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
W. D. Hastie & Florence Louise Hastie, et al. , 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 19 65.
on motion of appellant on 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/Render Tylondas, Clerk of the Supreme
Court of Alabama, at the Judicial Building
this the 13 day of December , 1965
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Dany try Clark of the Syrrome Court of Alcheme

6660

THE SUPREME COURT OF ALABAM

	October Term	
	l Div., I	vo. 330
	State of	Alahama
		<u> </u>
		Appellant,
		Appenant,
7 (2) 27 (2) 30 (3)	v.	
. D. F	lastie & F	lorence Louis
Iastie,	, et al.	and the state of t
2 5		Appellee.
rom	<u>Baldwin Ci</u>	rcuit Cou #_6660
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T	he State of Alo	CM 2.2
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T.	day of De	County.

THE STATE OF ALABAMA Baldwin County - Circuit Court

to any sheriff of the state of alabama — greeting:

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	Marie W. Carlotte				
ain cause in said C	Court wherein	State of Alab	ama, Petitioner	-	
		777	.D. Hastie and I	Florence Lon	ise Hasti
Federal Land Ba	ank of New Orl	eans, a corpora	tion, and Tract	Number One,	Parcels
The second secon	No.		ndant, a judgement		
17 (2.00)					
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	To define the	47	State of Alaba	m 2	
to reverse which	Judgment	tne said	State of Alaba		
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The state of the s					
3.4	0 0			nevt	
applied for and ob	tained from this	office an APPEAL	, returnable to the		<u> </u>
			, 196 next		
having been given Assistant Attor	by the said Sta	ete of Alabama,	by: Richard C.	Lacey, Duly	appointed
Now, You A	h by the said Staney General for the Hereby Com	or the State of manded, without a	by: Richard C. Alabama delay, to cite the same, a corporate	Lacey, Duly id W.D. Hast	appointed, somethes
Now, You ALOUISE Hastie,	h by the said Staney General for the Hereby Com	er the State of manded, without a sank of New Orle	delay, to cite the sa eans, a corporat Chason, Stone &	id W.D. Hastion,	appointed, someties
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Attest:

alient Hank, Clerk

leceived 5 day of 001965 nd on 8 day of 001965 ser ad a copy of the within 1969 n Albert Store TAYLOR WILKINS, Sheriff

CIRCUIT COURT Baldwin County, Alabama

STATE OF ALABAMA,
Petitioner,

Vs. Citation in Appeal

W.D. HASTIE & FLORENCE LOUISE HASTIE, FEDERAL LAND BANK OF NEW ORLEANS, a Corporation and Tract Number One, Parcels Ong through Three, both inclusivg.

Defendants.

Issued 14th day of October, 196

serve: Chason, Stone & Chason Attorneys.

CHASON, STONE & CHASON

ATTORNEYS AT LAW
P.O. BOX 120
BAY MINETTE, ALABAMA

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

July 9, 1965

TELEPHONE 937-2191

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

Dear Mrs. Duck:

Re: State of Alabama vs. W. D. Hastie and Florence Louise Hastie, et. al.

The above case is an appeal from a condemnation proceeding in the Probate Court. Will you please enter our appearance for Mr. and Mrs. Hastie in such cause. A jury trial was requested by the state.

With best regards.

Yours very truly,

CHASON, STONE & CHASON

JC:dl

CHASON, STONE & CHASON

ATTORNEYS AT LAW
P.O. BOX 120
BAY MINETTE, ALABAMA

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

July 9, 1965

TELEPHONE 937-2191

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

Dear Mrs. Duck:

Re: State of Alabama vs. W. D. Hastie and Florence Louise Hastie, et. al.

The above case is an appeal from a condemnation proceeding in the Probate Court. Will you please enter our appearance for Mr. and Mrs. Hastie in such cause. A jury trial was requested by the state.

With best regards.

Yours very truly,

CHASON, STONE & CHASON

JC:dl

By_

STATE OF ALABAMA,) IN THE CIRCUIT COURT OF Petitioner,) BALDWIN COUNTY, ALABAMA VS: W.D. HASTIE and FLORENCE LOUISE) CASE NUMBER 6660 HASTIE, FEDERAL LAND BANK OF NEW ORLEANS, a corporation, and)
TRACT NUMBER ONE (1), Parcels
One (1) through Three (3), both) inclusive, 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

> > Dury appointed Special Assistant Attorney General for the tate of Alabama

ALUE I MICK, CLERK REGISTER

STATE OF ALABAMA, I IN THE CIRCUIT COURT OF

Petitioner, I BALDWIN COUNTY, ALABAMA

vs. I AT LAW NO. 6660

W. D. HASTIE, ET. AL.,
AND TRACT NUMBER ONE,
Respondents.

STIPULATION

It is hereby stipulated and agreed by and between the State of Alabama, Petitioner, and W. D. Hastie, Et. Al., Respondents, acting by and through their respective attorneys of record, as follows:

- l. That the Petitioner is authorized to institute and prosecute this proceeding to acquire the property or interest in lands owned by the Respondents and situated in Baldwin County, Alabama, for the uses and purposes more particularly set forth in the application or petition heretofore filed by the Petitioner in the Probate Court of Baldwin County, Alabama on April 26, 1965.
- 2. That all proceedings heretofore had in the Probate Court of Baldwin County, Alabama with respect to this condemnation proceeding were regular, and an appeal has been duly and properly perfected within the time allowed by law from the order of condemnation of the Probate Court of Baldwin County, Alabama entered on the 26th day of May, 1965, and the trial by jury of the issues presented by this appeal has been properly demanded.
- 3. That the only issue in this proceeding is the amount of damages and compensation to which the Respondents are entitled for the taking of the lands and interest in lands sought to be acquired by the Petitioner for the uses and purposes stated in the application hereinabove referred to.
- 4. That the time of the taking of the property and interest in property in this proceeding is the date on which the application for order of condemnation was filed in the Probate Court, and the valuation of said property or interest in property remained constant between that date and the date on which the

order of condemnation was entered in the Probate Court of Baldwin County, Alabama.

