

STATE OF ALABAMA,	)	
	)	
Petitioner,	)	IN THE CIRCUIT COURT OF
	)	
vs.	)	
	)	
W. M. CAMPBELL, KANSAS CITY	)	BALDWIN COUNTY, ALABAMA
LIFE INSURANCE COMPANY, a	)	
Corporation, J. M. CAMPBELL,	)	
MOTOROYAL OIL COMPANY, a	)	
corporation, as to TRACT	)	CASE NUMBER 6161.
NUMBER 23,	)	
	)	
Respondents.	)	

STIPULATION:

It is hereby stipulated by and between the Petitioner (appellant), and W. M. Campbell, et al., (appellees), parties to the above styled cause, through their respective attorneys of record, each acting with full authority as follows:

1. That the petitioner is authorized to institute and prosecute this proceeding to acquire the property or interest for order of condemnation filed in the Probate Court of Baldwin County, Alabama, on the 28th day of April, 1964, for the public purposes stated in said application or petition.

2. That all proceedings in the Probate Court of Baldwin County, Alabama, in this cause were regular, and an appeal has been duly and properly perfected within the time allowed and entered in said Probate Court in this cause on the 24th day of July, 1964, in this Court and trial by jury on the issue of valuation has been properly demanded.

3. That the application or petition for order of condemnation correctly sets out the uses and purposes for which the property and rights herein sought is to be devoted, used, or applied and the petitioner has the right to obtain said property in this proceeding for the purposes stated.

4. That the respondents herein are the only parties known to either petitioner or respondents who have or assert any right, title or interest in or to the lands or interest therein sought to be acquired.

5. That the respondents have had due notice of this trial and all proceedings herein and expressly enter their appearance in this court.

6. That the only issue in this proceeding is the damages and compensation, if any, to which the respondents are entitled, ~~for the lands and interest in the lands sought to be acquired by the petitioner for the uses and purposes stated.~~

7. That the time of taking in this proceeding is the date on which the application for order of condemnation was filed in the Probate Court, to-wit, April 28, 1964, and the valuation of said property was constant between that date and the date on which the order of condemnation was entered, to-wit, July 23, 1964.

Jeffrey A. Maslurn  
Attorney for Petitioner.

Wm. J. Stone  
Attorneys for Respondents.

Filed 9-23-64  
Alice French  
Clerk

STATE OF ALABAMA,	)	IN THE CIRCUIT COURT OF
Petitioner,	)	
vs.	)	BALDWIN COUNTY, ALABAMA
W. M. CAMPBELL, ET AL., as	)	CASE NUMBER 6161.
to TRACT NUMBER 23,	)	
Respondents.	)	

We the Jury, assess the land-owners compensation and damages at \$ 14,500<sup>00</sup>.

Walter P. Wrenn Jr.  
Foreman.

STATE OF ALABAMA,	)	
	)	
Petitioner,	)	IN THE CIRCUIT COURT OF
	)	
vs.	)	
	)	
W. M. CAMPBELL, KANSAS CITY	)	BALDWIN COUNTY, ALABAMA
LIFE INSURANCE COMPANY, a	)	
corporation, J. B. CAMPBELL,	)	
MOTOROYAL OIL COMPANY, a	)	
corporation, as to TRACT	)	CASE NUMBER 6161.
NUMBER 23,	)	
	)	
Defendants.	)	

FINAL JUDGMENT:

This cause coming on to be heard by the Court on this the 23rd day of September, 1964, now come the parties and their respective attorneys of record and it appearing to the Court from the stipulation of the parties made and entered into on this date and filed in this cause, that on the 28th day of April, 1964, an application was filed in the Probate Court of Baldwin County, Alabama, by the State of Alabama, seeking to condemn certain lands therein described for the uses and purposes therein averred, and that subsequent thereto proceedings were had in the Probate Court of Baldwin County, Alabama, in accordance with the statutes in such cases made and provided, and that said Court did, on the 23rd day of July, 1964, enter an order of condemnation of the lands described in said application and which are hereinafter described, and that on the 24th day of July, 1964, the State of Alabama appealed from said order of condemnation to this Court and demanded a trial by jury; and it further appearing to the Court from the stipulation of the parties hereinabove referred to that the only issue in this proceeding is the damages and compensation, if any, to which the Defendant landowners are entitled and that an order of condemnation should be here entered condemning the lands hereinafter described for the uses and purposes set forth in the application, which is now on file in this Court.

And now comes a jury of twelve good and lawful men, to-wit, Walter P. Wrenn, Jr., and eleven others, and the issue of the amount of damages and compensation, if any, to which the landowners are entitled having been submitted to them, did return a verdict in words and figures as follows:

"We the jury, assess the amount of damages and compensation to which the Defendants in this case are entitled at \$14,500.00.

