

LEGAL NOTICE BY PUBLICATION

ALABAMA POWER COMPANY,	)	IN THE COURT OF PROBATE OF
	)	
Applicant,	)	BALDWIN COUNTY, ALABAMA
	)	
v.	)	
	)	
WILLIAM B. LOTT, ET AL.,	)	
	)	
Defendants.	)	

TO: William D. Lott and Virginia McW. Lott, c/o Masonic Temple Building, New Orleans, Louisiana; Elisabeth L. Unger, LaHabra, California; Grady Harrison and Stella Harrison, 2303 West Pottery Road, Pensacola, Florida; B. L. McDaniel and Mary E. McDaniel, 205 Jean Street, Waggaman, Louisiana; and Florence C. Sea Keith, 584 Meteor Street, Jacksonville, Florida.

You are hereby notified that Alabama Power Company, a corporation, has filed its written application in this Court, seeking to condemn and to acquire the lands, rights and interests therein described for the rights, ways and rights of way upon which to erect towers, poles, wire lines and other appliances necessary and convenient in connection therewith for the manufacture, supply and sale to the public of electric power on, across, over and adjacent to strips of land according to the final location survey of the said ways and rights of way heretofore made by the applicant, the said strips of land and the lands of which the same are a part being situated in Baldwin County, Alabama, and described as follows:

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PAR. 5

A strip of land 60 feet in width which lies within a portion of Nicholas Cook Grant of Fractional Section 4, Township 8 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 & 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3 a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3477 feet, more or less, to a point on the northwestern shore of Weeks Bay, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs north 43 degrees 47 minutes west a distance of 458.8 feet to a point, such point being called Point "A" for reference hereinafter; thence such center line turns an angle to the left of 08 degrees 26 minutes and runs north 52 degrees 13 minutes west a distance of 246.8 feet to a point, such point being called Point "B" for reference hereinafter; thence such center line turns an angle to the left of 08 degrees 53 minutes and runs north 61 degrees 06 minutes west a distance of 241.5 feet to a point, such point being called Point "C" for reference hereinafter; thence such center line turns an angle to the left of 07 degrees 08 minutes and runs north 68 degrees 14 minutes west a distance of 253.3 to a point, such point being called Point "D" for reference hereinafter; thence such center line turns an angle to the left of 10 degrees 44 minutes and runs north 78 degrees 58 minutes west a distance of 247.6 feet to a point, such point being the point of ending of the right of way sought to be condemned. The applicant also seeks the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northeasterly direction from such ways and rights of way at Point "A" indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northeasterly direction from such ways and rights of way at Point "B" indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northerly direction from such ways and rights of way at Point "C" indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northerly direction from such ways and rights of way at Point "D" indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said Agnes L. Peck and husband, Joe M. Peck, Wade D. Lott, a single man, William B. Lott and wife, Virginia McW. Lott and Elisabeth L. Unger, a divorced woman, are the owners of the lands described above.

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PAR. 6 The rights to be acquired in this parcel consist of the right to cut such timber and other growth along and adjacent to the north right of way line of a paved road leading to Bon Secour Bay, such road being located in Fractional Section 4, Township 8 south, Range 2 east, Baldwin County, Alabama, as may injure or endanger by falling or otherwise the towers, poles, wire lines and other appliances that are to be hereafter constructed or placed on the following described right of way: To reach the point of beginning of said right of way, commence at the northeast corner of Lot #3 of D. W. Weeks Division of Lots 5 and 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of said Lot #3 a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3935.8 feet to a point; thence turn an angle to the left of 08 degrees 26 minutes and run north 52 degrees 13 minutes west a distance of 246.8 feet to a point; thence turn an angle to the left of 08 degrees 53 minutes and run north 61 degrees 06 minutes west a distance of 241.5 feet to a point; thence turn an angle to the left of 07 degrees 08 minutes and run north 68 degrees 14 minutes west a distance of 253.3 feet to a point; thence turn an angle to the left of 10 degrees 44 minutes and run north 78 degrees 58 minutes west a distance of 247.6 feet to a point, such point being the point of beginning of the right of way herein described; therefrom, the strip of right of way lies 25 feet on each side of a center line and the continuations thereof which begins at such point of beginning and turns an angle to the right of 01 degree 56 minutes and runs north 77 degrees 02 minutes west a distance of 872.4 feet to a point; thence such center line turns an angle to the left of 05 degrees 06 minutes and runs north 82 degrees 08 minutes west a distance of 244.4 feet to a point; thence such center line turns an angle to the left of 04 degrees 08 minutes and runs north 86 degrees 16 minutes west a distance of 713.3 feet to a point, such point being the point of ending of said right of way.

The said Agnes L. Peck and husband, Joe M. Peck, Wade D. Lott, a single man, William B. Lott and wife, Virginia McW. Lott and Elisabeth L. Unger, a divorced woman, are the owners of the lands described above.