CHASON, STONE & CHASON

Ву

Attorneys for Respondents

STATE OF ALABAMA,

Petitioner,

Cara not

Vs.

W. D. HASTIE, ET. AL., AND TRACT NUMBER ONE,

Respondents.

* * * * * * * * * * * * * * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 6660

STIPULATION

* * * * * * * * * * * * * * * *

Filed! September 13,1965. Judge

CHASON, STONE & CHASON

STATE IN D. HASTING BENCH

JURY LIST - SEPTEMBER 13, 1965

Moleverdon, Paul L., Farmer, Summerdale 2. Clark, J.W., Jr., Merchant, Robertsdale Similar, M.A., Samon, Little River A-Denkoster, Artis, Retired, Robertsdale 5 Armstrong, Charles, Ins. Salesman, Robertsdale Armsmong, Unarles, Lns. Salesman, Modermale Fullbright, Law, Army-Netized, Gulf Shores

Armsmond, Lawrence J., Farmer, Elberta

School, Laborer, Bay Minette

Black, Rufus M., Farmer, Loxley

Milbert, Essent, Summerdale

11. Good, John, Jr., Farmer, Elberta

Black, Rufus M., Farmer, Elberta The state of the s 13. Guthrie, Hershey H., Farmer, Foley Matchcock, Low. Laborer, Summerdale 102 15. Hobbs, Ecs., Farmer, Rosinson 17. Herron, John L., Chemstrand, Bay Minette Mechanic, Elberta Maries C., Linesan, Foley Styllaria, Thomas By, Fleet, Crossroad 21. Chestang, J.D., Paper Mill, Bay Minette 22. Keenem, Ruben A., Gil Dealer, Robertsdale 25, 5yles, O.C., Reel Estate, Day Minette Acceptage, Possile B. Farmer, Rosinton 25. Erdmann, Rudolph C., Plumber, Mag. Spgs. 46 Capps, James C., Merchant, Bay Minette 27. Collovey, Lawrence E., Ficherman, Grif Shores 22 July, Claude, Memport, Bay Minette 29. Burns, Guy, Farmer, Summerdale 307 Brantley, S.R., Contractor, Bay Minette 31- Abenthous, Menry A., Trk. Driver, Elberta 32. Dyer, Ted, Beckenic, or Fairbose and commence and the second addendronic, Goteph, Jr., Salesman, Belforest (C. // M. Day, Gledden, Selesma, Dey Minette 35- Grotwell, Alfred, Carpenter, Gulf Shores. 36. Corway, War Brookley Field, Bay Mineres 97, Aresteat, George, Amp, Rairbope Marduero, - Bephae 38- Zvano, Glovice, Jemore Industry, Boy Minerie 39. Hadson, House, Standard Familiare Cor, Boy Minette 48-Senton, George H., Fisherman, Gulf Shores

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STATE OF ALABAMA,	X
Petitioner,	x
vs.	IN THE CIRCUIT COURT OF
W. D. HASTIE and FLORENCE LOUISE HASTIE, FEDERAL LAND BANK OF NEW	X BALDWIN COUNTY, ALABAMA
ORLEANS, a corporation, and TRACT NUMBER ONE (1), Parcels One (1) through Three (3), both inclusive,	
Respondent.	^

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 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, J. W. Clark 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 damages and compensation to which the landowner is entitled in this case as follows:

J. W. Clark 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 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 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 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 landowners in this case, W. D. Hastie and Florence Louise Hastie, and Federal Land Bank of New Orleans, a corporation, are entitled is hereby fixed at the sum of \$17,500.00, 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 cost of this proceeding.

DATED this the 13th day of September, 1965.