/s/ Walter P. Wrenn, Jr.  
As Foreman".

And the Court having considered all of the above is of the opinion and judgment that an order or judgment of condemnation should be here entered conditioned upon the payment by the State of Alabama to the Clerk of this Court for the use and benefit of the Defendant landowners; it is, therefore

ORDERED, ADJUDGED AND DECREED by the Circuit Court of Baldwin County, Alabama, as follows:

1. That the application of the State of Alabama for the condemnation of the lands hereinafter described be, and the same is hereby granted, and that the property described in Exhibit "A" attached hereto, and by reference made a part thereof as though fully set forth herein, be, and the same is hereby condemned for the use by the State of Alabama as a right of way for a public road of limited access as set forth in the application aforesaid, and the rights therein are hereby divested out of the landowners and into the State of Alabama, upon the payment by the State of Alabama of the sums hereinafter ordered and decreed to be paid.

2. That the damages and compensation to which the Defendant landowners in this case, W. M. Campbell, Kansas City Life Insurance Company, a corporation, J. B. Campbell, Motoroyal Oil Company, a corporation, are entitled is hereby fixed at the sum of \$14,500.00 which said sum is hereby ordered to be paid by the State of Alabama to said Defendant landowners; and that upon the payment of said amount by the State of Alabama to said landowners the condemnation of the lands hereinabove described shall be, and become effective.

3. That the State of Alabama pay the costs of this proceeding.

DATED this 23rd day of September, 1964.

FILED

OCT 5 1964

ALICE J. DUCK, CLERK  
REGISTERED

Joseph H. Mullins  
Circuit Judge.

EXHIBIT "A"

TRACT NUMBER 23

And as shown by the Right of Way Map of Project No. I-10-1 (11) 44 as recorded in the Office of the Judge of Probate of Baldwin County.

Beginning at the NE corner of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 3, T 5 S, R 4 E; thence southerly along the East boundary line of said  $\frac{1}{4}$  of  $\frac{1}{4}$  section, the East property line, a distance of 725 feet, more or less, to a point that is 125 feet southerly of and at right angles to the centerline of said Right Lane; thence N  $80^{\circ}45'12''$  W, parallel to the centerline of said Right Lane, a distance of 118 feet, more or less, to a point that is 125 feet southerly of and at right angles to the centerline of said Right Lane at P. T. Sta. 831 + 17.46; thence westerly, parallel to the centerline of said Right Lane; along a curve to the left (concave southerly) having a radius of 17,063.73 feet, a distance of 1370 feet, more or less, to a point that is 125 feet southerly of and at right angles to the centerline of said Right Lane at P. C. Sta. 817 + 42.47; thence N  $85^{\circ}20'12''$  W, parallel to the centerline of said Right Lane, a distance of 1130 feet, more or less, to a point; thence S  $64^{\circ}39'48''$  W, a distance of 100 feet, to a point on the West boundary line of said Section 3, the West property line; thence northerly along said West property line a distance of 490 feet, more or less, to a point on the North boundary line of the S  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 3, the North property line at this point; thence easterly, along said North property line, a distance of 2684 feet, more or less, to a point on the West boundary line of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 3, the West property line at this point, the point of beginning.

Said strip of land lying in the S  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 3, T 5 S, R 4 E, and containing 38.34 acres, more or less.

As a part of the consideration hereinabove stated there is also bargained, sold, conveyed, and relinquished 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-10-1 (11) 44, County of Baldwin, and all of the grantors remaining real property consisting of all parcels contiguous one to another whether acquired by separate conveyances or otherwise, all of which either adjoin the real property conveyed by this instrument or are connected thereto by other parcels owned by grantors.

Basement for Muck Disposal: The herein described property, a strip of land 150 feet in width and averaging 2547 feet in length, to be used for the purpose of a Muck Disposal Area, extending 150 feet southwesterly of and at right angles to the Southwest boundary line of Right of Way for Project No. I-10-1 (11) 44 from Sta. 807 + 00 to Sta. 832 + 47 on the Right Lane.

Said strip of land lying in the S  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 3, T 5 S, R 4 E, and containing 8.77 acres, more or less.

