

BALDWIN COUNTY, ALABAMA

VS

W. T. SHIVER

1 CIRCUIT COURT, BALDWIN COUNTY,
ALABAMA ON APPEAL FROM PROBATE
1 COURT OF BALDWIN COUNTY, ALABAMA.

1 Number 3274

3270

Comes Baldwin County, Alabama acting through and by W. C. Beebe, its attorney of record, and W. J. Shiver, defendant in said proceeding, whose name appears in such proceedings as W. T. Shiver, but who was served with notice of the pendency of the said proceeding, and who appealed the said cause to this Circuit Court acting through and by Telfair J. Mashburn, Jr., his attorney of record in the said cause, and agree and consent:

First: That the correct name of the defendant in the said proceeding W. J. Shiver, be inserted wherever necessary and proper in all of the papers in the said proceeding in lieu of W. T. Shiver, wherever the same appears.

Second: That the said cause proceed to trial and judgment with W. J. Shiver as the owner of the lands described in the said petition as Tract 2.

Third: That trial by jury is waived, that judgment be entered by the Court, without the intervention of a jury, condemning the lands described in the petition as Tract 2 to Baldwin County, for and as a public road right of way, and that the damage for taking such lands be assessed and fixed at \$125.00.

Witness this the 8 day of March, 1958.

Beebe & Swearingen

By

W. C. Beebe
For Baldwin County, Alabama

Telfair J. Mashburn, Jr.
For W. J. Shiver

Copy
BALDWIN COUNTY, ALABAMA

VS

WM. T. HALVERSON and
W. T. SHIVERS

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA.

NOTICE OF APPEAL AND DEMAND FOR JURY TRIAL

Comes W. T. Shivers one of the defendants in the above entitled cause, and prays for and takes an appeal to the Circuit Court of Baldwin County, Alabama, from the Order of Condemnation entered in said cause on the 26th day of April, 1957, insofar as said order of condemnation relates to the lands described as Parcel #2 in Paragraph "FIRST" of the application filed in said cause on March 19, 1957, being the same lands described in Parcel #2 of said Order of Condemnation of April 26, 1957. And said W. T. Shivers demands a trial by jury in this cause on said appeal.

W. T. Shivers does herewith file in the Court of Probate of Baldwin County, Alabama, the Court rendering such Order of Condemnation, this his written notice of appeal.

This the 25th day of May, 1957.

John T. Masbury, Jr.
ATTORNEY FOR APPELLANT.

STATE OF ALABAMA,

COUNTY OF BALDWIN.

TO: BALDWIN COUNTY, ALABAMA.

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 25th day of May, 1957.

Witness my hand this the 25th day of May, 1957.

W. R. Stuart
JUDGE OF PROBATE.

STATE OF ALABAMA,

COUNTY OF BALDWIN.

TO ANY SHERIFF OF THE STATE OF ALABAMA--GREETING:

You are hereby commanded to serve the foregoing notice of appeal upon Baldwin County, Alabama, and make due return to this Court of said Service.

This the 25th day of May, 1957.

W. R. Stuart
STATE OF ALABAMA, BALDWIN COUNTY PROBATE
JUDGE

BALDWIN COUNTY, ALABAMA,		IN THE PROBATE COURT OF
PETITIONER		
VS		
WM. T. HALVERSON and W. T. SHIVERS,		BALDWIN COUNTY, ALABAMA.
DEFENDANTS.		MARCH 19, 1957.

In the matter of the application to condemn land for right of way for road construction:

This day came Baldwin County by R. J. Robertson, its agent and Chairman of the County Commission of Baldwin County, Alabama, duly elected, qualified and entitled thereto and filed its application to have condemned for public road purposes those lands belonging to Wm. T. Halverson and W. T. Shivers, to-wit:

Parcel #1: A strip of land 80 feet wide, 40 feet on each side of a line as designated as

And as shown by the right-of-way map of Project No. 14, as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, to-wit:

Beginning at the SW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, run 480 feet east along the south boundary line of said section to center line of survey at station 564/9.0, the point of beginning at the south property line, thence 351.3 feet in a northwesterly direction along a 4°-00' curve concave northeasterly and having a radius of 1432.69 feet, thence 2403.7 feet N.20°-00'W. along the center line of survey to station 592/45.0, the point of ending at the north property line.

