

STATE OF ALABAMA,)	IN THE PROBATE COURT OF
Petitioner,)	BALDWIN COUNTY, ALABAMA
VS.)	CASE NUMBER _____
DENNIS THOMPSON AND EDNA MAE THOMPSON)		
Tract Number four (4),)	6661
Respondent)	

NOTICE OF APPEAL

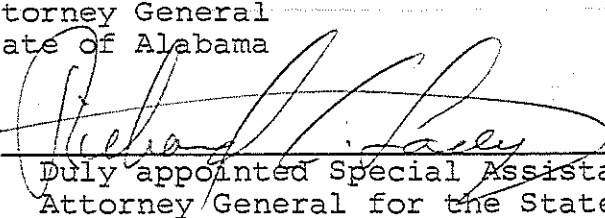
Comes the State of Alabama in the above styled cause and prays for and takes appeal to the Circuit Court of Baldwin County, Alabama, from the Order of Condemnation entered in said cause on the 26th day of May, 1965, insofar as said Order of Condemnation relates to lands described therein.

State of Alabama does herewith file in the Court of Probate of Baldwin County, Alabama, the Court rendering such Order of Condemnation, this its written notice of said appeal.

This the 21st day of June, 1965.

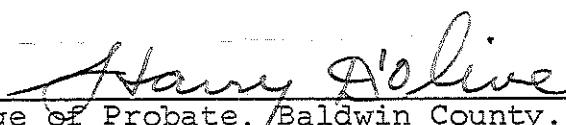
RICHMOND M. FLOWERS,
Attorney General
State of Alabama

BY


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

State of Alabama respectfully demands trial by jury.

To DENNIS THOMPSON and EDNA MAE THOMPSON, Tract Number Four (4), 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 23rd day of June, 1965.


Judge of Probate, Baldwin County,
Alabama

Sheriff claims 20 miles at

Two Cents per mile Total \$ 2.00

TAYLOR WILKINS, Sheriff

By W. A. Delbert
DEPUTY SHERIFF

Dennis

Shompson

deceased

Received 24 day of June 1965

and on 25 day of June 1965

I served a copy of the within Notice

on Dennis Thompson

Edna Mae Thompson

By service on _____

TAYLOR WILKINS, Sheriff

By W. A. Delbert

10 miles north of B. 174

1233

STATE OF ALABAMA	X	
Petitioner,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
DENNIS THOMPSON and EDNA MAE	X	
THOMPSON and TRACT NUMBER		CASE NUMBER 6661
FOUR (4),	X	
Respondent.	X	

FINAL JUDGMENT

This cause coming on to be heard by the Court on this the 13th day of September, 1965, 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 26th day of April, 1965, 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, and that said Court did enter an order of condemnation of the lands described in said application and which are hereinafter described, and that on the 26th day of May, 1965, the State of Alabama, appealed from said order of condemnation to this Court and demanded a trial by jury; and that the necessary action to properly effect the appeal from the Probate Court of Baldwin County, Alabama, in accordance with all the statutes and laws in such cases made and provided, to the Circuit Court of Baldwin County, Alabama, were made, 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

landowner, Edna Mae Thompson (the said Dennis Thompson having died subsequent to the institution of the proceedings in the Probate Court of Baldwin County, Alabama, leaving a will in and by the terms of which he devised all of his interest in said properties to Edna Mae Thompson), is 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, Alfred Crotwell and eleven others, and the issue of the amount of damages and compensation, if any, to which the landowner is entitled having been submitted to them, did return a verdict in words and figures as follows:

"We, the jury, assess the damages and compensation to which the landowner is entitled in this case as follows:

As to Tract No. 4 \$15,000.00."

Alfred Crotwell
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 landowner of the sum aforesaid; 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, rights and construction, hereinafter described be, and the same are hereby granted, and that the

property described in Exhibit "A" attached hereto, and by reference made a part hereof 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 landowner, and into the State of Alabama, upon the payment by the State of Alabama of the sum hereinafter ordered and decreed to be paid.

