

H. GLEN JORDAN, Mayor of
Town of Daphne, Alabama
a Municipal Corporation

Applicant

vs

PEARL ANDERSON, DAISY STERLING,
CECILE ROYAL WHITTLE and PERCELL
STERLING LOEB

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 6390

ORDER OF CONDEMNATION

The 29th day of May, 1965 having been the day regularly appointed to hear the application or petition of H. Glen Jordan, Mayor of the Town of Daphne, Alabama, a municipal corporation heretofore filed in this Court praying that the Court condemn the following described property, to-wit:

Parcel 1

From the Northwest corner of Section 20, Township 5 South, Range 2 East, run East 660 feet; thence run South 330.7 feet, for a POINT OF BEGINNING; thence run East 25 feet; thence run South 330.7 feet; thence run West 25 feet; thence run North 330.7 feet to the point of beginning. Tract contains 19.100 (nineteen one-hundredths) of an acre, and lies in the Northwest quarter of Section 20, Township 5 South, Range 2 East and is a portion of a 40 foot strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

Parcel 2

From the Northeast corner of the Southeast quarter of Section 17, Township 5 South, Range 2 East, run South 89° 58' West along the East-West center line of said Section 17, a distance of 3864.3 feet, for a POINT OF BEGINNING; thence run North 30 feet; thence run West 453.9 feet; thence run South 30 feet; thence run East 453.9 feet to the point of beginning. Land lies in the Northwest quarter of Section 17, Township 5 South, Range 2 East, and is a portion of the 60 foot wide street or strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

for the purposes set forth therein and the Applicant and Petitioner being represented in Court by its attorney, and there also being present in Court Honorable Elliott J. Rickarby, representing the Defendant, Pearl Anderson and the other Defendants not appearing, and it appearing to the Court that all interested parties have had due and legal notice of the filing of said petition and of the day set to hear same, the Court having considered the sworn petition of the Applicant and the affidavit of the commissioners as

to the value of the property to be taken and there being no objections to the same by the Defendants, is of the opinion that the matters appearing therein are true; that Pearl Anderson, Daisy Sterling, Cecile Royal Whittle and Percell Sterling Loeb are the owners of the said lands and that it is necessary that said lands be condemned for the purposes mentioned in the petition.

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

It is further ordered, adjudged and decreed that a copy of this Order of Condemnation be recorded in the Office of the Judge of Probate of Baldwin County, Alabama by the Circuit Clerk.

Done this the 27th day of May, 1965.

J. Edwin J. Madlener
Judge, Circuit Court of
Baldwin County, Alabama

FILED

MAY 27 1965

ALICE I. DICK, CLERK
REGISTER

OATH OF COMMISSIONERS

We, and each of us, do solemnly swear that we will well and truly try the case now pending and submitted to our decision, between H. Glen Jordan, Mayor of the Town of Daphne, Petitioner, and Pearl Anderson, Daisy Sterling, Cecile Royal Whittle and Percell Sterling Loeb, Defendants, and that we are not directly or indirectly interested in the issue to be tried, and that we are not biased nor prejudiced against either of the said parties and that we will render such compensation to the Defendants as to us shall seem just and proper in the premises. So help us God.

Ruth M. Donnell
Ed Moore
John B. Gordy

REPORT OF COMMISSIONERS

We, the undersigned Commissioners, duly appointed by the Sheriff of Baldwin County, Alabama, on the 26th day of March, 1965, do hereby report in writing as follows, to-wit:

That after being sworn as jurors we executed our duties in strict accordance with the conditions of the commission issued and we herewith set forth the amount of damages and compensation ascertained and assessed by us for the owners of the land described in said commission.

We assess the damages and compensation due Pearl Anderson at the sum of \$ 10⁰⁰.

We assess the damages and compensation due Daisy Sterling, Cecile Royal Whittle and Percell Sterling Loeb at the sum of \$ 10⁰⁰.

We do certify that none of us has ever been consulted, advised with or approached by any person in reference to the value of the land or the proceedings to condemn the same prior to the assessment of damages and that we knew nothing of same proper to our appointment.

Ruth M. Donnell
Ed Moore
John B. Gordy
26th day of March, 1965.

Sworn to and subscribed before me this 26th day of March, 1965.

Sheriff, Baldwin County, Alabama

H. GLEN JORDAN, Mayor of
Town of Daphne, Alabama
a Municipal Corporation

Applicant

vs

PEARL ANDERSON, DAISY STERLING,
CECILE ROYAL WHITTLE and PERCELL
STERLING LOEB

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1390

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The 29th day of May, 1966 having been the day regularly appointed to hear the application or petition of H. Glen Jordan, Mayor of the Town of Daphne, Alabama, a municipal corporation heretofore filed in this Court praying that the Court condemn the following described property, to-wit:

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Parcel 2

From the Northeast corner of the Southeast quarter of Section 17, Township 5 South, Range 2 East, run South 89° 58' West along the East-West center line of said Section 17, a distance of 3864.3 feet, for a POINT OF BEGINNING; thence run North 30 feet; thence run West 453.9 feet; thence run South 30 feet; thence run East 453.9 feet to the point of beginning. Land lies in the Northwest quarter of Section 17, Township 5 South, Range 2 East, and is a portion of the 60 foot wide street or strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

for the purposes set forth therein and the Applicant and Petitioner being represented in Court by its attorney, and there also being present in Court Honorable Elliott J. Rickarby, representing the Defendant, Pearl Anderson and the other Defendants not appearing, and it appearing to the Court that all interested parties have had due and legal notice of the filing of said petition and of the day set to hear same, the Court having considered the sworn petition of the Applicant and the affidavit of the commissioners as

to the value of the property to be taken and there being no objections to the same by the Defendants, is of the opinion that the matters appearing therein are true; that Pearl Anderson, Daisy Sterling, Cecile Royal Whittle and Percell Sterling Leeb are the owners of the said lands and that it is necessary that said lands be condemned for the purposes mentioned in the petition.

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

It is further ordered, adjudged and decreed that a copy of this Order of Condemnation be recorded in the Office of the Judge of Probate of Baldwin County, Alabama by the Circuit Clerk.

Done this the 27 day of May, 1965.

J. Lewis A. MacArthur
Judge, Circuit Court of
Baldwin County, Alabama

I, Alice J. Duck, Clerk
Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in above stated cause, which said decree is on file and enrolled in my office.
WITNESS MY HAND AND SEAL THIS 27 day of May, 1965
Alice J. Duck
Clerk

STATE OF ALABAMA,
BALDWIN COUNTY
I certify that this instrument was filed on

MAY 28 1965 11 A

and that no tax was collected. Recorded in
Book 358
Page 292-293
By Harry D. Line Judge of Probate

358 MAY 28 1965

Deed

Harry D. Line
Judge of Probate

STATE OF ALABAMA

BALDWIN COUNTY

IN THE CIRCUIT COURT

NO. 6390

TO THE SHERIFF OF BALDWIN COUNTY:

Application having been made to me, on the 11 day of February, 1965, by H. Glen Jordan, Mayor of Town of Daphne, Alabama, a municipal Corporation, to condemn certain lands in the Town of Daphne belonging to Pearl Anderson, Daisy Sterling, Cecile Royal Whittle and Percell Sterling Loeb, for certain purposes stated in the petition in said cause, a copy of said application being attached hereto.

You are therefore commanded to summon three free holders of the county, to appear before you on a day named, not less than two days from the date of this writ, and to proceed under your direction to assess a value of the lands of said owners for the use thereof, or damages or injury which may be done to the following described property:

Parcel 1. Pearl Anderson

From the Northwest corner of Section 20, Township 5 South, Range 2 East, run East 660 feet; thence run South 330.7 feet, for a point of beginning; thence run East 25 feet; thence run South 330.7 feet; thence run West 25 feet; thence run North 330.7 feet to the point of beginning. Tract contains 19.100 (nineteen one-hundredths) of an acre, and lies in the Northwest quarter of Section 20, Township 5 South, Range 2 East and is a portion of a 40 foot strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

Parcel 2. Daisy Sterling, Cecile Royal Whittle, Percell Sterling Loeb, Heirs at Law of Sandy Sterling.

From the Northeast corner of the Southeast quarter of Section 17, Township 5 South, Range 2 East, run South 89°58" West along the East-West center line of said Section 17m a distance of 3864.3 feet, for a point of beginning; thence run North 30 feet; thence run West 453.9 feet, thence run South 30 feet; thence run East 453.9 feet to the point of beginning. Land lies in the Northwest quarter Section 17, Township 5 South, Range 2 East, and is a portion of a 60-foot wide street or strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

Witness my hand this 11 day of March, 1965.

James L. Smith
Clerk

187 Executed by appointing, Ruth McDonald, J. Ed Moretto and John B. Hardy to act in the above cause. A copy of their report and oath of office is attached hereto.
Jay G. Williams - Sheriff

H. GLEN JORDAN, Mayor of the
Town of Daphne, a Municipal
Corporation,

Applicant

vs

PEARL ANDERSON, DAISY STERLING,
CECILE ROYAL WHITTLE and PERCELL
STERLING LOEB,

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

TO THE HONORABLE TELESPAIN J. MASHBURN, JUDGE OF THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA:

Your petitioner, the Town of Daphne, a municipal Corporation in
Baldwin County, State of Alabama, respectfully represents and shows
unto your Honor, as follows:

1.

That your petitioner, the Town of Daphne, Alabama, is a municipal
Corporation under the laws of the State of Alabama, that the Town Council
of the Town of Daphne, under the laws of the State of Alabama, has executive
and legislative powers with reference to establishment, changing, locating,
repairing and building of public roads and streets within the city limits
of the municipality; that said Town Council of the Town of Daphne, by a
resolution duly adopted and promulgated, have authorized the Mayor, Glen
Jordan, to commence his proceedings to have condemned the lands hereinafter
described for use as a public road or street within the city limits, said
lands, when condemned, are to be used as public streets or highways, said
streets being popularly known as Guarisco Street and Wilson Avenue.