Said right-of-way being 40 feet in width on each side of said center line, lying in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of Baldwin County and containing 5.059 acres more or less, including the present roadway.

Parcel #2: A strip of land 80 feet wide, 40 feet on each side of a line as designated as

And as shown by the right-of-way map of Project No. 14, as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, to-wit:

Beginning at the SE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, run 280.0 feet west along the $\frac{1}{2}$ section line of said section to center line of survey at station 592/45.0, the point of beginning at the south property line, thence 1055.0 feet N.20°-00'W. along the center line of survey to station 603/00.0, the point of ending at the North property line.

Said Right-of-way being 40 feet in width on each side of said center line, lying in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of Baldwin County and containing 1.937 acres more or less, including the present roadway.

And in said petition Baldwin County alleges that it is neces-

sary and proper and to the interest of the County of Baldwin, that the county have and own the said lands for the purpose of a right of way for a road and the petitioner desires to have said lands condemned for and as a road for the use of the said County as a right of way for a public road; and praying that this Honorable Court will make an order appointing a day for the hearing of this petition; that due and legal notice of the same be given to Wm. T. Halverson, the owner of above described Parcel #1, and to W. T. Shivers, the owner of above described #2, and that such other, further and general orders and decrees be made in the premises as may be necessary and proper for the acquirement by the petitioner of the property herein described for the purposes herein stated.

IT IS THEREFORE ORDERED by the Court that the 8th day of April, 1957, be and the same is appointed for hearing said application, and it is further ordered that notice be given to said owners of said lands in the manner and for the time required by law.

W. R. Stewart
Judge

BALDWIN COUNTY, ALABAMA,	1	IN THE PROBATE COURT OF
PETITIONER,	1	
VS	1	
WM. T. HALVERSON and W. T. SHIVERS,	1	BALDWIN COUNTY, ALABAMA
DEFENDANTS.	1	
	1	April 8, 1957

In the matter of the Petition to condemn certain lands for right-of-way for public road.

This being the day appointed by the Court for hearing the application heretofore filed in this Court praying that this Court condemn certain land described in said application for the purpose set forth therein, now comes said applicant, by its attorney and the said Wm. T. Halverson and W. T. Shivers, having had due and legal notice as required by law and failing to contest said petition, the Court proceeds to hear said application, together with all legal evidence touching the same; and it appearing to the Court that more than ten days' notice has been given to the defendants in this case, as required by law, and that the allegations of said petition are true, and that the said Wm. T. Halverson and W. T. Shivers are the owners of said land and that it is necessary that the said land be condemned for the purposes mentioned in said application, and it further appearing to the Court that no objections to said petition have been filed in this proceeding, it is ordered, adjudged and decreed by the Court that said petition be and the same is hereby granted. And it appearing to the Court that R. E. Cooley, T. C. Hand and J. A. Mothershed are three citizens of the County possessing the qualifications of jurors, and who are disinterested, and that the said above named citizens are proper and competent persons to act as Commissioners to view the land described in said application, and after hearing all evidence offered to assess the damages and compensation to which the said Wm. T. Halverson and W. T. Shivers are entitled, they are hereby appointed Commissioners for the purposes aforesaid. And the said Commissioners will report their doings to this Court.

