field the special case was the conence the modernostry win as surese es loom to province elemen sela i kritini pod plabilo i brigolikio drano klim i nedog kćia kojimimi. efektorga bas garmuse alusest sünct odaselen seedakko va god ta dagt. companies another companies are all of delegand type going bede water of modern Harandoral (j. 1. jemerako luko estekakasas gena 1945 esinseti Wasia abasas jakakasakat ten nod come seto do montro crim nelo malendado do tratalemo obre se istago o Turantepar Lan espa una ligar de c and Carlos and the great in a room of an American expand the analysis

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NOTICE TO SHERIFF:

BALDWIN COUNTY)
You are hereby COMMANDED to notify: H. B. McGILL,
PERDIDO, ALABAMA
that in a proceeding in this Court styled State of Alabama vs.
Allie Bryars, , et al
and Baldwin County, a political subdivision of the State of Alabama,
in which the State of Alabama sought to condemn a certain right of
way or easement over certain lands in this County for the purposes
of a public highway or road as stated in the application for con-
demnation in this cause, this Court rendered a decree condenning the
right of way or easement over the lands therein sought, and appoint-
ed them to view said property sought to be condemned, hear evidence
and assess such damages and compensation as the owners and interest-
ed parties are entitled to recover for the taking of the same for
said public uses and purposes.
You are hereby commanded to serve a copy of the commission
hereto attached upon each of said commissioners within five (5) days
from the receipt hereof, and make return as to how you have execut-
ed this mandate.
Done thisday of, 1963.
W. R. Stuart, Judge of Probate.
By-Alaman M. Dolling Caro Caro
By:

Re	d on 12 day of 100
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	By W. J. Lalberto. S. Orng.
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STATE OF ALABAMA,		I			
	Petitioner,	I			
vs.		I	IN THE PROBATE COURT OF		
ALL TE DOWNER &	•	I	DAIDMIN COUNTY AT ADAMA		
ALLIE BRYARS, et		I	BALDWIN COUNTY, ALABA		
Respondents	I	CASE NO:			
		I			
		I			
		I			
	600047				

TO:	WALTER M. LINDSEY					
	Ή.	В.	McG1	CLL		and
	0.	W.	LYL	ES .	-	

KNOW YE, that having full faith and confidence in your integrity and competency, you have been by order and decree of the Probate Court of Baldwin County, Alabama, designated and appointed as Commissioners in the above styled cause, with all of the power, authority and duties vested in or which may devolve on you as such Commissioners under and by virtue of the provisions of Chapter I of Title 19 of the Code of Alabama of 1940, as amended.

You will be sworn as jurors and you or a majority of you shall assess the damages and compensation to which the owners and interested parties are entitled by virtue of and on account of the condemning of the right of way or easement over the tracts of land described in the application for condemnation filed in this cause, all for the uses and purposes of a public road or highway in and for the State of Alabama. A description of the lands and the names of the owners and the easement sought are specifically set out in the application for condemnation filed in this cause.

You may view the lands to be subjected and you must receive all legal evidence offered by any party touching the amount of damage or compensation the owner of said lands and interested parties will sustain and are entitled to receive. Any person interested in the proceedings may be present in person or by attorney at any of these proceedings which you may have.

You must, within twenty (20) days from the day of your appointment, which is this date, make a report in writing to the Court, stating the amount of damage and compensation ascertained

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and assessed by you for the owners and parties interested in the tracts of land, and file a certificate along with your award that none of you have been consulted, advised with or approached by any person with reference to the value of the lands or the proceedings to condemn the same prior to the assessment of damages, and that you knew nothing of the same prior to your appointment.

Given under my hand and seal of office this <u>5th</u> day of November ______, 1963.

W. R. Styart, Judge of Probate.

By: Mary W. Doine Chief Clerk

STATE OF ALABAMA
BALDWIN COUNTY

We, and each of us, do solemnly swear that we will well and truly try the cause now pending and submit it to our decision, said case being styled State of Alabama vs. Allie Bryars, et al. et al., and Baldwin County, a political subdivision of the State of Alabama, and that we are not directly, nor indirectly, interested in the issues to be tried, and that we are not biased or prejudiced against either of said parties, and that we will render such compensation to the respondents as to us shall seem just and proper in the premises, so help us God.

Sworn to and subscribed before me this 20th day of November, 1963.

W. B. Style Judg Poff Protection Clerk

Petitioner,

vs.

IN THE PROBATE COURT OF BALDWIN COUNTY, ALABAMA

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CASE NO:

BALDWIN COUNTY, A Political Subdivision of State of Alabama,

APPLICATION FOR CONDEMNATION

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

Comes the State of Alabama, Petitioner in the above styled cause, and files this, its application in the Probate Court of Baldwin County, Alabama, for order of condemnation of a right of way over the lands hereinafter described for a public road or highway, and as a basis for the relief sought, shows unto the Court as follows:

- 1. Petitioner is authorized under the Constitution of Alabama 1901, and under the provisions of Title 19, Section 1, Code of Alabama, 1940, as amended, to institute and prosecute these proceedings in its own name for the purposes of a public road or highway.
- 2. That said public highway has been designated by the State Highway Director as a part of the State Highway System and also known as Project No. I-65-1 (28), Baldwin County, Alabama.
- 3. That said public highway begins with Escambia County, Alabama Line and runs to Alabama State Highway No. 59.
- 4. The right of way over the property and lands hereinafter described as Parcels*Numbered Tract 36, Parcels 1 thru 3; Tract
 37; Tract 48; Tract 58, Parcels 1 thru 5.

and as set out in the right of way map on Project No. I-65-1(28) on file in the State Highway Department and in the Office of the Judge of Probate of Baldwin County, Alabama, has been deemed necessary by the State Highway Director in order to facilitate the flow of traffic and promote public safety.

5. That said tract(s) of land is necessary for use by Petitioner as a right of way for such public highway and in which Petitioner seeks to condemn as easement(s) or right of way(s) are

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located wholly within Baldwin County, Alabama, and are (is) described in Exhibit "A" attached hereto.

- 6. That the right of way or easement which Petitioner seeks to condemn for highway purposes is set out and described in the right of way map on Project I-65-1(28), which is on file in the State Highway Department and in the Office of the Judge of Probate of Baldwin County, Alabama.
- 7. That a diligent search has been made of the records of Baldwin County, Alabama, and diligent inquiry made to ascertain the names and addresses of the parties owning said tract(s) of land and according to the best of Petitioner's information, knowledge and belief, the said lands are owned and interest in said lands are claimed by the parties named as Respondents in this cause.
- 8. That Baldwin County, Alabama, a body corporate under the Laws of the State of Alabama with its County Seat in the City of Bay Minette, Alabama, may have or claim an interest in said tract by reason of taxes and easements due and chargeable, and is hence made a Respondent herein.
- 9. (a) Allie Bryars, Ruth P. Maholovich, Eunice Etheridge and Charlie Bryars are owners of Tract 36, Parcels 1 thru 3, and are all over 21 years and all residents of Baldwin County, except Charlie Bryars who resides in Mobile County;
 (b). Loslie E. Griffith & Margie J. Criffith are owners of Tract 37, and are over the age of 21 years, and residents of Baldwin County, Alabama;
 (c). Everett C. White is the owner of Tract 40, is over the age of 21 years and a resident of Baldwin County, Alabama;
 (d). Charles White is the owner of Tract 50, Parcels 1 thru 6, is over the age of 21 and a resident of Baldwin County, Alabama; Hibbert Etheridge & Celia Etheridge are residents of Baldwin County and over the age of 21 years, claim some right, title or interest in said property by virtue of lease dated 10/7/61, recorded in Deed Book 325 page 63, Baldwin County, Alabama Records.