2.

That it is necessary for use as a part of the public road or street
above described that the following land be condemned which said land is
more particularly described as follows:

Parcel 1.

From the Northwest corner of Section 20, Township 5 South, Range 2
East, run East 660 feet; thence run South 330.7 feet, for a Point of
beginning; thence run East 25 feet; thence run South 330.7 feet; thence
run West 25 feet; thence run North 330.7 feet to the point of begin-
ning. Tract contains 19.100 (nineteen one-hundredths) of an acre, and
lies in the Northwest quarter of Section 20, Township 5 South, Range
2 East and is a portion of a 40 foot strip of land now in use as a
public right-of-way in the Town of Daphne, Alabama, title to which has
never been legally acquired by said town; in Baldwin County, Alabama.

Parcel 2.

From the Northeast corner of the Southeast quarter of Section 17, Township 5 South, Range 2 East, run South $89^{\circ} 58''$ West along the East-West center line of said Section 17, a distance of 3864.3 feet, for a point of beginning; thence run North 30 feet; thence run West 453.9 feet, thence run South 30 feet; thence run East 453.9 feet to the point of beginning. Land lies in the Northwest quarter of Section 17, Township 5 South, Range 2 East, and is a portion of a 60 foot wide street or strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

3.

That the interest or easement to be acquired in said lands is a right of-way for public road, together with the necessary ditches, cuts and fills, and said land will be used perpetually, or until abandonment by the proper authorities as a public road.

4.

That the owner of Parcel 1. sought to be condemned is Pearl Anderson a non-resident of the county, who resides at 10303 Somerset Avenue, Cleveland, Ohio. That the owners of Parcel 2. sought to be condemned are the heirs at law of Sandy Sterling, to-wit: Daisy Sterling, widow, Brooklyn, New York, Mrs. Cecile Royal Whittle, a married woman, Mobile, Alabama and Percell Sterling Loeb, Los Angeles, California.

5.

That the Mayor of the Town of Daphne, H. Glen Jordan, and the Town Council of the Town of Daphne, Alabama, are both invested by law with the power of eminent domain.

6.

That your petitioner files with this application, security for costs, as required by law.

The premises considered, your petitioner prays that the said Pearl Anderson, Daisy Sterling, Mrs. Cecile Royal Whittle and Percell Sterling Loeb, be made parties defendant to this application and that proper notice be given as is set out in Title 37, Section 509 Code of Alabama 1940 as amended, to them of the filing of this petition and of the date set for the hearing; that a day be set for the hearing of this petition. Petitioner further prays that a Writ of ad quod damnum be directed to the Sheriff of Baldwin County, commanding him to summon three freeholders of the county, to appear before the Sheriff on a day named, not less than two days from the date of the Writ, and to proceed under his direction to assess a value of the lands of the defendants for the use thereof, or damages or injury

which may be done to any property described in the application for the writ. Petitioner further prays that the said lands be by the said Jury ordered condemned for the uses and purposes hereinabove set forth, and that all such other orders, decrees and proceedings be taken to the end that the said property may be condemned for the use as a public road or street and that your petitioner have all such other, further, or different relief as the nature of this cause may require.

H. M. Jordan
Mayor, Town of Daphne

STATE OF ALABAMA

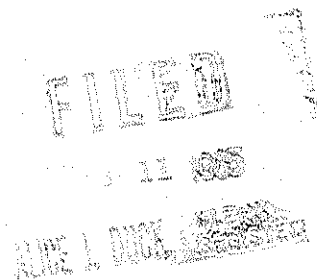
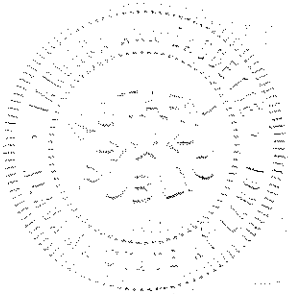
BALDWIN COUNTY

Before me Barbara Ann Baggett, a Notary Public, in and for said County, in said State, personally appeared H. Glen Jordan, who being by me first duly sworn deposes and says; that he is the Mayor of the Town of Daphne, Alabama, and is authorized by the Town Council of the Town of Daphne, Alabama to file and verify this application for condemnation and that the matters and things hereinabove set forth are true.

H. M. Jordan
Mayor, Town of Daphne

Sworn to and subscribed Before me this the 11 day of February, 1965.

Barbara Ann Baggett
City Clerk



STATEMENT

THE FAIRHOPE COURIER

Eastern Shore Publishers, Inc.

P. O. BOX 549

COMMERCIAL PRINTING

FAIRHOPE, ALA., March 4, 1965

Mrs. Alice J. Dicks
Register
Bay Minette, Alabama

Legal Notice

Re: H. Glen Jordan, Mayor of
Town of Chapline vs
Pearl Anderson et al.