W. R. Stuart
Judge of Probate.

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BALDWIN COUNTY, ALABAMA,

VS

WM. T. HALVERSON and W. T.
SHIVERS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

TO THE SHERIFF OF BALDWIN COUNTY, ALABAMA:

You are hereby commanded to notify R.E. Cooley,
T.C. HAND and J.A. Mothershed that, by
order of the Probate Court of Baldwin County, Alabama, made and enter-
ed on the 8th day of April, 1957, they were appointed
Commissioners to ascertain and report to this court, in writing,
within twenty days from this date the amount of damages and compen-
sation which Wm. T. Halverson and W. T. Shivers are entitled to on
the application of Baldwin County, Alabama, for an order of condemna-
tion of the following described land situated in Baldwin County,
Alabama, to-wit:

Parcel #1 owned by Wm. T. Halverson and described as follows:

A strip of land 80 feet wide, 40 feet on each side of
a line as designated as

And as shown by the right-of-way map of Project No. 14,
as recorded in the Office of the Judge of Probate of
Baldwin County, Alabama, to-wit:

Beginning at the SW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of
Section 12, Tn-1-S, Rn-4-E, run 480 feet east along the
south boundary line of said section to center line of
survey at station 564/9.0, the point of beginning at
the south property line, thence 351.3 feet in a north-
westerly direction along a 4°-00' curve concave north-
easterly and having a radius of 1432.69 feet, thence
2403.7 feet N.20°-00'W. along the center line of survey
to station 592/45.0, the point of ending at the North
property line.

Said right-of-way being 40 feet in width on each side
of said center line, lying in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and
the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of
Baldwin County and containing 5.059 acres more or
less, including the present roadway.

Parcel #2 owned by W. T. Shivers and described as follows:

A strip of land 80 feet wide, 40 feet on each side of
a line as designated as

And as shown by the right-of-way map of Project No. 14,
as recorded in the Office of the Judge of Probate of
Baldwin County, Alabama, to-wit:

Beginning at the SE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of
Section 12, Tn-1-S, Rn-4-E, run 280.0 feet west along
the $\frac{1}{2}$ section line of said section to center line of
survey at station 592/45.0, the point of beginning at

the South property line, thence 1055.0 feet N.20°-00'W. along the center line of survey to station 603/00.0, the point of ending at the North property line.

Said right-of-way being 40 feet in width on each side of said center line, lying in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of Baldwin County and containing 1.937 acres more or less, including the present roadway;

Now these are therefore the Commissioners, the said _____

R.E. Cooley, T.C. HAND and
J.A. Mothershed, so that they may enter upon the discharge of their duties as such commissioners as soon as they shall be directed as prescribed by the statute in such cases made and provided.

You will execute this notice within five days from the date hereof and make due return of the action thereon.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Court on this the 8th day of April, 1957.

W. R. Stuart
Judge of Probate, Baldwin County, Ala.

STATE OF ALABAMA
BALDWIN COUNTY

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA.

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

Your petitioner, the County of Baldwin, in the State of Alabama, by R. J. Robertson, its agent, as Chairman of the County Commission, duly elected qualified and authorized hereto, respectfully shows unto your Honor as follows:

FIRST: That under the laws of the State of Alabama, your petitioner, Baldwin County, Alabama, is charged with the duty of providing rights of way for roads constructed within said County; that the said Baldwin County, acting through and by the State Highway Department, has surveyed and adopted and proposes to construct a public road over and across the lands hereinafter described and the County Commission has by resolution, duly adopted, judicially determined that it is necessary and proper and to the best interest of the County that the lands hereinafter described be acquired as a right of way for a public road and has by said resolution authorized and directed the institution of this proceeding, a copy of which resolution is hereto attached as exhibit "A" and made a part of this petition; and the State Highway Department, acting through and by P. B. Day, its duly authorized representative, has approved such right of way and the acquisition thereof for a public road right of way, by letter incorporated in the resolution of the County Commission hereto attached as said exhibit "A" and made a part of this petition as aforesaid; and the said lands are needed and desired by the County for public purposes, namely, as a right of way for a public road; that it is necessary and proper and to the best interest of said county, that the County acquire for a right of way for public road purposes the following described lands, to-wit:

Parcel #1: A strip of land 80 feet wide, 40 feet on each side of a line as designated as

And as shown by the right-of-way map of Project No. 14, as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, to-wit:

Beginning at the SW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of

Section 12, Tn-1-S, Rn-4-E, run 480 feet east along the south boundary line of said section to center line of survey at station 564/9.0, the point of beginning at the south property line, thence 351.3 feet in a northwesterly direction along a 4°-00' curve concave northeasterly and having a radius of 1432.69 feet, thence 2403.7 feet N.20°-00'W. along the center line of survey to station 592/45.0, the point of ending at the north property line.