WHEREFORE, the premises considered, your Petitioner respectfully prays:

- 1. That an order be made appointing a day for the hearing of this application and that notice of the filing thereof and
 of the day set for the hearing thereof be given to the Respondents.
- 2. That this Court will appoint Commissioners to ascertain and report the compensation and damages occasioned by such taking.
- 3. That upon a final hearing of this petition an order and decree be made by this Court condemning the easement for the right of way as set out in the right of way map on Project No. I-65-1(28), over the lands as set out in Exhibit "A" of this

application, all for the uses and purposes of a public highway for the State of Alabama.

RICHMOND M. FLOWERS, Attorney General State of Alabama

By: Johanna, Maddeller Duly Appointed Special Assistant Attorney General for The State of Alabama.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, J. CONNOR OWENS, JR., a Notary Public Baldwin County, Alabama, personally appeared Telfair J. Mashburn,

Assistant Attorney General of the State of Alabama, who is personally known to me in his official capacity as an Assistant Attorney General of the State of Alabama, and also being first duly sworn, deposes and says that the allegations of the foregoing application for condennation are true and correct.

Jefain J. maselburu

Sworn to and subscribed before me on this the <u>18th</u> day of <u>October</u>, 1963.

otary Public, Baldwin County, Alabama

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and as shown on the right-of-way map of Project No. 2-65-1(20)

MARTIL NO. 1: Commencing at the northeast corner of Section 27, T-1-1, E-4-1; thence S 1° 25° E along the cast line of said Section a distance of 995 feet, more or less, to Station 1857497 on the centerline of Project No. I-65-1(25); thence S 51° 25° V along the centerline of said Project a distance of 2797 feet; thence turn an angle of 90° 00° to the left and run a distance of 200 feet; thence acutheusterly along a straight line (which if extended would intersect a point that is 400 feet southeasterly of and at right angles to the centerline of said Project at Station 1856400) a distance of 165 feet, more or less, to the southeasterly along said line (which if extended would intersect the said point that is 400 feet southeasterly of and at right angles to the centerline of said Project at Station 1256400) a distance of 250 feet, more or long, to the south line of 500 of 100 of Section 27, T-1-1, R-4-1, the south property line; thence westerly along said south property line a distance of 250 feet, more or loss, to the southwest corner of said property; thence or loss, to the north property line a distance of 220 feet, more or loss, to the point of beginning.

Said strip of land lying in the SNE of Me of Section 27, 2-1-2, 2-1-2 and containing 0.87 acres, more or lass.

As a part of the consideration harginabove stated there is also bargained, sold, conveyed and relinquished to the grantee all existing, festure, or potential common law or statutory rights of access between the right of may of the public way identified as Project No. I-65-1(18), County of Baldwin, and all of the granter's remaining real property consisting of all parcels contiguous one to another, whether acquired by automate conveyances or otherwise, all of which parcels either adjoin the real property conveyed by this instrument or are commerced thereto by other parcels othed by the granter.

PARCES. NO. 2: Communing at the northeast corner of Section 27; T-1-N, N-4-N; thence S 1° 25' E along the east line of said Section a distance of 990 feet, more or less, to Station 1237-97 on the centerline of Project No. I-65-1(20); thence S 51° 25' V, along the centerline of said Project, a distance of 2,571.61 feet to Station 1250-25.39 on the centerline of said Project which equals Station 20-00 on the centerline of the relocation of Alabama Highway No. 47; thence S 68° 35' E along the centerline of said relocation a distance of 627.05 feet; thence northeasterly along a curve to

the left (conserve northwesterly) having a radius of 1,432.39 fact, along the centerline of said relocation, a distance of 255.95 feet to Station 20.61 on the centerline of said relocation which equals Station 0.000 on the centerline of the relocation of a county read; thence N 0° 30' 16" N along the centerline of said county read relocation a distance of 20) feet to the south line of 50) of 30) of Section 27, T-1-N, R-1-N, the coult property line and the point of beginning; thence westerly along said south property line a distance of to feet, more or less, to a point that is to feet northmenterly of and at right angles to the centerline of said releas-tion; thence S 0° 50° 16° E, parallel to the centerline of said relocation, a distance of 70 feet, more or less, to a point that is 40 feet northwesterly of and at right angles to the centerline of said relocation at Station 5-50.95; thence turn an angle of 90° 00° to the right and run a distance of 10 feet; themse northeasterly along a curve to the right (concave southeasterly) having a radius of 507.46 feet, parallel to the centerline of said relocation, a distance of 265 feet, more or less, to the north property line (crossing the centerline of said relocation at Station 4-02.7) a distance of 62 feet, more or less, to a point that is 30 feet southeasterly of and at right angles to the conterline of said relocation; thence southwesterly along a curve to the left (conseve southeasterly) having a median of 147.16 feet, parallel to the conterline of said relocation, a distance of 145 feet, more or less, to a point that is 30 feet southeasterly of and at right angles to the centerline of said relocation at Station 5.50.95; thence turn as angle of 90° 00' to the left and run a distance of 10 floot; thence 5 0° 30' 16" W, parallel to the conterline of said relocation a distance of 65 feet, more or less, to the south line of SDE of NDE of Section 27, 7-1-5, 2-4-5, the south property line; themes wasterly along said south property line a distance of 40 feet, more or less, to the point of baginning.

Said strip of land lying in the SN2 of End of Section 27, T-1-N, R-1-E and containing 0.53 acres, more or loss.

AMERICAN S. 25' E along the cast line of said Section a distant Communicate at the northeast corner of Section 27, T-1-5, of 998 feet, more or lass, to Station 1287-97 on the conterline of Project No. I-65-1(28); thence S 51° 25° W along the conterline of said Project a distance of 2,571.61 feet to Station 1252-25.39 on the conterline of said Project which equals Station 20:000 on the centerline of the relocation of Alabam Righmy No. 47; thence S 68° 35° E clong the centerline of said relocation a dictance of 627.05 feet; thence northeasterly along a curve to the left (concave northwesterly) having a radius of 1,432.39 feet, along the conterline of said relocation, a distance of 253.95 feet to Station 25-61 on the centerline of said relocation which equals Station 0:00 on the centerline of the relocation of a county read; thence N 0° 30' 15" R along the centerline of said county read relocation a distance of 330.95 feet; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 177.46 feet, along the center-lim of said relocation, a distance of 190.15 feet to the west property line and the point of beginning; thence northerly along said west property line a distance of 31 feet, more or less, to the present couth right-ofway line of Alabama Righmay No. 47, the morth property line; thence casterly along the said morth property line (eroseing the centerline of said releastion at Station 9006) a distance of 255 feet, more or less, to a point that is 30 fact southeasterly of and at right angles to the centerline of said relocation at Station 10:65.10; thence southeasterly along a curve to the left (concern southeasterly) having a radius of 147.46 fact, parallel to the conterline of said relocation, a distance of 245 feet, more or less, to the west property lim; thence northerly along cald west property lime a distance of M foot, more or less, to the point of beginning.

and as shown on the right-of-ony map of Project He. I-65-1(30) as recorded in the Office of the Julys of Protein of Relatin Commission

ting at the southwest corner of Mig of the decision.