477 words - 3 times

Feb. 18-25 - March 4, 1965

23 85

PUBLICATION NOTICE

H. GLEN JORDAN, Mayor of Town
of Daphne, Alabama, a municipal
Corporation

Applicant

vs

PEARL ANDERSON, DAISY STERLING,
CECILE ROYAL WHITTLE and PERCELL
STERLING LOEB

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, STATE OF

ALABAMA

AT LAW

NO. 6390

TO: Pearl Anderson, 10303 Somerset Avenue, Cleveland, Ohio, Daisy Sterling, Brooklyn, New York, Mrs. Cecile Royal Whittle, Mobile, Alabama, Percell Sterling Loeb, Los Angeles, California and to any and all persons claiming any title to, interest in, or lien or encumbrance upon the property described hereafter.

You will take notice that on the 11 day of February, 1965, a petition was filed in this Court by H. Glen Jordan, Mayor of the Town of Daphne, Baldwin County, Alabama, setting forth his desire to condemn for certain purposes therein stated, certain lands belonging to Pearl Anderson, et al described as follows:

Parcel 1.

From the Northwest corner of Section 20, Township 5 South, Range 2 East, run East 660 feet; thence run South 330.7 feet, for a point of beginning; thence run East 25 feet; thence run South 330.7 feet; thence run West 25 feet; thence run North 330.7 feet to the point of beginning. Tract contains 19.100 (nineteen one-hundredths) of an acre, and lies in the Northwest quarter of Section 20, Township 5 South, Range 2 East and is a portion of a 40 foot strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

Parcel 2.

From the Northeast corner of the Southeast quarter of Section 17, Township 5 South, Range 2 East, run South 89° 58" along the East-West center line of said Section 17, a distance of 3864.3 feet, for a point of beginning; thence run North 30 feet; thence run West 453.9 feet, thence run South 30 feet; thence run East 453.9 feet to the point of beginning. Land lies in the Northwest quarter of Section 17, Township 5 South, Range 2 East, and is a portion of a 60 foot wide street or strip of land now in use as a public right of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

by petition filed in this Court and said Petitioner prays that this Court will make and enter an order appointing a day for the hearing of said petition and for such other and further orders and procedures as may be necessary.

You will take further notice that the Court has appointed the 29 day of March, 1965 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 the 11 day of February, 1965.

Doris J. Lewis
Circuit Clerk

SERVING THE BEAUTIFUL EASTERN SHORE AREA OF MOBILE BAY

FAIRHOPE, ALABAMA

AFFIDAVIT:

This is to certify that the attached legal notice appeared in The Fairhope Courier, a weekly newspaper published in the City of Fairhope, County of Baldwin, State of Alabama on the

dates of _____

Feb. 18-25-Mar. 4 1965

John A. Ferguson, Editor

State of Alabama
County of Baldwin

Sworn to and subscribed before me this

5 day of March 1965

John A. Ferguson
John A. Ferguson, Notary Public
Baldwin County Alabama

PUBLICATION NOTICE

H. GLEN JORDAN, Mayor of
Town of Daphne, Alabama, a
municipal Corporation

Applicant

vs.

PEARL ANDERSON, ~~DAISY~~
STERLING, CECILE ROYAL
WHITTLE and PERCELL
STERLING LOEB

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, STATE
OF ALABAMA AT LAW
NO. 6390.

TO: Pearl Anderson, 10303
Somerset Avenue, Cleveland,
Ohio, Daisy Sterling, Brooklyn,
New York, Mrs. Cecile Royal
Whittle, Mobile, Alabama, Per-
cell Sterling Loeb, Los Angeles,
California and to any and all
persons claiming any title to,
interest in, or lien or encum-
brance upon the property des-
cribed hereafter.

You will take notice that on
the 11th day of February, 1965,
a petition was filed in this
Court by H. Glen Jordan, Mayor
of the Town of Daphne, Baldwin
County, Alabama, setting forth
his desire to condemn for cer-
tain purposes therein stated,
certain lands belonging to Pearl
Anderson, et al described as
follows:

PARCEL 1.

From the Northwest corner of
Section 20, Township 5 South,
Range 2 East, run East 660
feet; thence run South 330.7
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thence run East 25 feet;
thence run South 330.7 feet;
thence run West 25 feet;
thence run North 330.7 feet
to the point of beginning.
Tract contains 19.100 (nine-
teen one-hundredths) of an
acre, and lies in the North-
west quarter of Section 20,
Township 5 South, Range 2
East and is a portion of a 40
foot strip of land now in use
as a public right-of-way in
the Town of Daphne, Ala-
bama, title to which has never
been legally acquired by said
town; in Baldwin County, Ala-
bama.

PARCEL 2.

From the Northeast corner
of the Southeast quarter of
Section 17, Township 5 South,
Range 2 East, run South 89
degrees 58" along the East-
West center line of said Sec-
tion 17, a distance of 3864.3

FILED
MAR 6 1965

OATH OF COMMISSIONERS

We, and each of us, do solemnly swear that we will well and truly try the case now pending and submitted to our decision, between H. Glen Jordan, Mayor of the Town of Daphne, Petitioner, and Pearl Anderson, Daisy Sterling, Cecile Royal Whittle and Percell Sterling Loeb, Defendants, and that we are not directly or indirectly interested in the issue to be tried, and that we are not biased nor prejudiced against either of the said parties and that we will render such compensation to the Defendants as to us shall seem just and proper in the premises. So help us God.