PAR. 7 A strip of land 50 feet in width which lies within a portion of Nicholas Cook Grant or Fractional Section 4, Township 8 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 and 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3, a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3935.8 feet to a point; thence turn an angle to the left of 08 degrees 26 minutes and run north 52 degrees 13 minutes west a distance of 246.8 feet to a point; thence turn an angle to the left of 08 degrees 53 minutes and run north 61 degrees 06 minutes west a distance of 241.5 feet to a point; thence turn an angle to the left of 07 degrees 08 minutes and run north 68 degrees 14 minutes west a distance of 253.3 feet to a point; thence turn an angle to the left of 10 degrees 44 minutes and run north 78 degrees 58 minutes west a distance of 247.6 feet to a point; thence turn an angle to the right of 01 degree 56 minutes and run north 77 degrees 02 minutes west a distance of 872.4 feet to a point; thence turn an angle to the left of 05 degrees 06 minutes and run north 82 degrees 08 minutes west a distance of 244.4 feet to a point; thence turn an angle to the left of 04 degrees 08 minutes and run north 86 degrees 16 minutes west a distance of 713.3 feet to a point, such point being called Point A for reference hereinafter, such point also being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 25 feet on each side of a center line and the continuations thereof which begins at such point of beginning and turns an angle to the right of 19 degrees 48 minutes and runs north 66 degrees 28 minutes west a distance of 202.9 feet to a point on the northwest boundary line of the property of the condemnees named in this paragraph, such point being called Point B for reference hereinafter, such point also being the point of ending of the right of way sought to be condemned. The applicant also seeks the right and authority to place a stub pole and such guy wires and anchors for a distance not to exceed 110 feet outside of and in a southeasterly direction from such ways and rights of way at Point A indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northerly direction from such ways and rights of way at Point B indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said Agnes L. Peck and husband, Joe M. Peck, Wade D. Lott, a single man, William B. Lott and wife, Virginia McW. Lott and Elisabeth L. Unger, a divorced woman, are the owners of the lands described above.

PAR. 8

A strip of land 25 feet in width which lies with Lots 19 & 20 of Mary Ann Beach Subdivision as recorded in Map Book 3, Page 80 in the Office of the Probate Judge of Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 & 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3, a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3935.8 feet to a point; thence turn an angle to the left of 08 degrees 26 minutes and run north 52 degrees 13 minutes west a distance of 246.8 feet to a point; thence turn an angle to the left of 08 degrees 53 minutes and run north 61 degrees 06 minutes west a distance of 241.5 feet to a point; thence turn an angle to the left of 07 degrees 08 minutes and run north 68 degrees 14 minutes west a distance of 253.3 feet to a point; thence turn an angle to the left of 10 degrees 44 minutes and run north 78 degrees 58 minutes west a distance of 247.6 feet to a point; thence turn an angle to the right of 01 degrees 56 minutes and run north 77 degrees 02 minutes west a distance of 872.4 feet to a point; thence turn an angle to the left of 05 degrees 06 minutes and run north 82 degrees 08 minutes west a distance of 244.4 feet to a point; thence turn an angle to the left of 04 degrees 08 minutes and run north 86 degrees 16 minutes west a distance of 713.3 feet to a point; thence turn an angle to the right of 19 degrees 48 minutes and run north 66 degrees 28 minutes west a distance of 202.9 feet to a point; thence turn an angle to the left of 26 degrees 07 minutes and run south 87 degrees 25 minutes west a distance of 526.9 feet to a point; thence turn an angle to the right of 11 degrees 09 minutes and run north 81 degrees 26 minutes west a distance of 373 feet, more or less, to a point on the northeast boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 25 feet south of and contiguous to a survey line and the continuations thereof which begins at such point of beginning and runs north 81 degrees 26 minutes west a distance of 100 feet, more or less, to a point on the southwest boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of the right of way sought to be condemned.

The said Grady Harrison and wife, Stella Harrison, are the owners of the lands described above.

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PAR. 12

A strip of land 60 feet in width which lies within the northwest quarter of the southwest quarter ( $NW\frac{1}{4}$  of  $SW\frac{1}{4}$ ) of Section 23, Township 7 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northwest corner of the northwest quarter of the southwest quarter of Section 23, Township 7 south, Range 2 east; thence run south along the west boundary line of said quarter-quarter section a distance of 488.2 feet to a point; thence turn an angle to the left of 73 degrees 04 minutes and run south 72 degrees 53 minutes east a distance of 16.6 feet to a point; thence turn an angle to the right of 72 degrees 50 minutes and run south 00 degrees 03 minutes east a distance of 163 feet, more or less, to a point on the north boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs south 00 degrees 03 minutes east a distance of 219 feet, more or less, to a point on the south boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of the right of way sought to be condemned.

The said B. L. McDaniel and wife, Mary E. McDaniel, Eddie Keith and wife, Florence C. Sea Keith, are the owners of the lands described above.

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And you are further notified that the hearing of said application has been set by this Court for the 26th day of April , 1966, at 10:00 o'clock, A . M., and notice of said application and of the day so appointed for the hearing thereof is hereby given you.

Witness my hand, this the 29th day of March , 1966.



Judge of the Court of Probate  
of Baldwin County, Alabama

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IN THE COURT OF PROBATE OF

BALDWIN COUNTY, ALABAMA

ALABAMA POWER COMPANY,

Applicant,

v.

WILLIAM B. LOTT, ET AL.,

Defendants.