-It theses northerly along the cast line of said footies 27, 7-1-5, 2-4-2; the Ta distance of 1,515 feet, more or la es, to approximate States bloss on the conterline of the relocation of Ala nee 5 64° 25° V along the conterline of said relocation a distan of 360 fort, more or less, to Station 38:08.05; thomas northwester: close a curve to the right (concern northwesty), having a radius of) fact along the conterline of anid relicenties, a distance of 61.05 feet to the cast property line and the point of beginning; theme southerly along said east property line a distance of 65 feet, more or loss, to a point that is 60 feet postheasterly of and at right angles to the conterline of said relocation; thense norther along a curve to the right (conserve mortherly) having a radius of 1,49 feet, along the conterline of cald relocation a distance of 605 feet, note of long the emeterline of said relocation a distance of 665 fort, more or long, to the court property line; themse uncturity along said south property line a distance of 665 fort, more or long, to the cast side of a present county read, the unst property line; thence northerly along said west property line (excessing the centerline of said relocation at approximate Station 25:90) a distance of 510 foot, more or long, to the north line of 50; of 50; of Soction 57, T-1-5, R-5-5, the north property line; thence centerly along said north property line a distance of 50 foot, more or long, to a point that is 50 foot scuttenessorily of and at right angles to the centerline of a county read relocation; thence a fight angles to the centerline of a county read relocation; thence S O' 30' 16' V, parallel to the conterline of said county reed relocation a distance of 150 feet, more or lose, to a point that is 180 250t north-conterly of and at right angles to the conterline of said Alabama Rights. No. 47 relocation; thence mertheasterly along a curve to the left (con mortherly) having a radius of 1,512.39 fast, parallel to the conterline of said Alabama Righty No. 47 relocation, a distance of 665 fast, may be or loss, to a point that is 120 fast northwesterly of and at right angles to the conterline of said relocation at Station 35-42.05; thence turn and the of 90° 00° to the right and run a distance of 30 feet, more or lines, to the cost property line; thence southerly along said east property line a distance of 10) feet, more or loss, to the point of heginning.

and as shown on the right-of-way map of Project No. I-65-1(20) as recorded in the Office of the Juige of Probate of Baldwin County:

Commencing at the southeast corner of Sily of Mily of Section Si, T-1-N, R-4-E; thence northerly along the east line of said SWe of BW a distance of 535 fact, more or less, to a point that is 120 feet south easterly of and at right angles to the centerline of the relocation of Alabam Highway No. by and the point of beginning; thence southwesterly along a rurve to the left (concave southerly) having a radius of 1,512.39 feet, parallel to the centerline of said relocation, a distance of 5 feet, more or less, to a point that is 120 feet southeasterly of and at right engles to the conterline of said relocation at Station 55017.40; thence turn on angle of 90° 00' to the right and run a distance of 70 feet; thence 5 64° 25' W, parallel to the centerline of said relocation, a distenne of 360 feet, more or less, to the west property line; thence northerly along said west property line (crossing the centerline of said Project at Station 51497) a distance of 120 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said relocation; thence H 64° 25° E, parallel to the centerline of seld relocation, a distance of 290 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said relocation at Station 55017.40; thence northeasterly along a straight lime (which if extended would intersect a point that is 80 feet northwesterly of and at right angles to the centerline of said relocation at Station 55.00) a distance of 50 feet, more or less, to the northeast property line; thence southeasterly along said northeast property line (erossing the center-line of said relocation at Station 57.00) a distance of bil feet, more or less, to a point that is 120 feet coutbeasterly of and at right angles to the centerline of said relocation; themse southwesterly along a curve to the left (command southerly) having a radius of 1,512.39 feet, parallel to the conterline of said relocation, a distance of 585 feet, more or less, to the point of beginning.

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and as shown on the right-of-way map of Project No. I-65-1(28) as recorded in the Office of the Judge of Probate of Raldwin County:

PARTILL NO. 1: Communing at the northwest corner of Section 25, T-1-3, R-1-3; thence H 26° 10' 8, along the morth line of enid Section a distance of 1080 feet, more or less, to a point that is 150 feet northwesterly of and at right angles to the centerline of Project Bo. I-65-1(28) and the point of beginning of the property herein to be conveyed; thence continuing H 28° 10' 8, along the morth line of enid Project at Station 130+62.2) a distance of 280 feet, more or less, to the northwest corner of said property; thence southeasterly along the east property line a distance of 160 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project at approximate Station 130+60; thence S 51° 25' W, parallel to the centerline of said Project, a distance of 1610 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project at Station 1250-60; thence southeasterly along a straight line (which if extended would intersect a point that is 175 feet southeasterly of and at right angles to the centerline of said Project at Station 1250-60; thence I 1° 25' W, along said test property line (crossing the centerline of said Project at Station 1250-60) a distance of 57° feet, more or less, to a point that is 150 feet sertimentarly of and at right angles to the centerline of said Project; themce I 1° 25' E, parallel to the centerline of said Project; a distance of 955 feet, more or less, to the centerline of said Project; themce I 1° 25' E, parallel to the centerline of said Project, a distance of 955 feet, more or less, to the point of beginning.

Said strip of land lying in the MM of Section 25, T-1-2, R-4-2 and containing 8.18 acres, more or land.

As a part of the consideration hereinabove stated there is also bargained, sold, conveyed and relinquished to the grantee all existing, future, or potential comma law or statutory rights of access between the right of way of the public way identified as Project No. I-65-I(28), Count of Naldrin, and all of the granter's remaining real property consisting of all partels contiguous one to another, whether acquired by separate conveyences or otherwise, all of which parcels either adjoin the real property conveyed by this instrument or are connected thereto by other parcels owned by the granter.

PARCEL NO. 2: A temperary easement to a strip of land managerary for the disposal of much and being more fully described as follows: Beginning at a point that is 150 feet northwesterly of and at right engles to the centerline of Project No. I-65-1(20) at Station 1839:00; themes S 51° centerline of Project No. I-65-1(20) at Station 1839:00; themes S 51° (V. parallel to the centerline of said Project, a distance of 600 feet; themes turn an angle of 90° 00' to the right and run a distance of 100 feet; themes N 51° 25' E, parallel to the centerline of said of 100 feet; themes of 50° feet; themes turn an angle of 90° 00' to Project, a distance of 500 feet; themes turn an angle of 90° 00' to Project, a distance of 500 feet; themes turn an angle of 90° 00' to Project, a distance of 500 feet; themes turn an angle of 90° 00' to

hald strip of land lying in the Mig of Mig of Section 25, T-.

It being unicretood and agreed that upon completion of said Project all rights granted herein for temperary casessent shall come and terminate.

PARCEL NO. Is A temporary easement to a strip of land mecessary for the Misposal of much and being more fully described as follows: Beginning at a point on the north line of Section 26, T-1-N, R-b-E, the north property line, that is 250 feet merimosterly of and at right angles to the conterline of said Project, a distance of 150 feet, more or less, to the centerline of said Project, a distance of 150 feet, more or less, to a point that is 250 feet mertheesterly of and at right angles to the centerline of said Project at Station 150000; thence turn an angle of 90° 00° to the left and run a distance of 100 feet; themse N 51° 25° E. garallel to the centerline of said Project, a distance of 200 feet; themse parallel to the centerline of said Project, a distance of 50 feet, more turn an angle of 90° 00° to the left and run a distance of 50 feet, more turn as angle of 90° 00° to the left and run a distance of 50 feet, more thance S 30° 10° V, along said north property line a distance of 65 feet, more or less, to the point of beginning.