Circuit Judge

PARCEL NO. 124 Species and the horolowest current of feducial This, R-2-B, thesce solinerry, along the west line of Sali Sect. 23, a distance of 1268 feet, more or less, to a point that is 126 feet northwesterly of and at right angles to the centerline of the westbound lane of Project No. I-65-1(54) and the point of less of the property herein to be con eyed; theme N-72 decrees if the less B, parallel to the centerline of said westbound fare, a distance of 530 feet, more of less, the easternmost property like information of enterly long the said easternmost property like information of said westbound lane of approximate station from the deschool dane of bid feet, now of less in point mane Station 583-60) a distance of bid feet, now of less in content the centerline of said eastbound lane, thence southwesterly, page 10 feet, to the jafe to the centerline of said eastbound lane, along a curve to the jafe (concave southeasterly) having a radius of 11,274-16 feet, a distance of 165 feet, nore or less, to the south property line; thence Tills, R-2-E, thence solinerry, blong the west line of sald \$401 tance of 165 feet, more or less, to the south property line; thence westerly along the said south property line, a distance of 370 feet more or less, to the west line of said Section 03; thence souther along the west line of said Section 13, the east property line, a distance of 75 feet, note or less, to a point that is 185 feet southeasterly of and at right engles to the centerline of said mean bound lane; thence solthwesterly, parallel to the deuter life of Self eastbound lane along a curve to the left (condave southeasterly) having a radius of hi, 274.16 feet, a distance of 991 feet, note of less, to a point that is 185 feet soltheasterly of and at right angles to the centerline of said eastbound lane at P. C. Station 587*72.76; thence southwesterly, along a straight line, a distance of 176 feet, more or less, to a point that is 230 feet southerster of and at right angles to the desterline of said project at 9120.00 566-90; chence \$ 72 degrees \$2 minutes \$, parallel co the center in A distance of 182 feet, more or less, to the west property 127 thence northerly, along the said west property 126x, a fisterior of 60 feet, more or less, to a point that is less feet numbers end and at right angles to the denterly of said project; thence is a degrees 52 minutes 5, parallel to the denterline of said project, of distance of 85 feet, more or less, to a point that is 100 feet northwesterly of and at right angles to the denterline of Said war bound lane at Station 561-72,767 thence continuing 2016 degrees 51 minutes B, parallel to the centerline of said westhound lene, is the tance of 1125 feet, more or less, to the point of beginning.

Said strip of land lying in the W_2 of W_2 , Section 25, Stripped Section 45 and Fractional Section 45, Tries, Section contains of the contract of the con

PARCEL NO DE Composition de la compassa destructural de 25%, figure 1000 point de 25%, figure 1000 point de 25% figure 10

Southerly of order to prove any section of the control of the parameter of the control of the co

Ander 19. Commentary at the resolution of the rest line of section as This, 2-24, whence southerly, along the west line of sect of the commentary section. Thy a distance of 166 feet, edge of less, to a point that is 50 feet countries to the careful of and at sight angles to the centerline of a relicity country road and the point of beginning of the property berein do the Conveyed, there southers selly, paralled to the contential of and reioration along a curveyed to be left (concave northerstarial hands a radius of 1381.35 feet, a distance of 320 feet, wore or less, to be easily the cast property line; there is southerly, along the said east property line; a distance of 16 feet, note of 1860, to be couch property line; a distance of 16 feet, note of 1860, to be couch property line; there we seek a long the said south property line.

Office of the content is a feet of relocation to property line. The said south property line of 1860, to be couch property line of 20 feet of 1860, to be couch property line. The said south property line of 20 feet of 1860, to be content to be couch property line. The said south property line of 1860, to be content to a content to the said south property line. The said south property line of 1860, to be content to a content to the said south property line. The said south property line is a said south property line of 1860, to be content to a content to the said south property line. The said south property line is a said south property line of 1860, to be content to a content line of 1860, to be content to a content line of 1860, to be content to a content line of 1860, to be content to be conte

Sald squip of land lying in the Mag of May, Solicion its instance was a second of the control of

STATE OF ALABAMA,	X
Petitioner,	χ
vs.	IN THE CIRCUIT COURT OF
W. D. HASTIE and FLORENCE LOUISE HASTIE, FEDERAL LAND BANK OF NEW	X BALDWIN COUNTY, ALABAMA
ORLEANS, a corporation, and TRACT NUMBER ONE (1), Parcels One (1) through Three (3), both inclusive,	
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 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, J. W. Clark 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 damages and compensation to which the landowner is entitled in this case as follows:

J. W. Clark 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 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 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 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 landowners in this case, W. D. Hastie and Florence Louise Hastie, and Federal Land Bank of New Orleans, a corporation, are entitled is hereby fixed at the sum of \$17,500.00, 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 cost of this proceeding.

DATED this the 13th day of September, 1965.

Circuit	Judae	
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PARCEL NO. 1: Commercians at the morthwest torion of Series Series 2011 of R-2-E, thence sold estimates the west line of Series Series 23, a distance of 1188 Series more or less, to a point that is 12 feet westbound lane of Figure Mo. I-65-1154) and the point of rections of the property herein to be conveyed, thence N 12 degrees 52 minutes S., parallel to the centerline of series westbound lane, a distance of 500 feet, hore or less, the easternmost property line that the centerline of series property line of the centerline of series and restricted property line of the centerline of the eastbound lane of series property. point that is les feet southeasterly of and at right angles to the centerline of said eastbound later thence southwesterly, paralled to the centerline of said eastbound later, about a long a torre to the footage southeasterly, having a radius of it, really feet, a ols tance of the centerly electron to be suit property larer a distance of real sectors. We sterly electron the said south property larer a distance of real sectors. along the west line of said Section 23, the east property line, a distance of 75 feet, more or less, to a point that is 185 feet southeasterly of and at right angles to the centerline of said many. bound lane; thence southwesterly, parallel to the centerline of our ceasthound lane along a curve to the left (concave southeasterly) having a radius of 11,274.16 feet, a distance of 991 feet, work to less, to a point that is 185 feet southeasterly of and at right angles to the centerline of said eastbound lane at P. C. Station angles to the centerline of said exactoound lane at P. C. Station 560+72.76; thence southwesterly, along a straight line, a distance of 175 feet, more or less, to a point that is 030 feet southwaserly of and at right angles to the centerline of said project at Station 560+00; thence 9 72 degrees 50 minutes W, parallel to the centerline of said project, a distance of 390 feet, more or less, to the centerline said project at approximate said vestermost property lines there centerline of said project at approximate Station 563+85) a distance of 515 feet, more or less, to the north property lines and distance of said project at approximate Station 563+85) a distance of 515 feet, more or less, to the distance of 152 feet, more or less, to the Addition property lines thence easterly along said north property lines, a distance of 152 feet, hore or less, to the west property line, a distance of continuous to possess property line, a distance of a feet, some of less, to a point that is less feet the property lines and continuous feet, and project, thence of said project, thence destance of said project, and continuous feet, some of less, to the centerline of said project, and continuous feet and west, bound lane at Station 567+72,76; thence continuing M 15 degrees of minutes B, parallel to the tenterline of said westhouse lane, a figure of lane of like between the continuous feet, and a figure of lane of lane. tance of 1125 feet, more or less, to the point of beginning.