2. That the damages and compensation to which the Defendant landowner in this case, Edna Mae Thompson, is entitled is hereby fixed at the sum of \$15,000.00, which said sum is hereby ordered to be paid by the State of Alabama to said Defendant landowner; and that upon the payment of said amount by the State of Alabama to said landowner the condemnation of the lands hereinabove described shall be, and become effective.

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

DATED this the 13th day of September, 1965.

Circuit Judge

CHASON, STONE & CHASON

ATTORNEYS AT LAW

P. O. BOX 120

BAY MINETTE, ALABAMA

JOHN CHASON
NORBORNE C. STONE, JR.
JOHN EARLE CHASON

July 7, 1965

TELEPHONE 937-2191

Mrs. Alice J. Duck, Clerk
Circuit Court of Baldwin County
Bay Minette, Alabama

Dear Mrs. Duck:

Re: State of Alabama vs.
Edna Mae Thompson
Tract No. 4

Would you please enter the appearance of this firm
as Attorneys for the Appellee, Edna Mae Thompson, in the
above styled matter which is now pending in the Circuit Court.

Thanking you for your attention to this matter, we are

Yours very truly,

CHASON, STONE & CHASON

By

A handwritten signature in dark ink, appearing to read "Norborne C. Stone, Jr.", written over a horizontal line.

NCS:dl

THE STATE OF ALABAMA--JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

October Term, 19 65-66

To the Clerk of the Circuit Court of _____
Baldwin County, Greeting:

Whereas, the Record and Proceedings of the Circuit Court _____
of said county, in a certain cause lately pending in said Court between

State of Alabama, Appellant,
_____ and

Dennis Thompson & Edna Mae Thompson & Tract No. Four, Appellee,

wherein by said Court, it was considered adversely to said appellant, were brought before our
Supreme Court, by appeal taken, pursuant to law, on behalf of said appellant.

Now, it is hereby certified, That it was thereupon considered, ordered and adjudged
by our Supreme Court on the 13 day of December, 1965,

_____, that the said appeal be and stand
on motion of appellant
dismissed and that it was further considered, ordered and adjudged

that the appellant, State of Alabama, pay

the costs accruing on said appeal in this Court and in the Court below, for which costs
let execution issue.

Richard W. Neal, Deputy
Witness, ~~J. R. Taylor~~, Clerk of the Supreme
Court of Alabama, at the Judicial Building,
this the 13 day of December, 1965.
Richard W. Neal
Deputy Clerk of the Supreme Court of Alabama.

6661

THE SUPREME COURT OF ALABAMA

October Term, 19 65-66

1 Div., No. 331

State of Alabama

Appellant,

v.

Dennis Thompson and Edna Mae

Thompson and Tract No. 4
Appellee.

From Baldwin Circuit Court.
#6661

CERTIFICATE OF DISMISSAL

The State of Alabama,

Baldwin County. } Filed

this 14 day of Dec 1965

W. J. Smith

THE STATE OF ALABAMA
Baldwin County - Circuit Court

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

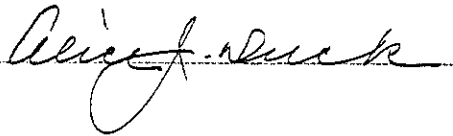
Whereas, at a Term of the Circuit Court of Baldwin County, held on the 13th day of September, 1965 ~~Monday~~, 196~~x~~, in a certain cause in said Court wherein State of Alabama, Plaintiff, and Dennis Thompson and Edna Mae Thompson and Tract Number Four (4) Defendants a judgement was rendered against said State of Alabama to reverse which Judgment, the said State of Alabama

applied for and obtained from this office an APPEAL, returnable to the next Term of our Supreme Court of the State of Alabama, to be held at Montgomery, on the day of , 196next, and the necessary bond having been given by the said State of Alabama, by: Richard C. Lacey, Duly Appointed Special Assistant Attorney General for the State of Alabama, ~~with~~, ~~secretary~~

Now, You Are Hereby Commanded, without delay, to cite the said Dennis Thompson and Edna Mae Thompson and Tract No. 4 or Chason, Stone & Chason, , attorney,sto appear at the next Term of our said Supreme Court, to defend against the said Appeal, if they think proper.