Said right-of-way being 40 feet in width on each side of said center line, lying in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of Baldwin County and containing 5.059 acres more or less, including the present roadway.

Parcel #2: A strip of land 80 feet wide, 40 feet on each side of a line as designated as

And as shown by the right-of-way map of Project No. 14, as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, to-wit:

Beginning at the SE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, run 280.0 feet west along the $\frac{1}{2}$ section line of said section to center line of survey at station 592/45.0, the point of beginning at the south property line, thence 1055.0 feet N.20°-00'W. along the center line of survey to station 603/00.0, the point of ending at the North property line.

Said right-of-way being 40 feet in width on each side of said center line, lying in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of Baldwin County and containing 1.937 acres more or less, including the present roadway.

SECOND: That Wm. T. Halverson, who is over the age of twenty-one years, and whose post office address and place of residence is 127 North Dearborn, Chicago, Ill., is the owner of and is in the peaceable possession and control of Parcel #1 described above; that W. T. Shivers, who is over the age of twenty-one years, and whose post office address and place of residence is 55 Kenwere Loop, Apt. 2, MacDill Air Force Base 8, Florida, is the owner of and is in the peaceable possession and control of Parcel #2 described above;

THIRD: That the said Baldwin County further alleges, and the State Highway Department approves, that it is necessary and proper and to the interest of the County of Baldwin that this County have and own the said lands for the purpose of a right of way for a road and this petitioner desires to have said lands condemned for and as a road for the said county as a right of way for a public road.

PREMISES considered, your petitioner prays this Honorable Court will make an order appointing a day for the hearing of this petition;

that due and legal notice of the same be given to the said Wm. T. Halverson and W. T. Shivers, and that such other, further and general orders and decrees be made in the premises as may be necessary and proper for the acquirement by the petitioner of the property herein described for the purposes herein stated.

BALDWIN COUNTY, ALABAMA.

BY

[Signature]
Its Agent, as chairman of the
County Commission of Baldwin
County, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me G Mac Humphries,
a Notary Public in and for said State and County, R. J. Robertson, who
being by me first duly sworn upon oath, says that he is the agent
for the County of Baldwin, State of Alabama, and Chairman of the
County Commission of Baldwin County, Alabama, duly elected, qualified
and authorized; that he has carefully read and understands the facts
alleged in the foregoing petition and knows that the facts alleged
therein are true, to the best of his information, knowledge and belief.

[Signature]

Sworn to and subscribed before me this the 22 day of Feb,
1957.

[Signature]
Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA, BALDWIN COUNTY

Filed March 19, 1957 M

Recorded _____ book _____ page _____

W. R. StuartJudge of Probate *[Signature]*

EXHIBIT "A"

WHEREAS, The Phillippsville Road, Project No. 14 has been surveyed and approved by the State Highway Department for construction and surfacing, all of which appears by letter of the State Highway Department, by P. B. Day, Resident Engineer, dated the 21st day of February, 1957, in words and figures as follows:

February 21, 1957

County Commission of Baldwin County
Bay Minette, Alabama

Gentlemen:

The Phillippsville Road, Project No. 14, has been surveyed and approved by the State Highway Department for construction and surfacing. The following described lands are needed and desired as a right-of-way for such road, to-wit:

Parcel #1: A strip of land 80 feet wide, 40 feet on each side of a line as designated as

And as shown by the right-of-way map of Project No. 14, as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, to-wit:

Beginning at the SW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, run 480 feet east along the south boundary line of said section to center line of survey at station 564/9.0, the point of beginning at the south property line, thence 351.3 feet in a northwesterly direction along a 4°-00' curve concave northeasterly and having a radius of 1432.69 feet, thence 2403.7 feet N.20°-00'W. along the center line of survey to station 592/45.0, the point of ending at the north property line.