Said strip of land lying in the Wa of DWz, Section 23. Figurational Section 45, Teles, Relief and containing 29.21 acres, more of less.

PARCEL NO. 2: Compare to an life nonlivest comes of the NEX, Sub-WEA, a distance of 548 feet, more or less, to a policy of the feet northwesterly of and at right angles to the centeriine of the contemporary series to be conveyed thence northeadlers, passing the the centerline of said sestiound lane, along a curve to the light thanks of 50 feet, rose on less, to the southeast property the theories of 50 feet, rose on less, to the southeast property the theories actives the centerline of said westbound lane at approximate fraction of said vestbound lane at approximate fraction of said vestbound lane of said project of approximate fraction colors in distinct of 545 feet, not at less thanks a feet project of approximate fraction of said vestbound lane, along a curve is the interest of said vestbound lane, along a curve is the left formation of said eacthorned lane, along a curve is the left formation of the said eacthorned lane, along a curve is the centerline of said was property line foresting the seaterline of said was property line foresting the seaterline of said was property line foresting in the center into the said eacthorned lane at approximate Station in 10 is a setator of 560 feet, note or less, to a point that is 121 feet northwesterly of and at right angles to the centerline of said westbound lane at approximate of said westbound lane to the centerline of said westbound lane.

thence northeasterly, paralle, to the depterribe of eard westbound lane, along a curve to the right (concave southeasterly) having a radius of 11,584.16 feet, a distance of 1110 feet, more or less, to the point of beginning.

Said still of land lying in the Eg on PWA and the Wald MEV Section 23. In 15. Budde and containing 20.33 acres make of ledge The above tentilogica Geolius Darboung a part of Fractionia. Section 47 at it namelly releases at by V. S. By average.

converge and the point of region and the print of the print of the print of the point of the converge print of the point of the print o forcesing the centerline of said relocation at approximate Station 12-35) a distance of 235 feet, here or less, in the present learning the said present learning and the said present learning the said present learning the said present to the said and the said present to the said point that is all item to the said present to the said and said the said to th Recommended to the state of the state of the poster of the poster of the state of t

Said strup of land lying up the NBA or MPA. Section will be the NBA or MPA. Section will be the NBA of NMA. Section 24, This S. Ruz-B and continued to the little of the National Results of the Natio

STATE	OF	ALABAMA,	:	1
	Pe	reitioner	ø	
VS.	,			e Se

W. D. HASTIE and FLORENCE LOUISE I HASTIE, PEDERAL LAND BANK OF NEW ORLEANS, a corporation, and TRACT I NUMBER ONE (1), Parcels One (1) through Three (3), both inclusive, I

Respondent.

BALDWIN COUNTY, ALABAMA

CASE NUMBER 6660

IN THE CIRCUIT COURT OF

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 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, J. W. Clark 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 damages and compensation to which the landowner is entitled in this case as follows:

J. W. Clark 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 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 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 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 landowners in this case, W. D. Hastie and Florence Louise Hastie, and Federal Land Bank of New Orleans, a corporation, are entitled is hereby fixed at the sum of \$17,500.00, 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 cost of this proceeding.

DATED this the 13th day of September, 1965.

Circuit	Judge

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CERTIFICATE OF APPEAL. (Civil Cases.)

THE STATE OF ALABAMA	
Baldwin County.	
I, Alice J. Duck	, Clerk of the Circuit
Court of Baldwin	County, in and for said State and
The second of th	foregoing pages numbered from one to
	contain a full, true and complete
	ceedings of said Court in a certain
cause lately therein pending whe	
was plaintiff, and W.D. HASTIE & FLO	RENCE LOUISE HASTIE, FEDERAL LAND BANK OF NEW
ORLEANS, a corporation, and Tract Number	er One, Parcels One through three, both inclusive
was Defendant, as fully and comp	letely 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 Occober	, 1965, pray for and obtain
an appeal from the judgment of s	1997年1月1日,大学工具的特殊的技术,但是自己的企业,是自己的企业的企业,但是自己的企业。
	abama to reverse said judgment of said
Court upon entering into bond wi	th State of Alabama by: Richard C. Lacov Special
ssistant Attorney General for the Stat	e of Alabama, s surety thereon, which said bond has
peen approved by me.	The state of the s
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	Clerk of the Circuit Court of
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Code 1940, Title 7, Sec. 767)	
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STATE OF ALABAMA,)		
Petitioner,)	IN THE PROBATE COURT OF	
vs.)	BALDWIN COUNTY, ALABAMA	
W. D. HASTIE and FLORENCE LOUISE HASTIE, Federal Land Bank of New)		
Orleans, a corporation, and Tract Number 1. Parcels One (1) through)	CASE NUMBER	_
Three (3), both inclusive; DENNIS THOMPSON and EDNA MAE THOMPSON,)		
Tract Number Four (4); INTERNATIONAL PAPER COMPANY, a corporation, Tract)		
Number Five (5), Parcels One (1))		
through Four (4), both inclusive; SARA B. CROMARTIE and A. RUDOLPH CROMARTIE, Tract Number Eight (8);)		
and BALDWIN COUNTY, a Political Sub- division of the State of Alabama,)		
Respondents.)		
Kespondenes.			