Witness, ALICE J. DUCK, Clerk of the Circuit Court of said County, this 14th day of October, A. D., 1965.

Attest:

, Clerk.

CASE NO. 6661

CIRCUIT COURT
Baldwin County, Alabama

Received 15 day of Oct 1965
and on 18 day of Oct 1965

I served a copy of the within Citation
on Chason, Stone, Chason

By service on Norborne Stone

TAYLOR WILKINS, Sheriff

By W A Talley

om

STATE OF ALABAMA,

Petitioner,

Vs. } Citation in Appeal

DENNIS THOMPSON & EDNA MAE
THOMPSON & TRACT NO. 4,

Defendants.

Issued 14th day of Oct., 1965

serve: Chason, Stone & Chason, Atty

State, N. C.
Edna Thompson

JURY LIST - SEPTEMBER 13, 1965

1. Cleverdon, Paul L., Farmer, Summerdale
2. Clark, J.W., Jr., Merchant, Robertsdale
3. Boone, W.A., Farmer, Little River
4. Bankester, Artie, Retired, Robertsdale
5. Armstrong, Charles, Ins. Salesman, Robertsdale
6. Fullbright, Lex J., Army-Retired, Gulf Shores
7. Frank, Lawrence J., Farmer, Elberta
8. Gideon, Elijah M., Laborer, Bay Minette
9. Black, Rufus M., Farmer, Loxley
10. Bauer, Hilbert, Farmer, Summerdale
11. Good, John, Jr., Farmer, Elberta
12. Gottler, Joe, Farmer, Elberta
13. Guthrie, Hershey H., Farmer, Foley
14. Hatchcock, Roy, Laborer, Summerdale
15. Hobbs, Tom, Farmer, Rosinton
16. Hinkelman, Howard, Civil Service, Elberta
17. Herron, John L., Chemstrand, Bay Minette
18. Kaechele, John F., Mechanic, Elberta
19. Ingram, Charles C., Linesman, Foley
20. Horne, Thomas B., Fleet, Crossroad
21. Chestang, J.D., Paper Mill, Bay Minette
22. Keenan, Ruben A., Oil Dealer, Robertsdale
23. Lyles, O.C., Real Estate, Bay Minette
24. Hastings, Donald E., Farmer, Rosinton
25. Erdmann, Rudolph C., Plumber, Mag. Spgs.
26. Capps, James C., Merchant, Bay Minette
27. Calloway, Lawrence E., Fisherman, Gulf Shores
28. Byrd, Claude, Newport, Bay Minette
29. Burns, Guy, Farmer, Summerdale
30. Brantley, E.R., Contractor, Bay Minette
31. Ebentheuer, Henry A., Trk. Driver, Elberta
32. Dyer, Ted, Mechanic, Fairhope
33. Dvork, Joseph, Jr., Salesman, Belforest
34. Day, Gladden, Salesman, Bay Minette
35. Crotwell, Alfred, Carpenter, Gulf Shores
36. Conway, Wm. Brookley Field, Bay Minette
37. Armstead, George, Emp. Fairhope Hardware, Daphne
38. Evans, Clovice, Newport Industry, Bay Minette
39. Hudson, Homer, Standard Furniture Co., Bay Minette
40. Benton, George H., Fisherman, Gulf Shores

P XXXXX XX

D XXXXX XY

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DIV. NO.

CERTIFICATE OF APPEAL. (Civil Cases.)