LEGAL NOTICE BY PUBLICATION



Ala. Power Co. vs. Wm B. Latt et al -

JURY LIST - SEPTEMBER 12, 1966

1. McCants, Joe, Brookley Field, Fairhope
2. Nelson, William J., Produce Man, Fairhope
3. Northcutt, Murril, Farmer, Rosinton
4. Pilgrim, H.E., Farmer, Elberta
5. Jones, Allen, Retired, Daphne
6. Kichler, Steve, Poultry Dealer, Elberta
7. Kinsey, Daniel, Insurance, Foley
8. Klein, Raymond, Farmer, Fairhope
9. Kostelecky, Jerry, Farmer, Silverhill
10. Krieger, Andrew J., Jr., Farmer, Lillian
11. Pittman, Hubert, Public Works, Robertsdale
12. Ray, Harry, Farmer, Robertsdale
13. Resmondo, Noah, Farmer, Summerdale
14. Robinson, John B., Mfg., Foley
15. Roley, Charlie N., Farmer, Perdido
16. Schaff, George, Farmer, Elberta
17. Sibley, Robert, Civil Service, Stapleton
18. Singleton, Homer C., Salesman, Foley
19. Sopr, Joseph, Farmer, Silverhill
20. Stapleton, Albert L., Clerk, Bay Minette
21. Teamer, Richard, Banker, Fairhope
22. Thieme, W.H., Foreman, Foley
23. James, Willie Lewis, Mill Worker, Stockton
24. Wallace, Jimmy R., Feed Mill, Robertsdale
25. Wrenn, Walter P., Fleet, Bay Minette
26. Weeks, Stanley, Farmer, Magnolia Springs
27. Hare, William E., Farmer, Gateswood
28. Head, Hannis, Civil Service, Stapleton
29. Gottler, John P., Postmaster, Elberta
30. Conway, Chas., Brookley Field, Bay Minette
31. Bodenhamer, O.L., Contractor, Foley
32. Boone, Clayton Woodward, Farmer, Little River
33. Sanca, James A., Farmer, Robertsdale
34. Gilhart, Leo, Farmer, Fairhope
35. Gurisco, Anthony, Farmer, Daphne
36. Hairston, Robert R., Salesman, Elberta
37. Dickenson, Sidney, Farmer, Summerdale
38. Duck, Robert S., Nursery Mgr., Loxley
39. Faircloth, Grady, Merchant, Magnolia Springs
40. Gates, Carl B., Farmer, Robertsdale
41. Lipscomb, Ira, Farmer, Magnolia Springs
42. Lowery, Forest W., Farmer, Robertsdale

Pits XXXXX XXXXX XXXX

Deft XXXXX XXXXX XXXX

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21  
12  
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ALABAMA POWER COMPANY,

Applicant,

v.

WILLIAM B. LOTT, ET AL.,

Defendants.

IN THE COURT OF PROBATE OF

BALDWIN COUNTY, ALABAMA

NOTICE TO COMMISSIONERS

TO: John Beasley, Fairhope, Alabama; Charles J. Ebert, Jr.,  
Foley, Alabama; and George Kaiser, Foley, Alabama

KNOW YE, that having full faith and confidence in your integrity and competency, you have been by and order and decree of the Court of Probate of Baldwin County, Alabama, appointed and constituted commissioners in the cause hereinabove set forth, with all the power, authority and duties vested in or which may devolve on you as such commissioners under and by virtue of the provisions of Title 19, Chapter I of the Code of Alabama of 1940, as amended.

You will be sworn as jurors are sworn and you, or a majority of you, shall assess the damages and compensation to which the owners of the lands hereinafter described and set forth are entitled on account of any injury that may result to them by reason of Alabama Power Company's condemning the rights hereinafter described in Paragraph 6 of this notice, and the rights, interests, ways and rights of way on, across, over and adjacent to the strips of land hereinafter described in Paragraphs 1, 2, 3, 5, 7, 8, 9, 10, 11 and 12 for the purpose of constructing, erecting and maintaining thereon towers, poles and wire lines and other appliances, including the acquisition of and the right to clear and remove all timber and other growth on said ways and rights of way, as well as the acquisition of and the right to clear and remove such timber outside of said ways and rights of way as may injure or endanger said towers, poles and wire lines and other appliances by falling or otherwise, and including the further right and authority to place guy wires and anchors outside of said ways and rights of way as hereinafter described in Paragraphs 1, 5, 7, 9 and 10 of this notice.

The said rights, interests, ways and rights of way are on, across, over and adjacent to the lands described hereinafter, according to the final location survey of said interests, rights, ways and rights of way heretofore made by the applicant, the said lands and the lands of which the same are a part being situated in Baldwin County, Alabama, and described as follows:

PAR. 1 Only so much of a strip of land 60 feet in width as lies within the north half of northeast quarter of northeast quarter ( $N\frac{1}{2}$  of  $NE\frac{1}{4}$  of  $NE\frac{1}{4}$ ) of Section 9, Township 8 south, Range 3 east, Baldwin County, Alabama, said 60-foot-wide strip of land being more particularly described as follows: To reach a point of beginning, commence at the southeast corner of Section 4, Township 8 south, Range 3 east; thence run north along the east boundary line of such Section 4 a distance of 39.2 feet to a point near the east boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of said 60-foot-wide strip of land and that portion thereof which is herein sought to be condemned; therefrom, said 60-foot wide strip of land lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and turns an angle to the left of 90 degrees 00 minutes and thence runs north 89 degrees 57 minutes west a distance of 29.9 feet to a point; thence such center line turns an angle to the left of 90 degrees 00 minutes and runs south 00 degrees 03 minutes west a distance of 21.39 feet to a point; thence such center line turns an angle to the right of 89 degrees 59 minutes and runs north 89 degrees 58 minutes west a distance of 131.8 feet, to a point, such point being called Point A for reference hereinafter; thence such center line continues to run north 89 degrees 58 minutes west a distance of 1118.5 feet to a point near the west boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of said 60-foot-wide strip of land and that portion thereof which is herein sought to be condemned. The applicant also seeks the the right and authority to place a stub pole and such guy wires and anchors for a distance not to exceed 50 feet outside of and in a southerly direction from such ways and rights of way at Point A indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said

Theo Styron and wife, Marie Styron, and Federal Land Bank of New Orleans (Mortgagee) are the owners of the lands described above.