APPLICATION FOR CONDEMNATION

TO THE HONORABLE HARRY D'OLIVE, JUDGE OF PROBATE OF 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 limited access public road, or highway, and as a basis for the relief sought, shows unto the Court as follows:

- l. Petitioner is authorized under the Constitution of Alabama of 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 purpose of constructing a public road or highway;
- 2. That said public highway has been designated by the State Highway Director as part of the State Highway System and is known as Project Number I-65-1(54), Baldwin County, Alabama;
- 3. That said public highway or project, begins with the Alabama Highway Number 225 and runs to Baldwin County Road Number 47.
- 4. That the right of way over the property and lands herein after described as TRACT NUMBER One, Parcels One (1 to through Three STATE OF ALABAMA, ALLO (2),

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Andrea of Probate

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- (3), both inclusive; TRACT NUMBER Four (4); TRACT NUMBER Five (5), Parcels One (1) through Four (4), both inclusive; TRACT NUMBER Eight (8), and as set out in the right of way Map on Project Number I-65-1(54), which is on file in the State Highway Department and in the Office of the Judge of Probate of Baldwin County, Alabama, and which is by reference made a part hereof as though fully set out herein, have been deemed necessary by the State Highway Director in order to facilitate the flow of traffic and promote public safety;
- 5. That said Tracts of land are necessary for use by Petitioner as a right of way for such limited access public highway, Project Number I-65-1(54); that said Tracts of land and said rights of way, which Petitioner seeks to condemn, are located wholly within Baldwin County, Alabama, and are more particularly described in Exhibit "A" attached hereto, and by reference made a part hereof as though fully set out herein;
- 6. That the rights of way or easements which Petitioner seeks to condemn for highway purposes is set out and described in the right of way map on Project Number I-65-1(54), which is on file in the State Highway Department and in the Office of the Judge of Probate of Baldwin County, Alabama, and is, by reference, made a part hereof as though fully set out herein;
- 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 tracts of land, and those claiming an interest therein, and according to Petitioner's information, knowledge and belief, the said lands are owned and an interest in said lands is 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 Tracts by reason of taxes and easements, due and chargeable, and hence is made a Respondent herein;
- (a) That W. D. HASTIE and FLORENCE LOUISE HASTIE, who are over the age of twenty-one years and of sound mind, and are

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residents of Baldwin County, Alabama, are the owners of TRACT NUMBER One (1), Parcels One (1) through Four (4), both inclusive; that the FEDERAL LAND BANK of New Orleans, a corporation with an office in Robertsdale, Alabama, hold a mortgage on the property described as TRACT NUMBER One (1), Parcels One (1) through Four (4), both inclusive;

- (b) That DENNIS THOMPSON and EDNA MAE THOMPSON, who are over the age of twenty-one years and are residents of Baldwin County, Alabama, are the owners of TRACT NUMBER Four (4);
- (c) That INTERNATIONAL PAPER COMPANY is a corporation with an office in Bay Minette, Baldwin County, Alabama, and is the owner of TRACT NUMBER Five (5), Parcels One (1) through Four (4), both inclusive;
- (d) That SARA B. CROMARTIE and A. RUDOLPH CROMARTIE are over the age of twenty-one years and of sound mind, and are residents of Baldwin County, Alabama, are the owners of TRACT NUMBER Eight (8);

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 easements for the right of way as set out in the right of way map on Project No. I-65-1(54), 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

Hate of Alabama

Duly appointed Special Assistant Attorney General for the State of

Alabama

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Frankie H. Wilson, a Notary Public, Baldwin County, Alabama, personally appeared Richard C. Lacey, 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 condemnation are true and correct.

Sworn to and subscribed before me

this 18 The day of Ann. 1965.

Notary Public, Baldwin County, Alabama

I hereby acknowledge myself security for cost in these proceedings.

> RICHMOND M. FLOWERS, Attorney General State of Alabama

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

Taken and approved this 39th day of Opil , 1965.

Probate Judge, Baldwin County, Alabama

ORDER OF PROBATE COURT

The foregoing application for condemnation having been property. sented 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 May 13th, 1965, at 9:30 o'clock A. M.

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 29th day of april . 1965.