No. 6661

THE STATE OF ALABAMA

Baldwin County.

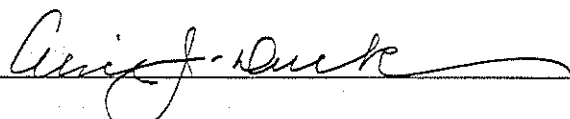
I, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, in and for said State and County, hereby certify that the foregoing pages numbered from one to _____, both inclusive, contain a full, true and complete transcript of the record and proceedings of said Court in a certain cause lately therein pending wherein State of Alabama

was plaintiff, and Dennis Thompson and Edna Mae Thompson and Tract Number Four

~~were~~ Defendants, as fully and completely as the same appears of record in said Court.

And I further certify that the said State of Alabama did on the 13th day of October, 1965, pray for and obtain an appeal from the judgment of said Court to the Supreme _____ of Alabama to reverse said judgment of said Court upon entering into bond with State of Alabama by: Richard C. Lacey, Special Assistant Attorney General for said State of Alabama, as surety thereon, which said bond has been approved by me.

Witness my hand and the seal of said Circuit Court of 14th Baldwin County is hereto affixed, this the 14th day of October, 1965


Clerk of the Circuit Court of
Baldwin County, Alabama.

(Code 1940, Title 7, Sec. 767)

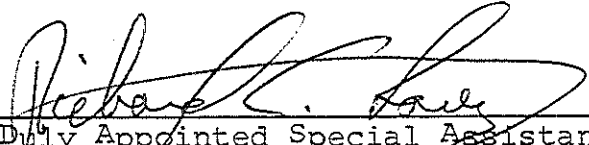
STATE OF ALABAMA,) IN THE CIRCUIT COURT OF
PETITIONER,) BALDWIN COUNTY, ALABAMA
VS:)
DENNIS THOMPSON and EDNA MAE
THOMPSON and TRACT NUMBER FOUR (4),) CASE NUMBER 6661
RESPONDENT)

NOTICE OF APPEAL

Comes now the Petitioner, in the above styled cause, the State of Alabama, and gives notice of appeal from the Decree of the Circuit Court of Baldwin County, Alabama, at law, rendered on the 13th day of September, 1965.

DONE this the 13th day of October, 1965.

RICHMOND M. FLOWERS,
Attorney General
State of Alabama


BY: 
Duly Appointed Special Assistant
Attorney General for the State
of Alabama

SECURITY FOR COSTS

Comes now the Petitioner, the State of Alabama, and pledges and acknowledges itself as security for costs of said Appeal.

DONE this the 13th day of October, 1965.

RICHMOND M. FLOWERS,
Attorney General
State of Alabama

BY: 
Duly Appointed Special Assistant
Attorney General for the State
of Alabama

FILED

OCT 18 1965

ALICE L. DUCK, CLERK
REGISTER

STATE OF ALABAMA X
Petitioner, X IN THE CIRCUIT COURT OF
vs. X BALDWIN COUNTY, ALABAMA
DENNIS THOMPSON and EDNA MAE X
THOMPSON and TRACT NUMBER CASE NUMBER 6661
FOUR (4), X
Respondent. X

FINAL JUDGMENT

This cause coming on to be heard by the Court on this the 13th day of September, 1965, 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 26th day of April, 1965, 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, and that said Court did enter an order of condemnation of the lands described in said application and which are hereinafter described, and that on the 26th day of May, 1965, the State of Alabama, appealed from said order of condemnation to this Court and demanded a trial by jury; and that the necessary action to properly effect the appeal from the Probate Court of Baldwin County, Alabama, in accordance with all the statutes and laws in such cases made and provided, to the Circuit Court of Baldwin County, Alabama, were made, 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

landowner, Edna Mae Thompson (the said Dennis Thompson having died subsequent to the institution of the proceedings in the Probate Court of Baldwin County, Alabama, leaving a will in and by the terms of which he devised all of his interest in said properties to Edna Mae Thompson), is 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, Alfred Crotwell and eleven others, and the issue of the amount of damages and compensation, if any, to which the landowner is entitled having been submitted to them, did return a verdict in words and figures as follows:

"We, the jury, assess the damages and compensation to which the landowner is entitled in this case as follows:

As to Tract No. 4 \$15,000.00."