PAR. 2 A strip of land 60 feet in width which lies within the south half of southwest quarter of southeast quarter ( $S\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $SE\frac{1}{4}$ ) the south half of southeast quarter of southwest quarter ( $S\frac{1}{2}$  of  $SE\frac{1}{4}$  of  $SW\frac{1}{4}$ ) of Section 4, and the north half of northwest quarter of northeast quarter ( $N\frac{1}{2}$  of  $NW\frac{1}{4}$  of  $NE\frac{1}{4}$ ) the north half of northeast quarter of northwest quarter ( $N\frac{1}{2}$  of  $NE\frac{1}{4}$  of  $NW\frac{1}{4}$ ) of Section 9, all in Township 8 south, Range 3 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the southeast corner of Alex Bowden Grant of Fractional Section 30, Township 8 south, Range 3 east; thence run in a southwesterly direction along the southeast boundary line of such Fractional Section 30 a distance of 1429.2 feet to a point; thence turn an angle to the left of 147 degrees 28 minutes and run south 89 degrees 49 minutes east a distance of 1227.4 feet to a point; thence turn an angle to the left of 00 degrees 20 minutes and run north 89 degrees 51 minutes east a distance of 1148 feet, more or less, to a point on the west boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs north 89 degrees 51 minutes east a distance of 1337.5 feet to a point; thence such center line turns an angle to the right of 00 degrees 11 minutes and runs south 89 degrees 58 minutes east a distance of 241 feet to a point,

such point being

the point of ending of the right of way sought to be condemned.

The said Theo Styron and wife, Marie Styron, and Federal Land Bank of New Orleans (Mortgagee) are the owners of the lands described above.

PAR. 3 A strip of land 60 feet in width which lies within Lot 2 of D. W. Weeks Division of Lots 5 & 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 & 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3 a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 136 feet, more or less, to a point on the south boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs north 43 degrees 47 minutes west a distance of 150 feet, more or less, to a point on the north boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of the right of way sought to be condemned.

The said Susan T. Cobb and husband, Stewart Cobb, are the owners of the lands described above.

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PAR. 5

A strip of land 60 feet in width which lies within a portion of Nicholas Cook Grant of Fractional Section 4, Township 8 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 & 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3 a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3477 feet, more or less, to a point on the northwestern shore of Weeks Bay, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs north 43 degrees 47 minutes west a distance of 458.8 feet to a point, such point being called Point "A" for reference hereinafter; thence such center line turns an angle to the left of 08 degrees 26 minutes and runs north 52 degrees 13 minutes west a distance of 246.8 feet to a point, such point being called Point "B" for reference hereinafter; thence such center line turns an angle to the left of 08 degrees 53 minutes and runs north 61 degrees 06 minutes west a distance of 241.5 feet to a point, such point being called Point "C" for reference hereinafter; thence such center line turns an angle to the left of 07 degrees 08 minutes and runs north 68 degrees 14 minutes west a distance of 253.3 to a point, such point being called Point "D" for reference hereinafter; thence such center line turns an angle to the left of 10 degrees 44 minutes and runs north 78 degrees 58 minutes west a distance of 247.6 feet to a point, such point being the point of ending of the right of way sought to be condemned. The applicant also seeks the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northeasterly direction from such ways and rights of way at Point "A" indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northeasterly direction from such ways and rights of way at Point "B" indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northerly direction from such ways and rights of way at Point "C" indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northerly direction from such ways and rights of way at Point "D" indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said Agnes L. Peck and husband, Joe M. Peck, Wade D. Lott, a single man, William B. Lott and wife, Virginia McW. Lott and Elisabeth L. Unger, a divorced woman, are the owners of the lands described above.

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PAR. 6 The rights to be acquired in this parcel consist of the right to cut such timber and other growth along and adjacent to the north right of way line of a paved road leading to Bon Secour Bay, such road being located in Fractional Section 4, Township 8 south, Range 2 east, Baldwin County, Alabama, as may injure or endanger by falling or otherwise the towers, poles, wire lines and other appliances that are to be hereafter constructed or placed on the following described right of way: To reach the point of beginning of said right of way, commence at the northeast corner of Lot #3 of D. W. Weeks Division of Lots 5 and 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of said Lot #3 a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3935.8 feet to a point; thence turn an angle to the left of 06 degrees 26 minutes and run north 52 degrees 13 minutes west a distance of 246.8 feet to a point; thence turn an angle to the left of 08 degrees 53 minutes and run north 61 degrees 06 minutes west a distance of 241.5 feet to a point; thence turn an angle to the left of 07 degrees 08 minutes and run north 68 degrees 14 minutes west a distance of 253.3 feet to a point; thence turn an angle to the left of 10 degrees 44 minutes and run north 78 degrees 58 minutes west a distance of 247.6 feet to a point, such point being the point of beginning of the right of way herein described; therefrom, the strip of right of way lies 25 feet on each side of a center line and the continuations thereof which begins at such point of beginning and turns an angle to the right of 01 degree 56 minutes and runs north 77 degrees 02 minutes west a distance of 872.4 feet to a point; thence such center line turns an angle to the left of 05 degrees 06 minutes and runs north 82 degrees 08 minutes west a distance of 244.4 feet to a point; thence such center line turns an angle to the left of 04 degrees 08 minutes and runs north 86 degrees 16 minutes west a distance of 713.3 feet to a point, such point being the point of ending of said right of way.