Probate Judge of Baldwin County, Alabama



SCHEDULE "A" TRACT NUMBER ONE (1)

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SCHEDULE "A" TRACT NUMBER FOUR (4)

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SCHEDULE "A"

TRACT NUMBER EIGHT (8)



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SCHEDULE "A"

TRACT NUMBER FIVE (5)



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STATE OF ALABAMA, IN THE PROBATE COURT OF Petitioner, BALDWIN COUNTY, ALABAMA VS. W. D. HASTIE and FLORENCE LOUISE HASTIE, FEDERAL LAND BANK OF NEW CASE NUMBER 5427 ORLEANS, a corporation, and Tract Number 1, Parcels One (1) through Three (3), both inclusive; DENNIS THOMPSON and EDNA MAE THOMPSON, Tract Number Four (4); INTERNATIONAL PAPER COMPANY, a corporation, Tract Number Five (5), Parcels One (1) through Four (4), both inclusive; SARA B. CROMARTIE, Tract Number Eight (8); and BALDWIN COUNTY, a Political)) Subdivision of the State of Alabama, Respondents FINAL ORDER OF CONDEMNATION 1965, came W. E. Low commissioners heretofore appointed by this Court to assess and ascertain the damages and compensation to which the owners and other parties interested in the tracts of land set forth in the application for condemnation of lands heretofore filed in this cause are entitled and filed their report in writing and under oath setting forth that they awarded compensation and damages to the said owners and other parties interested in Project No. I-65-1(54) Tract Number 1, Parcel Number 1 in the amount of\\$ Tract Number 1, Parcel Number 2 in the amount of 4\$ /6,/0 %Tract Number 1, Parcel Number 3 in the amount of \$_ in the amount of \$12,812. Tract Number 4. Tract Number 5, Parcel Number 1 in the amount of \$ Tract Number 5, Parcel Number 2 in the amount of \$ Tract Number 5, Parcel Number 3 in the amount of $\frac{44}{5}$, $\frac{702}{5}$. Tract Number 5, Parcel Number 4 in the amount of \$ Tract Number 8, in the amount of \$___ IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court

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

that the said report of commissioners be filed in this Court and

recorded.

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 Hay of May, 1965.

JUDGE OF PROBATE

STATE OF ALABAMA,)	IN	THE	PROBATE	COURT	OF'
Petitioner,)	BAI	LDWI	COUNTY,	, ALĀB	ama
VS.)	ı	CASE	NUMBER	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
DENNIS THOMPSON AND EDN Tract Number four (4).	a mae thompson)					
riact number rout (4),)	l				
Respondent	Ţ.					
•						5 7 3

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 $\frac{76^{-1}}{2}$ 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

and the same for the same transfer of the same transfer of the same for the same of the sa

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 138 day of June, 1965.

Judge of Probate Baldwin County,

STATE OF ALABAMA,)	IN THE PROBATE COURT OF
Petitioner,)	BALDWIN COUNTY, ALABAMA
VS.)	CASE NUMBER
INTERNATIONAL PAPER COMPANY, a cor- poration, Tract Number 5, Parcels)	
One (1) through Four (4), both in- clusive.		
Respondents)	

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 $\frac{2646}{6}$ 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 Frobate 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

Duly appointed Special Assistant Attorney General for the State of

Alabama.

State of Alabama respectfully demands trial by jury.

To INTERNATIONAL PAPER COMPANY, a corporation, Tract Number 5, Parcels One (1) through Four (4), both inclusive, 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 day of June, 1965.

> Maldwin County, Probate.

STATE OF ALABAMA,)	IN	TILL	PROBATE	COURT	OF'
Petitioner,)	34	LIWI	COUNTY,	, Alab	AMA.
vs.		7)	CASI	T NUNBER_	· · ·	WWW.
DENNIS THOMPSON AND EDNA MAE Tract Number four (4).		THOMPSON)	ļ.				
)	•				
Respondent		*	}				

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 10 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. PLOWERS.

Attorney General State of Alagama

Duly appointed Special Agaistant 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 1382 day of June, 1965.

> Baldwin County, Probate/.

STATE OF ALABAMA,)	IN THE PROBATE C	OURT OF
Petitioner,)	BALDWIN COUNTY,	ALABAMA
VS.)	CASE NUMBER	BOOK
W. D. HASTIE and FLORENCE LOUISE HASTIE, Federal Land Bank of New Orleans, a corporation, and Tract Number 1, Parcels One (1) through Three (3), both inclusive,))	6660	040 Mg
Respondents	·)		Š

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 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

Duly appointed Special Assistant

Attorney General for the State of

Alabama.

State of Alabama respectfully demands trial by jury.

To W. D. HASTIE and FLORENCE LOUISE HASTIE, Federal Land Bank of New Orleans, a corporation, and Tract Number 1, Parcels One (1) through Three (3), both inclusive, 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 23 day of June, 1965.

Judge of Probate, Baldwin County,

/ Alabama

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and BANDOLPH MCGOWAR then in a proceeding in this Court soyled State of Alabert vs. W. D. HASTID and FloreNCE Lovies HASTID, FEDERAL LAN ALABERT OF NEW ORIENDS, et al and Seldwin Crunty a political addition of the State of Alabert, in which the State of Alabara cought to convert octain lands in this lowers a certain might of way or easement over certain lands in this lowers for the purposes of a public highway or coud as stated in the application for the repulsation of the right of way or exception over the lands therein so our condensating the right of way or exception over the lands therein so our except and and applicated them to view said property occupie to be conferred, that evidence and and applicable are excitled to recover for the taking of the same for said public uses and purposes.