Alfred Crotwell
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 landowner of the sum aforesaid; 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, rights and construction, hereinafter described be, and the same are hereby granted, and that the

property described in Exhibit "A" attached hereto, and by reference made a part hereof 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 landowner, and into the State of Alabama, upon the payment by the State of Alabama of the sum hereinafter ordered and decreed to be paid.

2. That the damages and compensation to which the Defendant landowner in this case, Edna Mae Thompson, is entitled is hereby fixed at the sum of \$15,000.00, which said sum is hereby ordered to be paid by the State of Alabama to said Defendant landowner; and that upon the payment of said amount by the State of Alabama to said landowner the condemnation of the lands hereinabove described shall be, and become effective.

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

DATED this the 13th day of September, 1965.

Circuit Judge

STATE OF ALABAMA

Petitioner,

vs.

DENNIS THOMPSON and EDNA MAE
THOMPSON and TRACT NUMBER
FOUR (4),

Respondent.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE NUMBER 6661

FINAL JUDGMENT

This cause coming on to be heard by the Court on this the 13th day of September, 1965, 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 26th day of April, 1965, 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, and that said Court did enter an order of condemnation of the lands described in said application and which are hereinafter described, and that on the 26th day of May, 1965, the State of Alabama, appealed from said order of condemnation to this Court and demanded a trial by jury; and that the necessary action to properly effect the appeal from the Probate Court of Baldwin County, Alabama, in accordance with all the statutes and laws in such cases made and provided, to the Circuit Court of Baldwin County, Alabama, were made, 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

landowner, Edna Mae Thompson (the said Dennis Thompson having died subsequent to the institution of the proceedings in the Probate Court of Baldwin County, Alabama, leaving a will in and by the terms of which he devised all of his interest in said properties to Edna Mae Thompson), is 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, Alfred Crotwell and eleven others, and the issue of the amount of damages and compensation, if any, to which the landowner is entitled having been submitted to them, did return a verdict in words and figures as follows:

"We, the jury, assess the damages and compensation to which the landowner is entitled in this case as follows:

As to Tract No. 4 \$15,000.00."

Alfred Crotwell
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 landowner of the sum aforesaid; 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, rights and construction, hereinafter described be, and the same are hereby granted, and that the

property described in Exhibit "A" attached hereto, and by reference made a part hereof 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 landowner, and into the State of Alabama, upon the payment by the State of Alabama of the sum hereinafter ordered and decreed to be paid.

2. That the damages and compensation to which the Defendant landowner in this case, Edna Mae Thompson, is entitled is hereby fixed at the sum of \$15,000.00, which said sum is hereby ordered to be paid by the State of Alabama to said Defendant landowner; and that upon the payment of said amount by the State of Alabama to said landowner the condemnation of the lands hereinabove described shall be, and become effective.

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

DATED this the 13th day of September, 1965.

Circuit Judge

STATE OF ALABAMA

Petitioner,

vs.

DENNIS THOMPSON and EDNA MAE
THOMPSON and TRACT NUMBER
FOUR (4),

Respondent.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE NUMBER 6661

FINAL JUDGMENT

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Alfred Crotwell
Foreman

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

DATED this the 13th day of September, 1965.

Joseph H. MacCubbin
Circuit Judge

PETITIONER: State of Alabama

RESPONDENT: Dennis Thompson and
Edna Mae Thompson

FINAL JUDGMENT

FROM THE LAW OFFICES OF
RICHARD C. LACEY