The said Agnes L. Peck and husband, Joe M. Peck, Wade D. Lott, a single man, William B. Lott and wife, Virginia McW. Lott and Elisabeth L. Unger, a divorced woman, are the owners of the lands described above.

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PAR. 7 A strip of land 50 feet in width which lies within a portion of Nicholas Cook Grant or Fractional Section 4, Township 8 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 and 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3, a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3935.8 feet to a point; thence turn an angle to the left of 08 degrees 26 minutes and run north 52 degrees 13 minutes west a distance of 246.8 feet to a point; thence turn an angle to the left of 08 degrees 53 minutes and run north 61 degrees 06 minutes west a distance of 241.5 feet to a point; thence turn an angle to the left of 07 degrees 08 minutes and run north 68 degrees 14 minutes west a distance of 253.3 feet to a point; thence turn an angle to the left of 10 degrees 44 minutes and run north 78 degrees 58 minutes west a distance of 247.6 feet to a point; thence turn an angle to the right of 01 degree 56 minutes and run north 77 degrees 02 minutes west a distance of 872.4 feet to a point; thence turn an angle to the left of 05 degrees 06 minutes and run north 82 degrees 08 minutes west a distance of 244.4 feet to a point; thence turn an angle to the left of 04 degrees 08 minutes and run north 86 degrees 16 minutes west a distance of 713.3 feet to a point, such point being called Point A for reference hereinafter, such point also being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 25 feet on each side of a center line and the continuations thereof which begins at such point of beginning and turns an angle to the right of 19 degrees 48 minutes and runs north 66 degrees 28 minutes west a distance of 202.9 feet to a point on the northwest boundary line of the property of the condemnees named in this paragraph, such point being called Point B for reference hereinafter, such point also being the point of ending of the right of way sought to be condemned. The applicant also seeks the right and authority to place a stub pole and such guy wires and anchors for a distance not to exceed 110 feet outside of and in a southeasterly direction from such ways and rights of way at Point A indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northerly direction from such ways and rights of way at Point B indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said Agnes L. Peck and husband, Joe M. Peck, Wade D. Lott, a single man, William B. Lott and wife, Virginia McW. Lott and Elisabeth L. Unger, a divorced woman, are the owners of the lands described above.



PAR. 8

A strip of land 25 feet in width which lies with Lots 19 & 20 of Mary Ann Beach Subdivision as recorded in Map Book 3, Page 80 in the Office of the Probate Judge of Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 & 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3, a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3935.8 feet to a point; thence turn an angle to the left of 08 degrees 26 minutes and run north 52 degrees 13 minutes west a distance of 246.8 feet to a point; thence turn an angle to the left of 08 degrees 53 minutes and run north 61 degrees 06 minutes west a distance of 241.5 feet to a point; thence turn an angle to the left of 07 degrees 08 minutes and run north 68 degrees 14 minutes west a distance of 253.3 feet to a point; thence turn an angle to the left of 10 degrees 44 minutes and run north 78 degrees 58 minutes west a distance of 247.6 feet to a point; thence turn an angle to the right of 01 degrees 56 minutes and run north 77 degrees 02 minutes west a distance of 872.4 feet to a point; thence turn an angle to the left of 05 degrees 06 minutes and run north 82 degrees 08 minutes west a distance of 244.4 feet to a point; thence turn an angle to the left of 04 degrees 08 minutes and run north 86 degrees 16 minutes west a distance of 713.3 feet to a point; thence turn an angle to the right of 19 degrees 48 minutes and run north 66 degrees 28 minutes west a distance of 202.9 feet to a point; thence turn an angle to the left of 26 degrees 07 minutes and run south 87 degrees 25 minutes west a distance of 526.9 feet to a point; thence turn an angle to the right of 11 degrees 09 minutes and run north 81 degrees 26 minutes west a distance of 373 feet, more or less, to a point on the northeast boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 25 feet south of and contiguous to a survey line and the continuations thereof which begins at such point of beginning and runs north 81 degrees 26 minutes west a distance of 100 feet, more or less, to a point on the southwest boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of the right of way sought to be condemned.

The said Grady Harrison and wife, Stella Harrison, are the owners of the lands described above.