JURY LIST - SEPTEMBER 21, 1964

State of Ala

Campbell

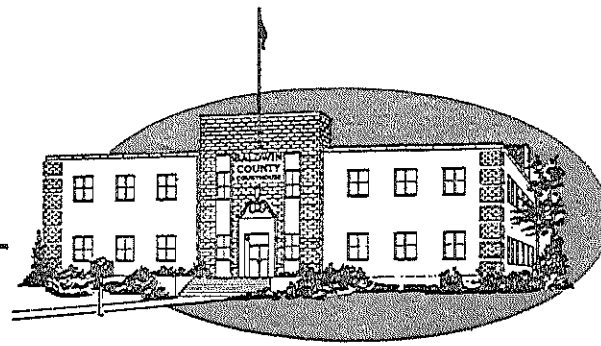
- ~~1. Bishop, Aaron, Farmer, Fairhope~~
- ~~2. Bishop, Daniel C., Fisherman, Barnwell~~
- ~~3. Bloch, John, Farmer, Elberta~~
- ~~4. Britt, Cecil, Carpenter- Bay Minette~~
- ~~5. Brooks, Horace D., Farmer, Summerdale~~
- ~~6. Bryars, Thomas Eugene, Brookley Field, Bay Minette~~
- ~~7. Childress, Lewis E., Farmer, Fairhope~~
- ~~8. Childress, Paul, Jr., Farmer, Loxley~~
- ~~9. Cox, Young Ausphera, Merchant, Stockton~~
- ~~10. Darby, William H., State Emp., Gulf Shores~~
- ~~11. Davis, Robert M., Merchant, Foley~~
- ~~12. Dubrock, George, Cabinet Maker, Fairhope~~
- ~~13. Dunn, J.R., Grand Hotel, Fairhope~~
- ~~14. Durant, Joe C., Farmer, Bay Minette~~
- ~~15. Freeman, Sam, Merchant, Robertsdale~~
- ~~16. Gerhard, Cassebaum, Farmer, Elberta~~
- ~~17. Gwaltney, John L., Farmer, Robertsdale~~
- ~~18. Harnes, Otto, Farmer, Summerdale~~
- ~~19. Head, Charlie, Jr., Farmer, Stapleton~~
- ~~20. Hoiles, Richard, Salesman, Summerdale~~
- ~~21. James, Robert D., Farmer, Foley~~
- ~~22. Joyner, J.H., Jr., Grand Hotel, Fairhope~~
- ~~23. Lee, Hubert, Florist, Robertsdale~~
- ~~24. Lyrene, Edward, Farmer, Silverhill~~
- ~~25. Mancini, Arthur, Farmer, Daphne~~
- ~~26. Mannich, Ingwald, Farmer, Mag. Spgs.~~
- ~~27. Mason, Dupree, Salesman, Fairhope~~
- ~~28. McDaniel, Edward, Farmer, Robertsdale~~
- ~~29. McGee, James, Brookley Field, Fairhope~~
- ~~30. McVay, A.R., School Supervisor, Bay Minette~~
- ~~31. Miller, R. Cecil, Implement Dealer, Foley~~
- ~~32. Moore, Louis Davis, Farmer, Summerdale~~
- ~~33. Morgan, J.T., Farmer, Robertsdale~~
- ~~34. O'Quinn, Ralph E., Civil Service, Lillian~~
- ~~35. Osborne, W.A., Civil Service, Foley~~
- ~~36. Pate, George, Headman, Bay Minette~~
- ~~37. Schnatz, Pete M., Civil Service, Lillian~~
- ~~38. Sims, James F., Farmer, Rabon~~
- ~~39. Wrenn, Walter P., Fleet, Bay Minette~~
- ~~40. Weatherford, Arthur C., Newport, Bay Minette~~
- ~~41. Weeks, Oscar G., Mechanic, Mag. Spgs.~~
- ~~42. White, Grady, Salesman, Foley~~
- ~~43. Carmichael, Arlee, Brookley Field, Daphne~~
- ~~44. Douglas, Oliver, Brookley Field, Daphne~~
- ~~45. Jones, George, Business Oper., Daphne~~
- ~~46. Lett, Charlie, Sr., Retired, Daphne~~
- ~~47. Thomas, Tom, Bacon McMillan, Bay Minette~~
- ~~48. Thompson, Herman, Public Work-Mobile, Daphne~~
- ~~49. Yelding, Bailey, Sr., Carpenter & Bricklayer, Daphne~~

P. XXXXX XXXXX

D XXXXX XXXXX

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PROBATE JUDGE  
**BALDWIN COUNTY**  
BAY MINETTE, ALABAMA



L. D. OWEN, Jr.  
Probate Judge

STATE OF ALABAMA

CERTIFICATE

BALDWIN COUNTY

I, L. D. Owen, Jr., Judge of Probate of Baldwin County, Alabama, do hereby certify that that certain Judgment dated January 13, 1960, in favor of Motoroyal Oil Company, a corp., and against James Campbell in the amount of Eighty and 47/100 Dollars (\$80.47), a certificate of which is recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Judgment Record 10 at page 2, has this day been cancelled and discharged of record.

WITNESS my hand and the seal of the Probate Court of Baldwin County, Alabama, this 18th day of January, 1965.

Judge of Probate

FILED

JAN 18 1965

ALICE L. DICK, CLERK  
REGISTER