Said right-of-way being 40 feet in width on each side of said center line, lying in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of Baldwin County and containing 5.059 acres more or less, including the present roadway.

Parcel #2: A strip of land 80 feet wide, 40 feet on each side of a line as designated as

And as shown by the right-of-way map of Project No. 14, as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, to-wit:

Beginning at the SE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, run 280.0 feet west along the $\frac{1}{2}$ section line of said section to center line of survey at station 592/45.0, the point of beginning at the south property line, thence 1055.0 feet N.20°-00'W. along the center line of survey to station

603/00.0, the point of ending at the North property line.

Said Right-of-way being 40 feet in width on each side of said center line, lying in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of Baldwin County and containing 1.937 acres more or less, including the present roadway.

Parcel #1 of said lands is owned by Wm. T. Halverson, whose Post Office address and place of residence is 127 North Dearborn, Chicago, Ill. Parcel #2 is owned by W. T. Shivers, whose Post Office address and place of residence is 55 Kenwere Loop, Apt. 2, MacDill Air Force Base 8, Florida.

Request is hereby made that you proceed to acquire the two parcels by purchase or condemnation.

Yours truly,

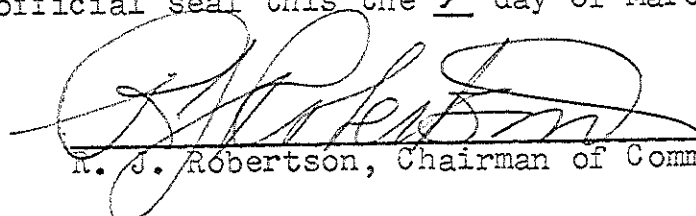
P. B. Day,
Resident Engineer

And it appearing that the lands described in the said letter are needed by the County for public road right-of-way, and the State Highway Department has approved and requested this Commission to acquire the same for such purposes.

THEREFORE, BE IT RESOLVED that it be and is hereby judicially ascertained and determined that it is necessary and proper and to the best interest of the County that the fee simple title to said lands be acquired and owned by the County for and as a public road right-of-way and that R. J. Robertson, as chairman of the County Commission be, and he is hereby authorized and directed to institute eminent domain proceedings to acquire fee simple title in and to the lands above described for and as a right-of-way for a public road.

I, R. J. Robertson, Chairman of the County Commission and as such the custodian of the records of the said County Commission, do hereby certify that the foregoing is a true and correct and literal copy of a resolution duly adopted by the County Commission at its meeting February 21, 1957, as the same appears in the minutes of the said meeting.

Witness my hand and official seal this the 5 day of March, 1957.


R. J. Robertson, Chairman of Commission

BALDWIN COUNTY, ALABAMA

IN THE PROBATE COURT OF

VS

WM. T. HALVERSON and
W. T. SHIVERS.

BALDWIN COUNTY, ALABAMA

This cause coming on to be heard and it appearing to the court that the commissioners heretofore appointed on the 8th day of April, 1957, in this cause to assess the damages and compensation which Wm. T. Halverson and W. T. Shivers should receive for the condemnation of the lands described in said petition as owned by them, or in which they have an interest, and the commissioners having reported to this court their assessment of the compensation and damages which they should receive as follows: to Wm. T. Halverson, the sum of \$ 70⁰⁰, as the owner of Parcel #1 described as follows, to-wit:

A strip of land 80 feet wide, 40 feet on each side of a line as designated as

And as shown by the right-of-way map of Project No. 14, as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, to-wit:

Beginning at the SW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, run 480 feet east along the south boundary line of said section to center line of survey at station 564⁺9.0, the point of beginning at the south property line, thence 351.3 feet in a north-westerly direction along a 4°-00' curve concave north-easterly and having a radius of 1432.69 feet, thence 2403.7 feet N.20°-00'W. along the center line of survey to station 592⁺45.0, the point of ending at the north property line.