BOOK 043  
PAGE 335

PAR. 9 A strip of land 25 feet in width which lies within Lots 27, 28, 29, 30 and 31 of Mary Ann Beach Subdivision as recorded in Map Book 3, Page 80, in the Office of the Probate Judge of Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 and 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3, a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3935.8 feet to a point; thence turn an angle to the left of 08 degrees 26 minutes and run north 52 degrees 13 minutes west a distance of 246.8 feet to a point; thence turn an angle to the left of 08 degrees 53 minutes and run north 61 degrees 06 minutes west a distance of 241.5 feet to a point; thence turn an angle to the left of 07 degrees 08 minutes and run north 68 degrees 14 minutes west a distance of 253.3 feet to a point; thence turn an angle to the left of 10 degrees 44 minutes and run north 78 degrees 58 minutes west a distance of 247.6 feet to a point; thence turn an angle to the right of 01 degree 56 minutes and run north 77 degrees 02 minutes west a distance of 872.4 feet to a point; thence turn an angle to the left of 05 degrees 06 minutes and run north 82 degrees 08 minutes west a distance of 244.4 feet to a point; thence turn an angle to the left of 04 degrees 08 minutes and run north 86 degrees 16 minutes west a distance of 713.3 feet to a point; thence turn an angle to the right of 19 degrees 48 minutes and run north 66 degrees 28 minutes west a distance of 202.9 feet to a point; thence turn an angle to the left of 26 degrees 07 minutes and run south 87 degrees 25 minutes west a distance of 526.9 feet to a point; thence turn an angle to the right of 11 degrees 09 minutes and run north 81 degrees 26 minutes west a distance of 773 feet, more or less, to a point on the northeast boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 25 feet south of and contiguous to a survey line and the continuations thereof which begins at such point of beginning and runs north 81 degrees 26 minutes west a distance of 27.6 feet to a point, such point being called Point A for reference hereinafter; thence such survey line turns an angle to the right of 04 degrees 12 minutes and runs north 77 degrees 14 minutes west a distance of 259.8 feet to a point, such point being called Point B for reference hereinafter, such point also being the point of ending of the right of way sought to be condemned. The applicant also seeks the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a southerly direction from such ways and rights of way at Point A indicated above; also, the right and authority to place such guy wires and anchors for a distance not to exceed 30 feet outside of and in a westerly direction from such ways and rights of way at Point B indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said John Palughi and wife, Missouri Elizabeth Palughi, are the owners of the lands described above.

BOOK 043 PAGE 336

PAR. 10 A strip of land 60 feet in width which lies within Fractional Section 4, Township 8 south, Range 2 east, and Nicholas Cook Grant of Fractional Section 38, Township 7 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northwest corner of Fractional Section 34, Township 7 south, Range 2 east; thence run southeasterly along the south-west boundary line of Fractional Sections 34 and 35, a distance of 1021.0 feet to a point; thence turn an angle to the right of 74 degrees 26 minutes and run south 00 degrees 01 minutes east a distance of 423.6 feet to a point; thence turn an angle to the right of 00 degrees 30 minutes and run south 00 degrees 29 minutes west a distance of 998.1 feet to a point; thence turn an angle to the left of 00 degrees 26 minutes and run south 00 degrees 03 minutes west a distance of 1945.9 feet to a point; thence turn an angle to the left of 00 degrees 54 minutes and run south 00 degrees 51 minutes east a distance of 444.7 feet to a point; thence turn an angle to the right of 01 degree 15 minutes and run south 00 degrees 24 minutes west a distance of 749.7 feet to a point; thence turn an angle to the left of 00 degrees 13 minutes and run south 00 degrees 11 minutes west a distance of 372 feet, more or less, to a point on the northwest boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs south 00 degrees 11 minutes west a distance of 1450.0 feet to a point; such point being called Point A for reference hereinafter; thence such center line turns an angle to the right of 01 degree 08 minutes and runs south 01 degrees 19 minutes west a distance of 199.2 feet to a point; thence such center line turns an angle to the right of 05 degrees 06 minutes and runs south 06 degrees 25 minutes west a distance of 78.5 feet to a point on the south boundary line of the property of the condemnees named in this paragraph, such point being called Point B for reference hereinafter; such point also being the point of ending of the right of way sought to be condemned. The applicant also seeks the right and authority to place a stub pole and such guy wires and anchors for a distance not to exceed 50 feet outside of and in an easterly direction from such ways and rights of way at Point A indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 30 feet outside of and in a westerly direction from such ways and rights of way at Point B indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said Crawford-Whiting, Inc. and Assets Realization Company, Inc. (Mortgagee) are the owners of the lands described above.

BOOK 048 PAGE 337

PAR. 11 A strip of land 60 feet in width which lies within the Nicholas Cook Grant of Fractional Section 38, Township 7 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northwest corner of Fractional Section 34, Township 7 south, Range 2 east; thence run southeasterly along the southwest boundary line of Fractional Sections 34 and 35 a distance of 1021.0 feet to a point; thence turn an angle to the right of 74 degrees 26 minutes and run south 00 degrees 01 minute east a distance of 423.6 feet to a point; thence turn an angle to the right of 00 degrees 30 minutes and run south 00 degrees 29 minutes west a distance of 998.1 feet to a point; thence turn an angle to the left of 00 degrees 26 minutes and run south 00 degrees 03 minutes west a distance of 252 feet, more or less, to a point on the north boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs south 00 degrees 03 minutes west a distance of 1693.9 feet to a point; thence such center line turns an angle to the left of 00 degrees 54 minutes and runs south 00 degrees 51 minutes east a distance of 370 feet, more or less, to a point on the south boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of the right of way sought to be condemned.

The said Crawford-Whiting, Inc. and Assets Realization Company, Inc. (Mortgagee) are the owners of the lands described above.

BOOK 043 PAGE 338

A dower interest in and to the following:

PAR. 12

A strip of land 60 feet in width which lies within the northwest quarter of the southwest quarter ( $N\frac{1}{4}$  of  $SW\frac{1}{4}$ ) of Section 23, Township 7 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northwest corner of the northwest quarter of the southwest quarter of Section 23, Township 7 south, Range 2 east; thence run south along the west boundary line of said quarter-quarter section a distance of 488.2 feet to a point; thence turn an angle to the left of 73 degrees 04 minutes and run south 72 degrees 53 minutes east a distance of 16.6 feet to a point; thence turn an angle to the right of 72 degrees 50 minutes and run south 00 degrees 03 minutes east a distance of 163 feet, more or less, to a point on the north boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs south 00 degrees 03 minutes east a distance of 219 feet, more or less, to a point on the south boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of the right of way sought to be condemned.