Ruth M. Donnell
Ed Moreno
John B. Goody

REPORT OF COMMISSIONERS

We, the undersigned Commissioners, duly appointed by the Sheriff of Baldwin County, Alabama, on the 24th day of March, 1965, do hereby report in writing as follows, to-wit:

That after being sworn as jurors we executed our duties in strict accordance with the conditions of the commission issued and we herewith set forth the amount of damages and compensation ascertained and assessed by us for the owners of the land described in said commission.

We assess the damages and compensation due Pearl Anderson at the sum of \$ 10⁰⁰.

We assess the damages and compensation due Daisy Sterling, Cecile Royal Whittle and Percell Sterling Loeb at the sum of \$ 10⁰⁰.

We do certify that none of us has ever been consulted, advised with or approached by any person in reference to the value of the land or the proceedings to condemn the same prior to the assessment of damages and that we knew nothing of same proper to our appointment.

Ruth M. Donnell
Ed Moreno
John B. Goody

Sworn to and subscribed before me this 26th day of March, 1965.

Sheriff, Baldwin County, Alabama

OATH OF COMMISSIONERS

We, and each of us, do solemnly swear that we will well and truly try the case now pending and submitted to our decision, between H. Glen Jordan, Mayor of the Town of Daphne, Petitioner, and Pearl Anderson, Daisy Sterling, Cecile Royal Whittle and Percell Sterling Loeb, Defendants, and that we are not directly or indirectly interested in the issue to be tried, and that we are not biased nor prejudiced against either of the said parties and that we will render such compensation to the Defendants as to us shall seem just and proper in the premises. So help us God.

Ruth M. Donnell

Ed Moore

John B. Gordy

REPORT OF COMMISSIONERS

We, the undersigned Commissioners, duly appointed by the Sheriff of Baldwin County, Alabama, on the 26th day of March, 1965, do hereby report in writing as follows, to-wit:

That after being sworn as jurors we executed our duties in strict accordance with the conditions of the commission issued and we herewith set forth the amount of damages and compensation ascertained and assessed by us for the owners of the land described in said commission.

We assess the damages and compensation due Pearl Anderson at the sum of \$ 10⁰⁰.

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We do certify that none of us has ever been consulted, advised with or approached by any person in reference to the value of the land or the proceedings to condemn the same prior to the assessment of damages and that we knew nothing of same proper to our appointment.

Ruth M. Donnell

Ed Moore

John B. Gordy

Sworn to and subscribed before me this 26th day of March, 1965.

Sheriff, Baldwin County, Alabama

STATE OF ALABAMA

BALDWIN COUNTY

IN THE CIRCUIT COURT

NO. 6390

TO THE SHERIFF OF BALDWIN COUNTY:

Application having been made to me, on the 11 day of February, 1965, by H. Glen Jordan, Mayor of Town of Daphne, Alabama, a municipal Corporation, to condemn certain lands in the Town of Daphne belonging to Pearl Anderson, Daisy Sterling, Cecile Royal Whittle and Percell Sterling Loeb, for certain purposes stated in the petition in said cause, a copy of said application being attached hereto.

You are therefore commanded to summon three free holders of the county, to appear before you on a day named, not less than two days from the date of this writ, and to proceed under your direction to assess a value of the lands of said owners for the use thereof, or damages or injury which may be done to the following described property:

Parcel 1. Pearl Anderson

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Parcel 2. Daisy Sterling, Cecile Royal Whittle, Percell Sterling Loeb, Heirs at Law of Sandy Sterling.

From the Northeast corner of the Southeast quarter of Section 17, Township 5 South, Range 2 East, run South 89°58" West along the East-West center line of said Section 17m a distance of 3864.3 feet, for a point of beginning; thence run North 30 feet; thence run West 453.9 feet, thence run South 30 feet; thence run East 453.9 feet to the point of beginning. Land lies in the Northwest quarter Section 17, Township 5 South, Range 2 East, and is a portion of a 60 foot wide street or strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

Witness my hand this 11 day of March, 1965.

Deice J. Jensen
Clerk

PUBLICATION NOTICE

H. GLEN JORDAN, Mayor of Town
of Daphne, Alabama, a municipal
Corporation

Applicant

vs

PEARL ANDERSON, DAISY STERLING,
CECILE ROYAL WHITTLE and PERCELL
STERLING LOEB

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, STATE OF

ALABAMA

AT LAW

NO. _____

TO: Pearl Anderson, 10303 Somerset Avenue, Cleveland, Ohio, Daisy Sterling, Brooklyn, New York, Mrs. Cecile Royal Whittle, Mobile, Alabama, Percell Sterling Loeb, Los Angeles, California and to any and all persons claiming any title to, interest in, or lien or encumbrance upon the property described hereafter.