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	STATE OF ALABAMA,) :	IN	THE	PROB	ATE (COURT	OF	ί(
	Petitioner,) I	BAL	IIWO	COU	NTY,	ALABA	MA	S
	vs.)							1
	W. D. HASTIE and FLORENCE LOUISE HASTIE, FEDERAL LAND BANK OF NEW ORLEANS, a corporation, and Tract Number 1, Parcels One (1) through Three (3), both inclusive; DENNIS THOMPSON and EDNA MAE THOMPSON, Tract Number Four (4); INTERNATIONAL PAPER COMPANY, a corporation, Tract Number Five (5), Parcels One (1) through Four (4), both inclusive; SARA B. CROMARTIE, Tract Number Eight (8); and BALDWIN COUNTY, a Political Subdivision of the State of Alabama,)	C	ASE	NUMB:	ΞR		OF MA	Section Control Programme
	Respondents.)							
	TO ANY SHERIFF OF THE STATE OF ALABAM								
	YOU ARE HEREBY COMMANDED	to s	erv	e tl	ne fo	llowi	ing no	tice	2
1	upon FEDERAL LAND BANK OF NEW ORLEANS	, a (cor	pora	tion	•	0		
	You will take notice that	on t	the	2	6th a	ay of	:Ub	ril	,
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t	the State of Alabama, a copy of which	peti	Lti	on i	s at	tache	d her	eto.	
	setting forth its desire to condemn fo								
	tated, certain lands belongint to FED								S
a	description of said lands being spec	ific	all	ly s	et fo	orth	in sai	iđ	
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	May 1965, at 9:3	30 A	m _o	rclo	ck.	to_he	ar ca	i A	
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STATE OF ALABAMA,) IN THE PROBATE COURT OF
Petitioner,) BALDWIN COUNTY, ALABAMA
vs.) 180
W. D. HASTIE and FLORENCE LOUISE HASTIE, FEDERAL LAND BANK OF NEW ORLEANS, a corporation, and Tract Number 1, Parcels One (1) through Three (3), both inclusive; DENNIS THOMPSON and EDNA MAE THOMPSON, Tract Number Four (4); INTERNATION PAPER COMPANY, a corporation, Track Number Five (5), Parcels One (1) through Four (4), both inclusive; SARA B. CROMARTIE, Tract Number Ei (8); and BALDWIN COUNTY, a Politic Subdivision of the State of Alabam	ght)
Respondents)
· ·	DED to serve the following notice
upon W. D. HASTIE and FLORENCE LOU	ISE HASTIE.
li de la companya de	that on the 26 th day of Upril.
1965, an application or petition w	as filed in this court by the
State of Alabama, a copy of which	petition is attached hereto,
setting forth its desire to condem	n for certain purposes therein
stated, certain lands belonging to	W. D. HASTIE and FLORENCE LOUISE
HASTIE, a description of said land	s being specifically set forth in
said application or petition filed	in this court and said applica-
tion or petition prays that this C	ourt will make and enter an order
appointing a day for hearing of sa	id 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 13th day of
May , 1965 , at	9:30 A.M. o'clock, to hear said
application or petition, at which	
the same if you so desire to do. WITNESS my hand this	29th day of April
19 65.	
on 3 day of april 1965	Harry D'Olive rry D'Olive/ Judge of Probate
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STATE OF ALABAMA,)	IN THE PROBATE COURT OF	
Petitioner,)	BALDWIN COUNTY, ALABAMA	
VS.)		
W. D. HASTIE and FLORENCE LOUISE HASTIE, FEDERAL LAND BANK OF NEW ORLEANS, a corporation, and Tract Number 1, Parcels One (1) through Three (3), both inclusive; DENNIS THOMPSON and EDNA MAE THOMPSON, Tract Number Four (4); INTERNATION PAPER COMPANY, a corporation, Tract Number Five (5), Parcels One (1) through Four (4), both inclusive; SARA B. CROMARTIE, Tract Number Eig (8); and BALDWIN COUNTY, a Political Subdivision of the State of Alabama	t) ght)		BOOK (IV) PART ATTA
Respondents.)		
TO ANY SHERIFF OF THE STATE OF ALAI	·		
		serve the following notic	:e
upon INTERNATIONAL PAPER COMPANY, a		n the 26th day of Spring	e.
19 <u>65</u> , an application or petition	on was	s filed in this Court by t	:he
State of Alabama, a copy of which p	petit	ion is attached hereto,	
setting forth its desire to condemn	n for	certain purposes therein	

19 65, 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 INTERNATIONAL PAPER COMPANY, a corporation, 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 day of May, 1965, at 9:36 mmo clock, to hear said application or petition, at which time you may appear and contest the

witness My hand this 29th day of April, 1965

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Harry D'Olive Judge of Probate

By service on Buford White

By Lalberto. S.