The said Florence C. Sea Keith is the owner of a dower interest in the lands described above.

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PAGE 339

You may view the lands to be subjected and you must receive all legal evidence offered by any party touching the amount of damages the owners of the lands will sustain, and the amount of compensation they are entitled to receive, but the amount of compensation to which the owners are entitled must not be reduced or diminished because of any incidental benefits which may accrue to them or to their remaining lands in consequence of the uses to which the lands to be taken will be appropriated. Any person interested in the proceeding may be present in person or by attorney at any of the proceedings or trials which you may have.

You must within twenty days from the date of your appointment, which was, to wit, the ~~20th~~ day of April, 1966, make a report in writing to the Court, stating the amount of damages and compensation ascertained and assessed by you for the owners of the lands or persons injured, and file a certificate along with your award that none of you has ever 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 you knew nothing of the same prior to your appointment.

This the 26th day of April, 1966.

Harry D'Oliver  
Judge of the Court of Probate  
of Baldwin County, Alabama

We the undersigned three persons, being the commissioners appointed by the foregoing order, hereby acknowledge that we have been served with a copy of the foregoing order, and hereby accept the foregoing appointment as commissioners.

This the \_\_\_\_\_ day of \_\_\_\_\_, 1966.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IN THE COURT OF PROBATE OF

BALDWIN COUNTY, ALABAMA

#1294

Served a copy of the within Notice  
on Johns - Beasley, Charles G.  
Blount, George Kaiser  
By service on The Above

TAYLOR WILKINS, Sheriff  
By Jm Eastburn D. S.  
Foley, Ch.

ALABAMA POWER COMPANY,

Applicant,

v.

WILLIAM B. LOTT, ET AL.,

Defendants.

Served a copy of the within Notice  
on John Dunsley  
By service on Same

TAYLOR WILKINS, Sheriff  
By Roy Randol D. S.

NOTICE TO COMMISSIONERS

413

274  
21.40  
TAYLOR WILKINS, Sheriff  
By Roy Randol

ALABAMA POWER COMPANY,

Applicant,

v.

WILLIAM B. LOTT, ET AL.,

Defendants.

IN THE COURT OF PROBATE OF

BALDWIN COUNTY, ALABAMA

BOOK

043 PAGE 285

In the Matter of the Application  
of Alabama Power Company to Con-  
demn Certain Lands in said County

ORDER SETTING DAY TO HEAR APPLICATION TO CONDEMN

On this day comes Alabama Power Company and files its application in writing duly verified by oath and accompanied by security for costs, seeking to condemn and acquire certain easements, rights and rights of way therein described and alleged to be owned by Theo Styron, Marie Styron, Susan T. Cobb, Stewart Cobb, A. W. Williams, Mildred Williams, Agnes L. Peck, Joe M. Peck, Wade D. Lott, John Palughi, Missouri Elizabeth Palughi, Eddie Keith, William B. Lott, Virginia McW. Lott, Elisabeth L. Unger, Grady Harrison, Stella Harrison, B. L. McDaniel, Mary E. McDaniel, Florence C. Sea Keith, Federal Land Bank of New Orleans, Crawford-Whiting, Inc. and Assets Realization Company, Inc.; and it appearing to the Court that said application complies with the statutes of the State of Alabama in such cases made and provided; and that the applicant is entitled to file such application in this Court.

It is now, therefore, CONSIDERED, ORDERED and ADJUDGED by the Court that this Court has and does take jurisdiction of said application and the 26 day of April , 1966 at ten o'clock, A. M., be and is appointed as the time for the hearing thereof;

And it is further ordered by the Court that notice of such application and of the day hereby appointed for the hearing thereof be given to the nonresident defendants, William B. Lott, Virginia McW. Lott, Elisabeth L. Unger, Grady Harrison, Stella Harrison, B. L. McDaniel, Mary E. McDaniel and Florence C. Sea Keith by advertisement in The Baldwin Times , a newspaper of general circulation published in Baldwin County, once a week for at least three consecutive weeks before the day so appointed for such hearing, and that notice of such application and of the day hereby appointed for the hearing thereof be issued to the remaining defendants and that service thereof be had in this state in the manner required by law at least ten days before the day so appointed for such hearing.

Done in open court, this 29th day of March , 1966.

*Harry D. Oliver*

Judge of the Court of Probate  
of Baldwin County, Alabama



IN THE COURT OF PROBATE OF

BALDWIN COUNTY, ALABAMA

ALABAMA POWER COMPANY,

Applicant,

v.

WILLIAM B. LOFT, ET AL.,

Defendants.

ORDER SETTING DAY TO HEAR  
APPLICATION TO CONDEMN

ALABAMA POWER COMPANY,  
  
Applicant,  
  
v.  
  
WILLIAM B. LOTT, ET AL.,  
  
Defendants.

IN THE COURT OF PROBATE OF  
  
BALDWIN COUNTY, ALABAMA

APPEARANCE AND WAIVER

The undersigned corporation, organized and existing under and by authority of an Act of Congress of the United States, dated July 17, 1916, and Acts Amendatory thereto, and a Federal Corporation authorized to do business in the State of Alabama, with its principal place of business at 860 St. Charles Street in New Orleans, Louisiana, does hereby acknowledge notice of the application by Alabama Power Company to be filed in the Probate Court of Baldwin County, Alabama, and styled Alabama Power Company v. William B. Lott, et al., seeking to condemn and acquire certain rights and interests in and to certain lands in Baldwin County, Alabama, as described in such application; and the undersigned corporation hereby waives all further notice of filing of such application and of the day of the hearing thereof as appointed by the Probate Court of Baldwin County, Alabama.