You will take notice that on the 11 day of February, 1965, a petition was filed in this Court by H. Glen Jordan, Mayor of the Town of Daphne, Baldwin County, Alabama, setting forth his desire to condemn for certain purposes therein stated, certain lands belonging to Pearl Anderson, et al described as follows:

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Parcel 2.

From the Northeast corner of the Southeast quarter of Section 17, Township 5 South, Range 2 East, run South 89° 58" along the East-West center line of said Section 17, a distance of 3864.3 feet, for a point of beginning; thence run North 30 feet; thence run West 453.9 feet, thence run South 30 feet; thence run East 453.9 feet to the point of beginning. Land lies in the Northwest quarter of Section 17, Township 5 South, Range 2 East, and is a portion of a 2080 foot wide street or strip of land now in use as a public right of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

by petition filed in this Court and said Petitioner prays that this Court will make and enter an order appointing a day for the hearing of said petition and for such other and further orders and procedures as may be necessary.

You will take further notice that the Court has appointed the 29 day of March, 1965 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 the 11 day of February, 1965.

Rebecca J. Newell
Circuit Clerk

STATE OF ALABAMA

BALDWIN COUNTY

§

§

IN THE CIRCUIT COURT

NO. _____

TO THE SHERIFF OF BALDWIN COUNTY:

Application having been made to me, on the 11 day of February, 1965, by H. Glen Jordan, Mayor of Town of Daphne, Alabama, a municipal Corporation, to condemn certain lands in the Town of Daphne belonging to Pearl Anderson, Daisy Sterling, Cecile Royal Whittle and Percell Sterling Loeb, for certain purposes stated in the petition in said cause, a copy of said application being attached hereto.

You are therefore commanded to summon three free holders of the county, to appear before you on a day named, not less than two days from the date of this writ, and to proceed under your direction to assess a value of the lands of said owners for the use thereof, or damages or injury which may be done to the following described property:

Parcel 1. Pearl Anderson

From the Northwest corner of Section 20, Township 5 South, Range 2 East, run East 660 feet; thence run South 330.7 feet, for a point of beginning; thence run East 25 feet; thence run South 330.7 feet; thence run West 25 feet; thence run North 330.7 feet to the point of beginning. Tract contains 19.100 (nineteen one-hundredths) of an acre, and lies in the Northwest quarter of Section 20, Township 5 South, Range 2 East and is a portion of a 40 foot strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

Parcel 2. Daisy Sterling, Cecile Royal Whittle, Percell Sterling Loeb, Heirs at Law of Sandy Sterling.

From the Northeast corner of the Southeast quarter of Section 17, Township 5 South, Range 2 East, run South 89°58" West along the East-West center line of said Section 17m a distance of 3864.3 feet, for a point of beginning; thence run North 30 feet; thence run West 453.9 feet, thence run South 30 feet; thence run East 453.9 feet to the point of beginning. Land lies in the Northwest quarter Section 17, Township 5 South, Range 2 East, and is a portion of a 60 foot wide street or strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

Witness my hand this 11 day of March, 1965.

Dennis J. Smith
Clerk

H. GLEN JORDAN, Mayor of the
Town of Daphne, a Municipal
Corporation,

Applicant

vs

PEARL ANDERSON, DAISY STERLING,
CECILE ROYAL WHITTLE and PERCELL
STERLING LOEB,

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

TO THE HONORABLE TELEFAIR J. MASHBURN, JUDGE OF THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA:

Your petitioner, the Town of Daphne, a municipal Corporation in
Baldwin County, State of Alabama, respectfully represents and shows
unto your Honor, as follows:

1.

That your petitioner, the Town of Daphne, Alabama, is a municipal
Corporation under the laws of the State of Alabama, that the Town Council
of the Town of Daphne, under the laws of the State of Alabama, has executive
and legislative powers with reference to establishment, changing, locating,
repairing and building of public roads and streets within the city limits
of the municipality; that said Town Council of the Town of Daphne, by a
resolution duly adopted and promulgated, have authorized the Mayor, Glen
Jordan, to commence his proceedings to have condemned the lands hereinafter
described for use as a public road or street within the city limits, said
lands, when condemned, are to be used as public streets or highways, said
streets being popularly known as Guarisco Street and Wilson Avenue.

2.

That it is necessary for use as a part of the public road or street
above described that the following land be condemned which said land is
more particularly described as follows:

Parcel 1.

From the Northwest corner of Section 20, Township 5 South, Range 2
East, run East 660 feet; thence run South 330.7 feet, for a Point of
beginning; thence run East 25 feet; thence run South 330.7 feet; thence
run West 25 feet; thence run North 330.7 feet to the point of begin-
ning. Tract contains 19.100 (nineteen one-hundredths) of an acre, and
lies in the Northwest quarter of Section 20, Township 5 South, Range
2 East and is a portion of a 40 foot strip of land now in use as a
public right-of-way in the Town of Daphne, Alabama, title to which has
never been legally acquired by said town; in Baldwin County, Alabama.

Parcel 2.