Said strip of land lying in the Mit of Section 25, 1-1-N, R-4-2 and containing 0.42 acros, more or lass.

It being understood and agreed that upon completion of said Project all rights granted herein for temperary essented shall come and terminate.

MANUEL NO. 4: A temperary easement to a strip of land necessary for the disposal of much and being more fully described as follows: Beginning at a point that is 250 feet southeasterly of and at right angles to the centerline of Project No. I-65-1(25) at approximate Station 1501-05; thence S 51° 25° V, parallel to the centerline of Station 1501-05; thence S 51° 25° V, parallel to the centerline of Said Project, a distance of 690 feet, more or less, to a point that is reside that southeasterly of and at right angles to the centerline of said Project at Station 1295-00; themse turn an angle of 90° 00° to the right and run a distance of 100 feet; thence N 51° 25° E, parallel to the centerline of said Project, a distance of 608 feet; themse continuatorly terline of said Project, a distance of 130 feet, more or less, to the point along a straight line a distance of 130 feet, more or less, to the point of beginning.

Said strip of land lying in the Mit of Section 25, T-1-N, R-1-E and containing 1.19 serve, more or less.

It being unforwtood and agreed that upon completion of said Project all rights granted herein for temperary encount shall cease and terminate.

PARCEL ID. 3: A temperary excessed to a strip of land measury for the disposal of much and being more fully described as follows: Deglaring at a point that is 250 feet contheasterly of and at right anglesto the conterline of Project No. I-65-1(28) at approximate Station 1500469; thence conterline of Project No. I-65-1(28) at approximate Station 1500469; thence northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet, more or less, northwesterly along a straight line a distance of 150 feet and 150 fee

to the centerline of said Project, a distance of 250 feet, more or less, to the cust property line; themse southerly along said east property line a distance of 120 feet, more or less, to a point that is 250 feet southeasterly of and at right angles to the centerline of said Project; themse 8 51° 25° W, parallel to the centerline of said Project, a distance of 80 feet, more or less, to the point of beginning.

Said strip of land lying in the Mit of Section 26, T-1-N, R-4-E and containing 0.35 acres, more or lass.

It being understood and agreed that upon completion of said Project all rights granted herein for temperary casement shall come and terminate.

MATH. No. 6: An easement to a strip of land necessary for the construction and maintenance of a draining ditch and being more fully described as follows: Communing at the northwest corner of Section 26, T-1-N, R-1-N; themse S 1° 25° N, along the west line of acid Section, a distance of 938 feet, more or leas, to Station 1287-977 on the centerline of Project No. X-65-1(28); themse N 91° 25° N, along the centerline of said Project a distance of 1543.5 fact; themse turn an angle of 90° 00° to the right and run a distance of 150 fact to point of beginning; themse southeasterly along the centerline of said easement a distance of 200 feet to the point of ending.

Said strip of land unking the right of way 25 foot wide on cach side of the contarline of said encount from the point of beginning to the point of ending, lying in the EU of Section 25, T-1-N, R-4-E and containing 0.25 acros, more or last.

ORDER OF PROBATE COURT

	The f	oregoing	appli	cati	ion for (condemnat	tion havi	ig b∈	∍en
presented	to the	Probate	Court	of	Baldwin	County,	Alabama,	and	con-
sidered by	the Co	ourt,					ŕ		

IT IS FURTHER ORDERED that notice of the application for condemnation and of the date set for the hearing thereof be given to Respondents at least ten (10) days before the hearing of this application.

Dated this ______, leav of ______, 1963.

W. R. Stuart, Probate Judge
By: W. DO we Chief Clerk

By:

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STATE OF ALABAMA,

Petitioner, I

WS.

ALLIE BRYARS, RUTH P. MAHOLOVICH, EUNICE ETHERIDGE, CHARLIE BRYARS, as to TRACT 56, Parcels 1 thru 3; I LESLIE E. GRIFFITH and MARGIE J. GRIFFITH, as to TRACT 37; EVERETT I C. WHITE as to TRACT 40; CHARLES WHITE, HIBBERT D. ETHERIDGE, CELIAN ETHERIDGE, as to TRACT 50, Parcels 1 thru 6. BALDWIN COUNTY, a Political Subdivision of State of Alabama Respondents.

IN THE PROBATE COURT OF BALDWIN COUNTY, ALABAMA

CASE NO: 5084

APPLICATION FOR CONDEMNATION

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

Comes the State of Alabama, Petitioner in the above styled cause, and files this, its application in the Probate Court of Baldwin County, Alabama, for order of condemnation of a right of way over the lands hereinafter described for a public road or highway, and as a basis for the relief sought, shows unto the Court as follows:

- 1. Petitioner is authorized under the Constitution of Alabama 1901, and under the provisions of Title 19, Section 1, Code of Alabama, 1940, as amended, to institute and prosecute these proceedings in its own name for the purposes of a public road or highway.
- 2. That said public highway has been designated by the State Highway Director as a part of the State Highway System and also known as Project No. I-65-1 (28), Baldwin County, Alabama.
- 3. That said public highway begins with Escambia County, Alabama Line and runs to Alabama State Highway No. 59.

and as set out in the right of way map on Project No. I-65-1(28) on file in the State Highway Department and in the Office of the Judge of Probate of Baldwin County, Alabama, has been deemed necessary by the State Highway Director in order to facilitate the flow of traffic and promote public safety.

5. That said tract(s) of land is necessary for use by Potitioner as a right of way for such public highway and in which Potitioner seeks to condemn as easement(s) or right of way(s) are

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located wholly within Baldwin County, Alabama, and are (is) described in Exhibit "A" attached hereto.

- That the right of way or easement which Petitioner seeks to condemn for highway purposes is set out and described in the right of way map on Project I-65-1(28), which is on file in the State Highway Department and in the Office of the Judge of Probate of Baldwin County, Alabama.
- 7. That a diligent search has been made of the records of Baldwin County, Alabama, and diligent inquiry made to ascertain the names and addresses of the parties owning said tract(s) of land and according to the best of Petitioner's information, knowledge and belief, the said lands are owned and interest in said lands are claimed by the parties named as Respondents in this cause.
- That Baldwin County, Alabama, a body corporate under the Laws of the State of Alabama with its County Soat in the City of Bay Minette, Alabama, may have or claim an interest in said tract by reason of taxes and easements due and chargeable, and is hence made a Respondent herein.
- 9. (a) Allie Bryars, Ruth P. Maholovich, Eunice Etheridge and Charlie Bryars are owners of Tract 36, Parcels 1 thru 3, and are all over 21 years and all residents of Baldwin County, except Charlie Bryars who resides

(b). Leslie E. Griffith & Margie J. Griffith are owners of Tract 37, and are over the age of 21 years, and residents of Baldwin County, Alabama; (c). Everett C. White is the owner of Tract 40, is over the age of 21 years

and a resident of Baldwin County, Alabama;
(d). Charles White is the owner of Tract 50, Parcels 1 thru 6, is over the age of 21 and a resident of Baldwin County, Alabama; Hibbert Etheridge & Celia Etheridge are residents of Baldwin County and over the age of 21 years, claim some right, title or interest in said property by virtue of lease dated 10/7/61, recorded in Deed Book 325 page 63, Baldwin County, Alabama Records.