STATE OF ALABAMA,) IN THE PROBATE COURT OF Petitioner. BALDWIN COUNTY, ALABAMA W. D. HASTIE and FLORENCE LOUISE HASTIE, FEDERAL LAND BANK OF NEW ORLEANS, a corporation, and Tract Number 1, Parcels One (1) through Three (3), both inclusive; DENNIS THOMPSON and EDNA MAE THOMPSON, Tract Number Four (4); INTERNATIONAL) PAPER COMPANY, a corporation, Tract Number Five (5), Parcels One (1) through Four (4), both inclusive; SARA B. CROMARTIE, Tract Number Eight) (8); and BALDWIN COUNTY, a Political Subdivision of the State of Alabama,) Respondents. TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS: YOU ARE HEREBY COMMANDED TO serve the following notice upon DENNIS THOMPSON and EDNA MAE THOMPSON. You will take notice that on the 26th day of 19 65, 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 DENNIS THOMPSON and EDNA MAE THOMPSON, 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 13th day , 1965, at $9'30_{AM}$ 0'clock, 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 29^{th} Sheriff claims Ten Cents per mile Total 🗫

DEPUTY SHERIFF

	STATE OF ALABAMA,)	IN THE PROBATE COURT OF	
	Petitioner,)	BALDWIN COUNTY, ALABAMA	
	vs.)		
	W. D. HASTIE and FLORENCE LOUISE HASTIE, FEDERAL LAND BANK OF NEW ORLEANS, a corporation, and Tract Number 1, Parcels One (1) through Three (3), both inclusive; DENNIS THOMPSON and EDNA MAE THOMPSON, Tract Number Four (4); INTERNATIONAL PAPER COMPANY, a corporation, Tract Number Five (5), Parcels One (1) through Four (4), both inclusive; SARA B. CROMARTIE, Tract Number Eight (8); and BALDWIN COUNTY, a Political Subdivision of the State of Alabama, Respondents.)	CASE NUMBER	
	TO ANY CUEDTEE OF MUE CHAME OF ALADAN	of 20.	ODERTINGO -	
	TO ANY SHERIFF OF THE STATE OF ALABAN			
	upon SARA B. CROMARTIE.	LO	serve the following notice	
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	19 <u>65</u> , an application or petition		/	
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	that this Court will make and enter a			
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	that the Court has appointed the $\frac{13}{2}$	The state of the s	day of May , 1965	1
	at <u>9:30 Am</u> o ¹ clock, to hear said appl	.ica	ation or petition, at which	
	time you may appear and contest the s			
	WITNESS my hand this 29)(day of april, 1965	- _•
Receive and on ! served on	30 day of april 1965	A D	Jary D'Olive Olive, Judge of Probate	
By servi	re on			
	TAYLOR WILKINS, Sheriff Byll Aslbert D. S.		91910)	

Petitioner,

VS.

VS.

IN THE CIRCUIT COURT OF

W. D. HASTIE and FLORENCE LOUISE X
HASTIE, FEDERAL LAND BANK OF NEW

ORLEANS, a corporation, and TRACT X
NUMBER ONE (1), Parcels One (1)
through Three (3), both inclusive, X

Respondent.

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 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, J. W. Clark 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 damages and compensation to which the landowner is entitled in this case as follows:

J. W. Clark 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 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 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 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 landowners in this case, W. D. Hastie and Florence Louise Hastie, and Federal Land Bank of New Orleans, a corporation, are entitled is hereby fixed at the sum of \$17,500.00, 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 cost of this proceeding.

DATED this the 13th day of September, 1965.

Jeffer J. Madleberg Circuit Judge

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RESPONDENT: W. D. Hastie and
Florence Louise Hastie
and
Federal Land Bank of
New Orleans, a corporation

FINAL JUDGMENT

FROM THE LAW OFFICES OF
RICHARD C. LACEY

ATTORNEY AT LAW
FAIRHOPE, ALABAMA

STATE OF ALABAMA. Ĭ IN THE CIRCUIT COURT OF Petitioner, Ĭ BALDWIN COUNTY, ALABAMA AT LAW Ĭ NO. 6660 vs. X EDNA MAE THOMPSON AND TRACT NUMBER FOUR. Ĭ Respondents. Ĭ

STIPULATION

It is hereby stipulated and agreed by and between the State of Alabama, Petitioner, and Edna Mae Thompson, Respondent, acting by and through their respective attorneys of record, as follows:

- 1. That the Petitioner is authorized to institute and prosecute this proceeding to acquire the property or interest in lands owned by the Respondent and situated in Baldwin County, Alabama, for the uses and purposes more particularly set forth in the application or petition heretofore filed by the Petitioner in the Probate Court of Baldwin County, Alabama on April 26, 1965.
- 2. That all proceedings heretofore had in the Probate Court of Baldwin County, Alabama with respect to this condemnation proceeding were regular, and an appeal has been duly and properly perfected within the time allowed by law from the order of condemnation of the Probate Court of Baldwin County, Alabama entered on the 26th day of May, 1965, and the trial by jury of the issues presented by this appeal has been properly demanded.
- 3. That the only issue in this proceeding is the amount of damages and compensation to which the Respondent is entitled for the taking of the lands and interest in lands sought to be acquired by the Petitioner for the uses and purposes stated in the application hereinabove referred to.
- 4. That the time of the taking of the property and interest in property in this proceeding is the date on which the application for order of condemnation was filed in the Probate

Court, and the valuation of said property or interest in property remained constant between that date and the date on which the order of condemnation was entered in the Probate Court of Baldwin County, Alabama.

5. That this proceeding was originally instituted in the Probate Court of Baldwin County, Alabama.

CHASON, STONE & CHASON

STATE OF ALABAMA,

Petitioner,

٧s.

EDNA MAE THOMPSON AND TRACT NUMBER FOUR,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

NO. 6660 AT LAW

STIPULATION

Filed: 9-13-65, Defairy, massibern Judge

Compensation to which the defendates a entitled to be the sum of \$ 175000

We, the Juny Jund the Compensation & domoges to which the dependant is entitled, to be the sum of \$ 15,000,00 Whill Matull