Said right-of-way being 40 feet in width on each side of said center line, lying in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of Baldwin County and containing 5.059 acres more or less, including the present roadway;

to W. T. Shivers, the sum of \$ 30⁰⁰, as the owner of

Parcel #2 described as follows, to-wit:

A strip of land 80 feet wide, 40 feet on each side of a line as designated as

And as shown by the right-of-way map of Project No. 14, as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, to-wit:

Beginning at the SE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, run 280.0 feet west along

the $\frac{1}{2}$ section line of said section to center line of survey at station 592/45.0, the point of beginning at the south property line, thence 1055.0 feet N.20°-00'W. along the center line of survey to station 603/00.0, the point of ending at the North property line.

Said Right-of-way being 40 feet in width on each side of said center line, lying in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of Baldwin County and containing 1.937 acres more or less, including the present roadway;

And it appearing that Baldwin County, Alabama, the petitioner in this cause has paid into this court the sum of \$100⁰⁰, the sum total of the awards made by the said commissioners in their report of the assessment of compensation and damages to which the said defendants are entitled for the condemnation of the said lands for the purposes stated in said petition, the said report of the said commissioners ought to be approved and confirmed;

It is therefore ordered, adjudged and decreed by the court that the report of said commissioners be recorded and that the same is hereby approved and confirmed and the lands above described be and the same are hereby condemned for the use of Baldwin County as a public road way as prayed for in its petition filed in this court on the 19th day of MARCH, 1957, by virtue of which Baldwin County, Alabama, and its successors may construct and perpetually maintain a public roadway over the said lands and each parcel thereof as hereinabove described without further liability to the said named owners thereof.

Done this 26th day of April, 1957.

W. R. Stuart
Judge of Probate

BALDWIN COUNTY, ALABAMA

IN THE PROBATE COURT OF

VS

WM. T. HALVERSON and W. T.
SHIVERS.

BALDWIN COUNTY, ALABAMA

TO THE HONORABLE W. R. STUART, JUDGE OF PROBATE OF BALDWIN
COUNTY, ALABAMA:The undersigned, R. E. COOLEY, T. C. HAND,
and J. R. MOTHERSHEAD, who were heretofore

appointed by said court as Commissioners to assess the damages and compensation to which Wm. T. Halverson and W. T. Shivers are entitled to on the application of Baldwin County, Alabama, for an order of condemnation of the following described land situated in Baldwin County, Alabama, to-wit:

Parcel #1 owned by Wm. T. Halverson and described as follows:

A strip of land 80 feet wide, 40 feet on each side of a line as designated as

And as shown by the right-of-way map of Project No. 14, as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, to-wit:

Beginning at the SW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, run 480 feet east along the south boundary line of said section to center line of survey at station 564 $\frac{1}{2}$ 9.0, the point of beginning at the south property line, thence 351.3 feet in a north-westerly direction along a 4°-00' curve concave north-easterly and having a radius of 1432.69 feet, thence 2403.7 feet N.20°-00'W. along the center line of survey to station 592 $\frac{1}{2}$ 45.0, the point of ending at the north property line.

Said right-of-way being 40 feet in width on each side of said center line, lying in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of Baldwin County and containing 5.059 acres more or less, including the present roadway.

Parcel #2 owned by W. T. Shivers and described as follows:

A strip of land 80 feet wide, 40 feet on each side of a line as designated as

And as shown by the right-of-way map of Project No. 14, as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, to-wit:

Beginning at the SE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, run 280.0 feet west along the $\frac{1}{2}$ section line of said section to center line of survey at station 592 $\frac{1}{2}$ 45.0, the point of beginning at

the south property line, thence 1055.0 feet N.20°-00'W. along the center line of survey to station 603/00.0, the point of ending at the North property line.