From the Northeast corner of the Southeast quarter of Section 17, Township 5 South, Range 2 East, run South $89^{\circ} 58''$ West along the East-West center line of said Section 17, a distance of 3864.3 feet, for a point of beginning; thence run North 30 feet; thence run West 453.9 feet, thence run South 30 feet; thence run East 453.9 feet to the point of beginning. Land lies in the Northwest quarter of Section 17, Township 5 South, Range 2 East, and is a portion of a 60 foot wide street or strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

3.

That the interest or easement to be acquired in said lands is a right of-way for public road, together with the necessary ditches, cuts and fills, and said land will be used perpetually, or until abandonment by the proper authorities as a public road.

4.

That the owner of Parcel 1. sought to be condemned is Pearl Anderson a non-resident of the county, who resides at 10303 Somerset Avenue, Cleveland, Ohio. That the owners of Parcel 2. sought to be condemned are the heirs at law of Sandy Sterling, to-wit: Daisy Sterling, widow, Brooklyn, New York, Mrs. Cecile Royal Whittle, a married woman, Mobile, Alabama and Percell Sterling Loeb, Los Angeles, California.

5.

That the Mayor of the Town of Daphne, H. Glen Jordan, and the Town Council of the Town of Daphne, Alabama, are both invested by law with the power of eminent domain.

6.

That your petitioner files with this application, security for costs, as required by law.

The premises considered, your petitioner prays that the said Pearl Anderson, Daisy Sterling, Mrs. Cecile Royal Whittle and Percell Sterling Loeb, be made parties defendant to this application and that proper notice be given as is set out in Title 37, Section 509 Code of Alabama 1940 as amended, to them of the filing of this petition and of the date set for the hearing; that a day be set for the hearing of this petition. Petitioner further prays that a Writ of ad quod damnum be directed to the Sheriff of Baldwin County, commanding him to summon three freeholders of the county, to appear before the Sheriff on a day named, not less than two days from the date of the Writ, and to proceed under his direction to assess a value of the lands of the defendants for the use thereof, or damages or injury

which may be done to any property described in the application for the writ. Petitioner further prays that the said lands be by the said Jury ordered condemned for the uses and purposes hereinabove set forth, and that all such other orders, decrees and proceedings be taken to the end that the said property may be condemned for the use as a public road or street and that your petitioner have all such other, further, or different relief as the nature of this cause may require.

H. M. Jordan
Mayor, Town of Daphne

STATE OF ALABAMA

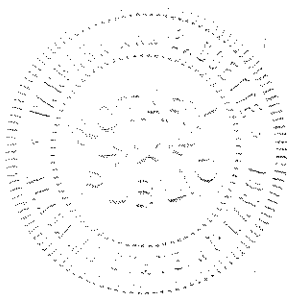
BALDWIN COUNTY

Before me Barbara Ann Baggett, a Notary Public, in and for said County, in said State, personally appeared H. Glen Jordan, who being by me first duly sworn deposes and says; that he is the Mayor of the Town of Daphne, Alabama, and is authorized by the Town Council of the Town of Daphne, Alabama to file and verify this application for condemnation and that the matters and things hereinabove set forth are true.

H. M. Jordan
Mayor, Town of Daphne

Sworn to and subscribed Before me this the 11 day of February, 1965.

Barbara Ann Baggett
City Clerk



FILED

FEB 11 1965

CLERK
RECORDED

H. GLEN JORDAN, Mayor of the
Town of Daphne, a Municipal
Corporation,

Applicant

vs

PEARL ANDERSON, DAISY STERLING,
CECILE ROYAL WHITTLE and PERCELL
STERLING LOEB,

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 439D

TO THE HONORABLE TELEFAIR J. MASHBURN, JUDGE OF THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA:

Your petitioner, the Town of Daphne, a municipal Corporation in
Baldwin County, State of Alabama, respectfully represents and shows
unto your Honor, as follows:

1.

That your petitioner, the Town of Daphne, Alabama, is a municipal
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and legislative powers with reference to establishment, changing, locating,
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public right of way in the Town of Daphne, Alabama, title to which has
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Parcel 2.

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3.

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5.

That the Mayor of the Town of Daphne, H. Glen Jordan, and the Town Council of the Town of Daphne, Alabama, are both invested by law with the power of eminent domain.

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The premises considered, your petitioner prays that the said Pearl Anderson, Daisy Sterling, Mrs. Cecile Royal Whittle and Percell Sterling Loeb, be made parties defendant to this application and that proper notice be given as is set out in Title 37, Section 509 Code of Alabama 1940 as amended, to them of the filing of this petition and of the date set for the hearing; that a day be set for the hearing of this petition. Petitioner further prays that a Writ of ad quod damnum be directed to the Sheriff of Baldwin County, commanding him to summon three freeholders of the county, to appear before the Sheriff on a day named, not less than two days from the date of the Writ, and to proceed under his direction to assess a value of the lands of the defendants for the use thereof, or damages or injury

which may be done to any property described in the application for the writ. Petitioner further prays that the said lands be by the said Jury ordered condemned for the uses and purposes hereinabove set forth, and that all such other orders, decrees and proceedings be taken to the end that the said property may be condemned for the use as a public road or street and that your petitioner have all such other, further, or different relief as the nature of this cause may require.