WHEREFORE, the premises considered, your Petitioner respectfully prays:

- That an order be made appointing a day for the hearing of this application and that notice of the filing thereof and of the day set for the hearing thereof be given to the Respondents.
- That this Court will appoint Commissioners to ascertain and report the compensation and damages occasioned by such taking.
- That upon a final hearing of this petition an order and decree be made by this Court condemning the easement for the right of way as set out in the right of way map on Project No. I-65-1(28), over the lands as set out in Exhibit "A" of this

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application, all for the uses and purposes of a public highway for the State of Alabama.

> RICHMOND M. FLOWERS, Attorney General State of Alabama

Duly appointed Special Assistant
Attorney General for The State
of Alabama.

STATE OF ALABAMA BALDWIN COUNTY

Before me, I CONNOR OWENS, IP., a Notary Public Baldwin County, Alabama, personally appeared Telfair J. Mashburn, Assistant Attorney General of the State of Alabama, who is personally known to me in his official capacity as an Assistant Attorney General of the State of Alabama, and also being first duly sworn, deposes and says that the allegations of the foregoing application for condennation are true and correct.

Frefair y. Madhaure

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

otary Public, Baldwin County, Alabama

and as about on the right-of-way map of Project No. 2-65-1(20) as recorded in the Office of the Judge of Eschade of Balduda County:

MARCE ID. 15 Communing at the northeast corner of Sertion 27, T-1-8, 194-85 Union 5 1° 25° H along the cast line of said Sertion a distance of 995 fact, mire or less, to Station 1257-97 on the contestion of project 16. 1-65-1(25); thence 5 51° 25° V along the contestion of said Project a Matamax of 1797 fact; thence turn an angle of 90° 00° to the left and run a distance of 200 fact; thence accelerately along a straight line (shick if extended would intersect a point that is 400 fact accelerately of and at right angles to the contestine of said Project at Station 1256-00) a distance of 165 fact, more or less, to the north property line and the point of beginning thence continuing sauditerately along said line (which is extended would intersect the said point that is 400 fact conthenautority of and at right angles to the continuing sauditerately along the house the said point that is 400 fact and the fact of 186-00) a distance of 250 fact, mant or loss, to the south line of 300 of 180 of Section 27, 7-1-2, 18-1-3, the south property line a distance of said property; themse of 180 fact, more or lass, to the south property; there a distance of 180 fact, more or lass, to the point of beginning.

Ball strip of land lying in the Silp of Mir of Section 27, 1-1-15, R-1-E and containing 0.67 cares, more or land.

As a part of the counideration hardinabove stated there is also burgained, sold, convert and relinquished to the grantee all existing, future, or potential common law or statedary rights of access between the right of my of the public way identified as Project No. I-65-1(26), County of Baldrin, and all of the granter's remaining real property consisting of all purcels contiguous one to another, whether acquired by adjuncts conveyances or etherwise, all of which parcels althor adjuin the real property conveyed by this instrument or any exampated therein by other parcels coined by the granter.

PARTIE. No. 2: Communing at the northeast corner of Section 27, T-1-8, N-1-8; themse S 1° 25° E along the cent line of said Section a distance of 998 feet, more or less, to Station 1557-97 on the centerline of Project No. 1-65-1(25); themse S 51° 25° V, along the centerline of said Project, a distance of 2,571.61 feet to Station 1550-45.39 on the centerline of said Project thich equals Station 20:00 on the centerline of the relocation of Alabam Englasy No. 47; themse S 65° 55° E along the centerline of said relocation a distance of 627.05 feet; themse mortheasterly along a curve to

the left (compare northwesterly) having a radius of 1,432.39 feet, along the centerline of said relocation, a distance of 253.95 feet to Station 28.61 on the centerline of said relocation which equals Station 0.00 on the centerline of the relocation of a county road; thence N 0° 30° 16° R along the centerline of said county road relocation a distance of 209 feet to the south lime of Sug of Rug of Section 27, T-1-N, R-4-E, the south property line and the point of beginning; thence westerly along said south property line a distance of 40 feet, more or less, to a point that is 40 feet northwesterly of and at right angles to the centerline of said reloca-tion; thence N 0° 50° 16" E, parallel to the centerline of said relocation, a distance of 70 feet, more or less, to a point that is 40 feet northwestorly of and at right angles to the centerline of said relocation at Station 5+50.95; thence turn an angle of 90° 00° to the right and run a distance of 10 feet; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 507.46 feet, parallel to the conterline of said relocation, a distance of 145 feet, more or less, to the north property line (crossing the centerline of said relocation at Station 4-62.7) a distance of 62 feet, more or less, to a point that is 50 feet southeasterly of and at right angles to the conterline of said relocation; thence southwesterly along a curve to the left (comeave southeasterly) having a radius of blo. 46 foot, parallel to the conterline of said relocation, a distance of 145 feet, more or less, to a point that is 50 feet southeasterly of and at right angles to the centerline of said relocation at Station 3430.95; thence turn as angle of 90° 00' to the left and rus a distance of 10 feet; thence 5 0° 30' 16" V, parallel to the centerline of said relocation a distance of 65 feet, more or less, to the south line of SEE of ME of Section 27, T-1-E, R-1-E, the south property line; themse westerly along eald south property line a distance of 40 feet, more or less, to the point of beginning.

Said strip of land lying in the SM; of Section 27, T-1-N, R-b-E and containing 0.55 acres, more or lass.

PARCE. NO. 3: Commoncing at the northeast corner of Section 27, T-1-8, R-4-2; thence S 1° 25° Z along the east line of said Section a distance of 998 feet, more or less, to Station 1287+97 on the centerline of Project No. I-65-1(28); theses S 91° 25° W along the centerline of said Project a distance of 2,571.61 feet to Station 1252025.39 on the centerline of said Project which equals Station 20:00 on the centerline of the relocation of Alabama Highway No. 17; thence S 68° 55° E along the centerline of said relocation a distance of 627.05 feet; thence northeasterly along a curve to the left (concave northwesterly) having a radius of 1,432.39 feet, along the centerline of said relocation, a distance of 255.95 feet to Station 26.61 on the centerline of said relocation which equals Station 0.00 on the centerline of the relocation of a county read; thence NO DO 16" R along the centerline of said county reed relocation a distunes of 530.95 feet; thence northeasterly along a curve to the right (concern southeasterly) having a radius of 477.46 feet, along the center-line of said relocation, a distance of 490.15 feet to the west property line and the point of beginning; thence northerly along said west property line a distance of 31 feet, more or less, to the present south right-ofvery line of Alabama Highway No. 47, the north property line; thence easterly along the said north property line (crossing the centerline of said relocation at Station 9006) a distance of 255 fact, more or less, to a point that is 50 fact southeasterly of and at right angles to the canterline of said relocation at Station 10:65.10; thence southwesterly along a curve to the left (conceve southeesterly) having a radius of 167.46 foot, parallel to the centerline of said relocation, a distance of 245 feet, more or less, to the west property line; thesee northerly along said west property line a distance of 31 feet, more or less, to the point of beginning.

and as shown on the right-of-way map of Project No. I-65-1(26) as recorded in the Office of the Judge of Protects of Baldwin County:

Commencing at the southwest corner of ING of Sug of Section 27, T-1-E, R-4-E; thence northerly along the east line of said Section 27 a distance of 1,515 foot, more or less, to approximate Station \$1460 on the centerline of the relocation of Alabama Righway No. 17; thence 5 64° 25' W along the centerline of said relocation a distance of 360 feet, more or less, to Station 38:02.05; thence northwesterly along a curve to the right (concave northerly), having a radius of 1,452.39 feet along the conterline of said relocation, a distance of 61.05 feet to the east property line and the point of beginnings thence southerly along said east property line a distance of 68 feet, more or less, to a point that is 60 feet southeasterly of and at right angles to the centerline of said relocation; thence northwesterly along a curve to the right (conceve northerly) having a radius of 1,492.39 fact, along the centerline of said relocation a distance of 625 fact, more or loss, to the couth property line; thence westerly along said south property line a distance of 225 feet, more or less, to the east side of a present county road, the west property line; thence northerly along said west property line (crossing the centerline of said relocation at approximate Station 26:40) a distance of 510 feet, more or less, to the north line of 52% of 50ction 27, T-1-E, R-1-E, the north property line; thence easterly along said north property line a distance of bo feet, more or less, to a point that is bo feet southeasterly of and at right angles to the centerline of a county road relocation; thence S 0° 50' 16" W, parallel to the centerline of said county road relocation, a distance of 150 feet, more or less, to a point that is 120 feet northeasterly of and at right angles to the centerline of said Alabama Highway No. 17 relocation; thence portheasterly along a curve to the left (conserve mortherly) having a radius of 1,312.39 foot, parallel to the centerline of said Alabama Highway No. 47 relocation, a distance of 825 feet, mage or less, to a point that is 120 feet northwesterly of and at right angles to the centerline of said relocation at Station 55-02.05; thence turn an angle of 90° 00' to the right and run a distance of 30 feet, more or less, to the east property line; thence southerly along said east property line a distance of 109 feet, more or less, to the point of beginning.

7-3/1-1-1-

and as shown on the right-of-way may of Project No. I-65-1(28) as recorded in the Office of the Julys of Prohete of Baldwin County:

Commencing at the southeast corner of Sily of Rid of Acation 25, T-1-N, R-4-Ny thence mortherly along the east line of said SWE of NWE a distance of 535 fact, more or less, to a goint that is 120 feet south easterly of and at right angles to the conterline of the relocation of Alabama Highmy No. 47 and the point of beginning; thence coutbuesterly along a curve to the left (concave southerly) having a radius of 1,512.39 fact, parallel to the centerline of said relocation, a distance of 5 fact, more or less, to a point that is 120 feet southeasterly of and at right angles to the conterline of said relocation at Station 55-17.40; thence turn an angle of 90° 00° to the right and run a distance of 70 feet; thence S 64° 25° W, parallel to the centerline of cald relocation, a distance of 340 feet, more or less, to the west property line; themse northerly along said west property line (crossing the centerline of said Project at Station 51497) a distance of 120 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said relocation; thence N 64° 25' E, parallel to the centerline of said relocation, a distance of 250 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said relocation at Station 55:17.40; themse northwasterly along a straight line (which if extended would intersect a point that is 80 feet northwesterly of and at right angles to the conterline of said relocation at Station 56.00) a distance of 50 feet, more or less, to the northeast property line; thence southeasterly along said mortheast property line (erossing the center-line of said relocation at Station 57.00) a distance of bil feet, more or less, to a point that is 120 feet coutheasterly of and at right angles to the conterline of said relocation; thence southwesterly along a curve to the left (concave southerly) having a radius of 1,512.59 feet, parallel to the centerline of said relocation, a distance of 585 feet, more or less, to the Total of box4sets.

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and as shown on the right-of-way map of Project No. I-65-1(28) as recorded in the Office of the Judge of Probate of Buldwin County:

MCM. ND. 1: Commencing at the northwest corner of Section 25, T-1-N, 14-E; thence S 88° 10' E, along the north line of said Section a distance of 1080 feet, more or less, to a point that is 190 feet northvectorly of and at right angles to the centerline of Project Bo. I-65-1(26) and the point of beginning of the property herein to be conveyed; thence continuing N 50° 10° E, along the north line of said Section, the north property line (crossing the centerline of said Project at Station 1504-62.2) a distance of 200 feet, more or less, to the northeast corner of said property; themse southeasterly along the east property line a distance of 160 fact, more or less, to a point that is 150 feet southeasterly of and at right angles to the conterline of said Project at approximate Station 1304004; thence S 51° 25' W. parallel to the centerline of said Project, a distance of 1910 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the conterline of said Project at Station 1292+00; themse southwesterly along a straight line (which if extended would intereset a point that is 175 feet coutheasterly of and at right angles to the conterline of said Project at Station 1290-50) a distance of 105 feet, more or less, to a point, on the west property line, that is south-easterly of and at right angles to the conterline of said Project at Station 1230496; thence W 1° 25° W, along said west property line (crossing the centerline of said Project at Station 1232420) a distance of 397 feet, more or less, to a point that is 150 feet partheosterly of and at right angles to the conterline of said Project; themee N 12.0 25' E, parallel to the centerline of said Project, a distance of 955 foot, more or less, to the point of beginning.

Said strip of land lying in the NW of Section 26, T-1-N, R-4-E and containing 8.18 acres, more or lass.

As a part of the consideration hereimbove stated there is also bargained, sold, conveyed and relinguished to the grantee all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified as Project No. I-65-1(28), Count of Baldrin, and all of the granter's remaining real property consisting of all purcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which purcels either adjoin the real property conveyed by this instrument or are connected thereto by other purcels could by the granter.

PARCE NO. 2: A temperary easement to a strip of land successory for the disposal of muck and being more fully described as sollows: Beginning at a point that is 150 feet surthwesterly of and at right angles to the conterline of Froject No. I-65-1(20) at Station 1259-000; themee S 51° 15° V, parallel to the conterline of said Project, a distance of 400 feet; themse turn an angle of 90° 00° to the right and run a distance of 100 feet; themse turn as angle of 90° 00° to the right and run a distance of 100 feet, a distance of 400 feet; themse turn as angle of 90° 00° to the right and run a distance of 100 feet to the point of beginning.

Said strip of land lying in the Mig of Mig of Section 25, 2-1-E, R-1-E and containing 0.92 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary essenses shall cause and terminate.

HARTH. HD. 3: A temperary comment to a simily of land necessary for the disposal of musk and being more fully described as follows: Beginning at a point on the morth line of Section 36, 7-1-11, R-4-2, the morth property line, that is 250 foot morthwesterly of and at right angles to the contextime of said Project, a distance of 150 foot, more or lass, to a point that is 250 foot northwesterly of and at right engles to the centerline of said Project at Station 1500-00; thence turn an angle of 90° 00' to the last and run a distance of 100 foot; thence II 31° 25° II. parallel to the centerline of said Project, a distance of 200 foot; thence turn an angle of 90° 00' to the last and run a distance of 50 foot, more or lass, to the morth line of said Section 36, the morth property line; thence S 30° 10' V, along said morth property line a distance of 35 foot, more or lass, to the point of beginning.

Said strip of land lying in the MM of My of Section 26, T-1-M, R-4-E and containing 0.42 serse, more or less.

It being understood and agreed that upon completion of said Project all rights granted barein for temperary casesses shall come and terminate.