Said right-of-way being 40 feet in width on each side of said center line, lying in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Tn-1-S, Rn-4-E, of Baldwin County and containing 1.937 acres more or less, including the present roadway;

respectfully report that pursuant to said commission we viewed said land after having been duly sworn as jurors are sworn, and thereafter we proceeded to assess the damages and compensation to which the said Wm. T. Halverson and W. T. Shivers are entitled by reason of taking the land above described as belonging to them, and they, each of them separately assessed the damages and compensation to be as follows: to Wm. T. Halverson, we do hereby assess the damages and compensation at the sum of \$ 70⁰⁰; to W. T. Shivers, we do hereby assess the damages and compensation at the sum of \$ 30⁰⁰.

We further certify that neither of us have been consulted, advised or approached by any person in reference to the sale of land or the proceedings to condemn the same, prior to the assessment of damages, and that we knew nothing of the same prior to our appointment.

IN WITNESS WHEREOF, we have hereunto set our hands this the

24 day of April, 1957.

R. E. Cooley
T. J. Laid
J. G. Matthews

Sworn to and subscribed before me on this the ___ day of

April 24th, 1957.

W. R. Stuart
 W. R. Stuart, Judge of Probate
 Baldwin County, Alabama.

STATE OF ALABAMA, BALDWIN COUNTY
 Filed April 24, 1957 M
 Recorded W. R. Stuart book page
 Judge of Probate W. R. Stuart

STATE OF ALABAMA

BALDWIN COUNTY

We and each of us do solemnly swear that none of us have been consulted, advised with, or approached by any person in reference to the value of the lands, or the proceedings to condemn the same prior to the assessment of damages, and that we knew nothing of the same prior to our appointment, and that we possess the qualifications of jurors.

R. E. Cooley
D. S. Ladd
J. A. Matthews

Sworn to and subscribed before me on this the 24 day of

April, 1957.

W. R. Stewart

NOTICE
STATE OF ALABAMA,
BALDWIN COUNTY.

In The Probate Court Of
Baldwin County, Alabama
TO: Wm. T. Halverson, 127 North
Dearborn, Chicago, Ill. W. T.
Shivers, 55 Kenwere Loop,
Apt. 2, MacDill Air Force Base
8, Florida.

You will take notice that on
the 19th day of March, 1957, pe-
tition was filed in this Court by
Baldwin County, Alabama, by R.
J. Robertson, its agent and as
Chairman of the County Commis-
sion of Baldwin County, Alabama,

THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

E. R. MORRISSETTE, JR.
EDITOR-MANAGER

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA.
BALDWIN COUNTY.

E. R. Morrisette, Jr. being duly sworn, deposes and says
that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published
at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

County vs. Halverson.

COST STATEMENT

697 WORDS @ 5 cents \$ 34⁰⁰
I hereby certify this is correct, due and unpaid (paid).

E. R. Morrisette, Jr.
Editor.

was published in said newspaper for 3 consecutive weeks in the following issues:

Date of 1st publication March 21, 1957 Vol. 68 No. 10

Date of 2nd publication March 28, 1957 Vol. 68 No. 11

Date of 3rd publication April 4, 1957 Vol. 68 No. 12

Date of 4th publication _____, 195____ Vol. _____ No. _____

Subscribed and sworn before the undersigned this 4 day of April, 1957.

Dorothy Martin
Notary Public, Baldwin County.

E. R. Morrisette, Jr.
Editor.

setting forth that it desires to
have condemned for a right of
way for a public road, certain
lands which are specifically set
forth and described in said pe-
ti-

extra BIG and
extra TALL Men

We're Specialists in
Outfitting

not carry forward orders to inte-
state VA hospitals. It was part-
cularly pointed out by Congress-
man Grant that in the State of
Alabama where separate hospi-
als are maintained that there was
no friction but rather a spirit of
good will among all veterans. It
was also pointed out that the Ne-
gro veterans in the past have re-
ceived equal treatment and that
this practice will continue.
FIRE ANTS: The readers of this
column may be thinking that too
much attention is being paid to the
live ant. You may be surprised to
learn though that I am receiving
a good deal of mail regarding this
past week's column concerning
the trip by several Congressmen
during the past week to Mont-
gomery and the Black Belt Ex-
periment Station at Marion Junc-