H. M. Jordan
Mayor, Town of Daphne

STATE OF ALABAMA

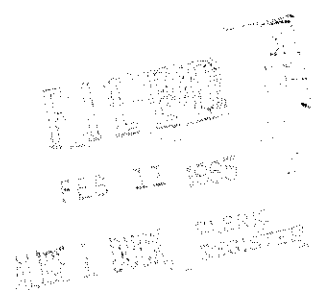
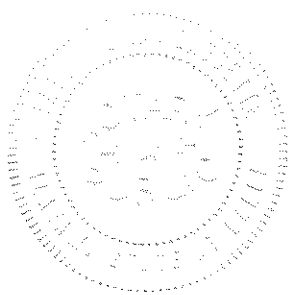
BALDWIN COUNTY

Before me Barbara Ann Baggett a Notary Public, in and for said County, in said State, personally appeared H. Glen Jordan, who being by me first duly sworn deposes and says; that he is the Mayor of the Town of Daphne, Alabama, and is authorized by the Town Council of the Town of Daphne, Alabama to file and verify this application for condemnation and that the matters and things hereinabove set forth are true.

H. M. Jordan
Mayor, Town of Daphne

Sworn to and subscribed Before me this the 11 day of February, 1965.

Barbara Ann Baggett
City Clerk



R E S O L U T I O N

BE IT RESOLVED by the Council of the Town of Daphne, Alabama,
a municipal corporation, as follows:

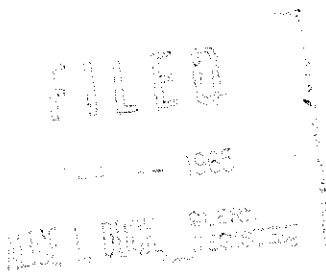
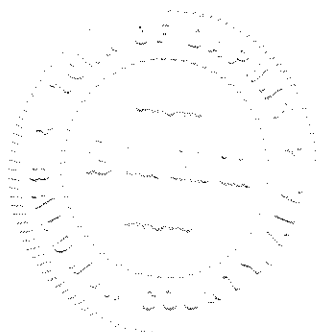
1. That it is necessary and expedient for the Town of Daphne to widen and improve portions of Guarisco and Wilson Streets, both streets lying and being situated within the city limits of the Town of Daphne, Alabama.
2. That, in the judgment of the Council, it is necessary and expedient for carrying out the full exercise of the powers granted to the Town, that the Town acquire a right-of-way or easement for public street or highway purposes in, over, under, along and across the parcels or strips of land set out and described in "Exhibit A" which is hereto attached and made a part of this resolution as if herein and at this place, in this resolution, fully set out, all of which said parcels or strips of land lie and are situated in the Northwest quarter of Section 20, and in the Northwest quarter of Section 17, of Township 5 South, Range 2 East, all in the Town of Daphne, Baldwin County, Alabama.
3. BE IT FURTHER RESOLVED, that the Mayor, Glen Jordan, be and he hereby is authorized and empowered to acquire said rights-of-way or easements for public street or highway purposes by condemnation proceedings or by purchase, and retain the firm of Wilters, & Brantley for such purposes.

STATE OF ALABAMA

BALDWIN COUNTY

I, Barbara Ann Baggett, City Clerk of the Town of Daphne, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Town Council of the Town of Daphne, at its meeting held February 1, 1965 and as the same appears of record in the minutes of February 1, 1965 of said town.

Given under my hand and corporate seal of the Town of Daphne, this 1st day of February, 1965.



Barbara Ann Baggett
Clerk

EXHIBIT "A"

PEARL ANDERSON

PARCEL 1

From the Northwest corner of Section 20, Township 5 South, Range 2 East, run East 660 feet; thence run South 330.7 feet, for a POINT OF BEGINNING; thence run East 25 feet; thence run South 330.7 feet; thence run West 25 feet; thence run North 330.7 feet to the point of beginning. Tract contains 19.100 (nineteen one-hundredths) of an acre, and lies in the Northwest quarter of Section 20, Township 5 South, Range 2 East and is a portion of a 40 foot strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.

MRS. DAISY STERLING, MRS. CECILE ROYAL WHITTLE,
PERCELL STERLING LOEB, heirs at Law of
SANDY STERLING

PARCEL 2

From the Northeast corner of the Southeast quarter of Section 17, Township 5 South, Range 2 East, run South 89° 58' West along the East-West center line of said Section 17, a distance of 3864.3 feet, for a POINT OF BEGINNING; thence run North 30 feet; thence run West 453.9 feet; thence run South 30 feet; thence run East 453.9 feet to the point of beginning. Land lies in the Northwest quarter of Section 17, Township 5 South, Range 2 East, and is a portion of the 60 foot wide street or strip of land now in use as a public right-of-way in the Town of Daphne, Alabama, title to which has never been legally acquired by said town; in Baldwin County, Alabama.