PARTIE. NO. As a temporary easement to a strip of land mocessary for the disposal of muck and being more fully described as follows: Boginning at a point that is 250 fort continuatority of and at right angles to the centerline of Project No. I-65-1(25) at approximate Station 1501e05; themce S 51° 25° W, parallel to the centerline of said Project, a distance of 690 fort, more or less, to a point that is 250 foot continuatority of and at right angles to the centerline of said Project at Station 1295-00; themce turn as angle of 90° 00° to the right and run a distance of 100 foot; themce N 51° 25° E, parallel to the centerline of said Project, a distance of 600 foot; themce continuatority along a straight lime a distance of 150 foot, more or less, to the point of beginning.

Said strip of land lying in the MM of Section 25, T-1-N, R-4-E and containing 1.49 cores, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temperary ensemble shall cause and terminate.

PARTIL IC. 5: A temperary escenses to a strip of land necessary for the disposal of much and being more fully described as follows: Beginning at a yeint that is 250 feet southeasterly of and at right anglesto the conterline of Project Bo. I-65-1(28) at approximate Station 1500:60; thence northwesterly along a straight line a distance of 130 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the conterline of said Project at Station 1500:73; thence N 51° 25° E, parallel

to the centerline of said Project, a distance of 250 feet, more or less, to the east property line; thence southerly along said east property line a distance of 120 feet, more or less, to a point that is 250 feet southeasterly of and at right angles to the centerline of said Project; thence 8 51° 25° W, parallel to the centerline of said Project, a distance of 80 feet, more or less, to the point of beginning.

Said strip of land lying in the Mit of Section 25, T-1-N, R-4-E and containing 0.35 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary ensurest shall constant terminate.

PARCEL NO. 6: An ensemble to a strip of land necessary for the construction and maintenance of a drainage ditch and being more fully described as follows: Commencing at the northwest corner of Section 26, T-1-N, R-1-E; themse S 1° 25' E, along the west line of said Section, a distance of 996 fost, more or less, to Station 1207-97 on the centerline of Project No. I-65-1(28); themse N 51° 25' E, along the centerline of said Project a distance of 1343.5 feet; themse turn an angle of 90° 00' to the right and run a distance of 150 feet to point of beginning; themse southeasterly along the centerline of said cancerest a distance of 200 feet to the point of ending.

Said strip of land making the right of way 25 feet wide on each side of the centerline of said encount from the point of beginning to the point of ending, lying in the EW2 of Section 25, T-1-E, R-4-E and containing 0.25 acres, more or less.

- BOOK US

ORDER OF PROBATE COURT

The foregoing application for condemnation having been presented to the Probate Court of Baldwin County, Alabama, and considered by the Court,

IT IS ORDERED that the same be and is hereby set for hearing on the $\frac{5\text{th}}{\text{day of}}$ day of $\frac{\text{November}}{\text{November}}$, 1963 at $\frac{10:00~\text{A.M}}{\text{o'clock}}$.

IT IS FURTHER ORDERED that notice of the application for condemnation and of the date set for the hearing thereof be given to Respondents at least ten (10) days before the hearing of this application.

Dated this 18th day of October, 1963.

per-		
By:	R. Synart, Probate lites	llerk
By:		



STATE OF ALABAMA, I Petitioner. I vs. I IN THE PROBATE COURT OF ALLIE BRYARS, RUTH P. MAHOLOVICH, I EUNICE ETHERIDGE, CHARLIE BRYARS as to TRACT 36, Parcels 1 thru 3; BALDWIN COUNTY, ALABAMA Ţ LESLIE E. GRIFFITH and MARGIE J GRIFFITH, as to TRACT 37; EVERETT C. WHITE as to TRACT 40; CHARLES Ĭ CASE NO. 5084 WHITE, HIBBERT D. ETHERIDGE, CELIA ETHERIDGE, as to TRACT 50, Parcels 1 thru 6, and BALDWIN COUNTY, a Political Subdivision of the Ĭ State of Alabama, Ĭ Respondents. Ĭ

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

YOU ARE HEREBY COMMANDED to serve the following notice upon Allie Bryars, Ruth P. Maholovich, Eunice Etheridge, Leslie E. Griffith Margie J. Griffith, Everett C. White, Charles White, Hibbert D. Etheridge Celia Etheridge and Baldwin County, a Political Subdivision of the State of Alabama, who are all residents of Baldwin County, Alabama, residing at Route I, Perdido, Alabama, and Charlie Bryars, Mobile, Alabama.

You will take notice that on the 18th day of October, 1963, an application or petition was filed in this Court by the State of Alabama, a copy of which petition is attached hereto, setting forth its desire to condemn for certain purposes therein stated, certain lands belonging to Allie Bryars, Ruth P. Maholovich, Eunice Etheridge, Charlie Bryars,

Leslie E. Griffith, Margie J. Griffith, Everett C. White, Charles White, Charles White, Charles United Buddivision of the State of Alabama, a description of said lands being specifically set forth in said application or petition filed in this Court and said application or petition prays that this Court will make and enter an order appointing a day for hearing of said application and for such other and further orders and procedures as may be necessary. You will take further notice that the Court has appointed the 5th day of November, 1963, to hear said application or petition, at which time you may appear and contest the same if you so desire to do.

WITNESS my hand this 18th day of October, 1963.

W. Ry. Stuart, Judge of Probate. Bv: Chief Clerk

431

STATE OF ALABAMA.

Petitioner, [

I

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I

I

I

VS.

IN THE PROBATE COURT OF

ALLIE BRYARS, RUTH P. MAHOLOVICH, EUNICE ETHERIDGE, CHARLIE BRYARS, as to TRACT 36, Parcels 1 thru 3; LESLIE E. GRIFFITH and MARGIE J. GRIFFITH, as to TRACT 37; EVERETT C. WHITE as to TRACT 40; CHARLES WHITE, HIBBERT D. ETHERIDGE, CELIA I ETHERIDGE, as to TRACT 50, Parcels 1 thru 6, and BALDWIN COUNTY, a Political Subdivision of the State of Alabama, I

BALDWIN COUNTY, ALABAMA

CASE NO 5084

Respondents. I

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

YOU ARE HEREBY COMMANDED to serve the following notice upon Allie Bryars, Ruth P. Maholovich, Eunice Etheridge, Leslie E. Griffith, Margie J. Griffith, Everett C. White, Charles White, Hibbert D. Etheridge, Celia Etheridge and Baldwin County, a Political Subdivision of the State of Alabama, who are all residents of Baldwin County, Alabama, residing at Route I, Perdido, Alabama, and Charlie Bryars, Mobile, Alabama.

You will take notice that on the 18th day of October, 1963, an application or petition was filed in this Court by the State of Alabama, a copy of which petition is attached hereto, setting forth its desire to condemn for certain purposes therein stated, certain lands belonging to Allie Bryars, Ruth P. Maholovich, Eunice Etheridge, Charlie Bryars, Leslie E. Griffith, Margie J. Griffith, Everett C. White, Charles White, Hibbert D. Etheridge, Celia Etheridge and Baldwin County, a Political Subdivision of the State of Alabama, a description of said lands being specifically set forth in said application or petition filed in this Court and said application or petition prays that this Court will make and enter an order appointing a day for hearing of said application and for such other and further orders and procedures as may be necessary. You will take further notice that the Court has appointed the 5th day of November, 1963, to hear said application or petition, at which time you may appear and contest the same if you so desire to do.

WITNESS my hand this 18th day of October, 1963.

STATE OF ALABAMA,)	יים זאו פיי	THE		COUDT	0.5		
			Petitioner,)	IN	INE	PROBATE	COURT	UF
vs.)	BAI	LDWIN	OUNTY,	, ALABA	\MA
ALLIE	BRYARS,	BRYARS, ET AL.,)	CASE	E NUMBER	E004			
			Defendants.)		CMOL	- MOMBER	3004.	

NOTICE TO SERVE:

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to serve the foregoing notice of appeal upon CHARLIE BRYARS, MOBILE, ALABAMA, and make due return to this court of such service.

DONE this 31st day of January, 1964.

PATE OF ALABAMA, BALDWIN COUNTY

16d + 3 6 4 X

600rder 5 Dook pege

Judge, Probate Court of Baldwin County, Ala.

STATE OF ALABAMA

BALDWIN COUNTY

I hereby certify that I have executed the within notice upon Charlie Bryars, by leaving a copy of the same with Blackmarr & Stockman, 951 Government Street, Mobile, Alabama, Attorneys of Record for Charlie Bryars.

DONE this 4 day of 7 lbruay, 1964.

Sheraff. mobile pos Loyle chambers 1)5

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FEB B 1964

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STATE OF ALABA	ima,)		
	Petitioner,)	IN THE PROBATE COURT OF	
Vs.)	BALDWIN COUNTY, ALABAMA	
ALLIE BRYARS,	ET AL.,)		
	Defendants.)	CASE NUMBER 5084.	
	NO	TICE TO S	ERVE:	
TO ANY SHERIFF	OF THE STATE OF	ALABAMA:		
You	are hereby commar	ided to s	erve the foregoing notice o	£
			IDO, ALABAMA, and make due	
return to this	Court of such se	rvice.		
DONE	this 31st day of	January	, 1964.	
cate of ALABAMA, BALDWII led	page Jud	ge, Proba	te Court of Baldwin County Harry M. D'o line Chief Clerk	, Ala
STATE OF ALABAM	A			
BALDWIN COUNTY				
I her	eby certify that	I have e	xecuted the within notice u	ייוריי
Allie Bryars by Ruth P mahalom	leaving a copy of thisday of	of the sa		.p.011
		Julion Sheriff	<u>Welhing</u> 7.06 L	·····
		Perde	Sherist claims 26 miles at Sherist claims 26 miles at Ten Cents per mile Total \$ 2 6 0 TAYLOR WILKINS, Sterist TAYLOR WILKINS, Sterist DEPUTY SHERIFF	

STATE OF ALABAMA,) IN THE DROP : TO THE
Petitioner,	IN THE PROBATE COURT OF
Vs.) BALDWIN COUNTY, ALABAMA
ALLIE BRYARS, ET AL.,)
Defendants.	CASE NUMBER 5084.
NOTICE	TO SERVE:
TO ANY SHERIFF OF THE STATE OF A	LABAMA:
You are hereby command	ed to serve the foregoing notice of
appeal upon EUNICE ETHERIDGE, RO	UTE I, PERDIDO, ALABAMA, and make
due return to this Court of such	service.
Judge of Probate	Judge, Probate Court of Balawin County, Chief Clark.
STATE OF ALABAMA	
BALDWIN COUNTY	
I hereby certify that I	have executed the within notice upon
Eunice Etheridge, by leaving a co	py of the same with her
DONE thisday o	f <u>26</u> , 1964.
	Sheriff.
	Perdido 26

STATE OF ALABAMA,)	
Petitioner,)	IN THE PROBATE COURT OF
vs.)	BALDWIN COUNTY, ALABAMA
ALLIE BRYARS, ET AL.,)	
Defendants.)	CASE NUMBER 5084.
NOTICE	E TO S	SERVE:
TO ANY SHERIFF OF THE STATE OF A	ALABAN	íA:
You are hereby command	ied to	serve the foregoing notice of
appeal upon RUTH P. MAHOLOVICH,		
due return to this Court of such		
STATE OF ALABAMA, BALLath is 31st day of Filed 1-31-64 Recorded 5 Dook page Jacge of Probate	Janua	L. D. Dever l
STATE OF ALABAMA		
BALDWIN COUNTY		
I hereby certify that	I have	e executed the within notice upon
Ruth P. Maholovich, by leaving a		
DONE this day of		
Si	Juli 1991 F. C.	Loke Ten Conti per mile Total s 2

STATE OF ALABAMA,	X	
Complainant,	X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
ALLIE BRYARS, et al,	X	AT LAW
Defendants.	X	

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

FEB II 1986 FEB II 1986

WILTERS & BRANTLEY

STATE OF ALABAMA,	X	
Comp	lainant, X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
ALLIE BRYARS, et al	,)	AT LAW
Defe	ndants. (

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

WILTERS & BRANTLEY

BY: Attorney for Eunice Etheridge

Defendant.

FEB 11 1960 AUGE J. DUCK, CLERK REGISTER

IN THE CIRCUIT COURT STATE OF ALABAMA, OF BALDWIN COUNTY, Ø Petitioner, ALABAMA. VS. ALLIE BRYARS, et al, CASE NO. Defendants.

Comes the Defendant Charlie Bryars in the above styled cause and for answer to the Petition herein says: Not guilty.

BLACKMARRY & STOCKMA

the Defendant Attorneys for

Charlie Bryars

Servedcopy on:

Mr. Telfair Mashburn Attorney at Law Bay Minette, Alabama

WAR 25 1994

This is to certify that I have this day served counsel for the REGISTER opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage

thereon.

Attorney for 🔊

STATE OF ALABAMA,		Į	
	Complainant,	X	IN THE CIRCUIT COURT OF
Vs.		X	BALDWIN COUNTY, ALABAMA
ALLIE BRYARS,	et al,	X	AT LAW
	Defendants.	X	

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

FULLO

FEB II 1964

ALIGE L DUCK, CLERK REGISTER

WILTERS & BRANTLEY

BY:

Attorneys for Defendant, Ruth P. Maholovich

BOOK USD PAGE SK

STATE OF ALABAMA, ğ Petitioner, Ĭ IN THE PROBATE COURT VS. OF BALDWIN COUNTY, ALLIE BRYARS, RUTH P. MAHOLOVICH, EUNICE ETHERIDGE, CHARLIE BRYARS, ALABAMA as to TRACT 36, Parcels 1 thru 3; LESLIE E. GRIFFITH and MARGIE J. GRIFFITH, as to TRACT 37; EVERETT C. WHITE as to TRACT 40; CHARLES WHITE, HIBBERT D. ETHERIDGE, CELIA ETHERIDGE, as to TRACT 50, Parcels CASE NO. 1 thru 6, and BALDWIN COUNTY, a Political Subdivision of the State of Alabama, Respondents. Ŏ

CONDEMNATION OF LANDS

APPEARANCE

Comes now Blackmarr & Stockman and file this their appearance for and on behalf of the Defendant Charlie Bryars in the above styled cause.

BLACKMARR & STOCKMAN

Attorneys for the Defendant

Charlie Bryars.

Address of Blackmarr & Stockman:

951 Government Street Building Mobile, Alabama

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the cap sing party in the foregoing matter with a copy of this plet ding by depositing in the United States Mail a copy of some in a properly addressed envelope with adequate postage

thereon.

Attorney for