In Witness Whereof, we have hereunto set our hands and seals,  
this the 25 day of March, 1966.

THE FEDERAL LAND BANK OF NEW ORLEANS

WITNESSES:

Shirley M. Meyers

By Ralph H. Jenkins  
Vice President

Joseph B. Lussier

STATE OF ALABAMA, BALDWIN COUNTY

Filed April 6th 1966

STATE OF LOUISIANA

Recorded \_\_\_\_\_ book \_\_\_\_\_ page \_\_\_\_\_

PARISH OF ORLEANS

Harry W. O'Leary  
Judge of Probate

I, John H. Farrelly, a Notary Public in and for said Parish, in said State, hereby certify that Ralph H. Jenkins, whose name as Vice President of The Federal Land Bank of New Orleans, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

In Witness Whereof, I have hereunto set my hand and official seal, this the 25 day of March, 1966.

John H. Farrelly  
John H. Farrelly, Notary Public

IN THE COURT OF PROBATE OF

BALDWIN COUNTY, ALABAMA

ALABAMA POWER COMPANY,

Applicant,

v.

WILLIAM B. LOTT, ET AL.,

Defendants.

APPEARANCE AND WAIVER

ALABAMA POWER COMPANY,

Applicant,

v.

WILLIAM B. LOTT, ET AL.,

Defendants.

IN THE COURT OF PROBATE OF

BALDWIN COUNTY, ALABAMA

AMENDMENT NO. 1 TO APPLICATION

Comes Alabama Power Company, applicant in the above condemnation proceeding, and with leave of court first had and obtained, amends its application heretofore filed as follows:

1. By striking B. L. McDaniel, Mary E. McDaniel, Eddie Keith, A. W. Williams and Mildred Williams as parties defendant in this cause.
2. By striking all of Par. 4 of Article Fourth of said application.
3. By changing Par. 12 of Article Fourth of said application so as to cause the same to read as follows:

STATE OF ALABAMA, BALDWIN COUNTY  
Filed April 11th 1966  
Recorded \_\_\_\_\_ book \_\_\_\_\_ page \_\_\_\_\_  
Harry D. Wine  
Judge of Probate

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BOOK 043 PAGE 282

A dower interest in and to the following:

PAR. 12

A strip of land 60 feet in width which lies within the northwest quarter of the southwest quarter ( $N\frac{1}{4}$  of  $SW\frac{1}{4}$ ) of Section 23, Township 7 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northwest corner of the northwest quarter of the southwest quarter of Section 23, Township 7 south, Range 2 east; thence run south along the west boundary line of said quarter-quarter section a distance of 488.2 feet to a point; thence turn an angle to the left of 73 degrees 04 minutes and run south 72 degrees 53 minutes east a distance of 16.6 feet to a point; thence turn an angle to the right of 72 degrees 50 minutes and run south 00 degrees 03 minutes east a distance of 163 feet, more or less, to a point on the north boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs south 00 degrees 03 minutes east a distance of 219 feet, more or less, to a point on the south boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of the right of way sought to be condemned.

The said Florence C. Sea Keith is the owner of a dower interest in the lands described above.

BOOK 043 PAGE 283

Applicant further requests that the changes set out in this amendment to the application be incorporated where applicable in all orders, notices and reports entered in this cause.

ALABAMA POWER COMPANY

By Edward S. Allen  
Its Attorney

J. B. Blackburn

Martin, Balle, Bigham, Hardin & Wilkins  
Attorneys for Applicant,  
Alabama Power Company

STATE OF ALABAMA     )  
                              )  
JEFFERSON COUNTY    )

Before me, the undersigned authority, personally appeared Edward S. Allen, who, being by me first duly sworn, deposes and says that he is attorney for the applicant, Alabama Power Company, and has authority to make this affidavit and to institute and prosecute the foregoing amendment to the application for the condemnation of the lands, rights and interests therein described, and that the statements contained in the foregoing amendment are true and correct as therein alleged.

Edward S. Allen

Sworn to and subscribed before me,  
this 8<sup>th</sup> day of April, 1966.

A. Ken Foster, Jr.  
Notary Public  
Jefferson County, Alabama

BOOK 663 PAGE 284

IN THE COURT OF PROBATE OF

BALDWIN COUNTY, ALABAMA

ALABAMA POWER COMPANY,

Applicant,

v.

WILLIAM B. LOTT, ET AL.,

Defendants.

AMENDMENT NO. 1 TO APPLICATION

ALABAMA POWER COMPANY,  
Applicant,

v.

WILLIAM B. LOTT, ET AL.,  
Defendants.

IN THE COURT OF PROBATE OF  
BALDWIN COUNTY, ALABAMA

ORDER GRANTING APPLICATION AND APPOINTING COMMISSIONERS

This cause coming on to be heard upon the application of Alabama Power Company, a corporation, applicant in the above cause, to condemn certain lands or interests in lands for power line purposes;

And it appearing to the Court that applicant has, with leave of Court first had and obtained, heretofore amended its application in the following manner: By striking B. L. McDaniel, Mary E. McDaniel, Eddie Keith, A. W. Williams and Mildred Williams as parties defendant in this cause; by striking all of Par. 4 of Article Fourth of said application; and by changing Par. 12 of Article Fourth of said application so as to cause the same to read as shown in said amendment.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the said amendment be and the same is hereby allowed;

And it further appearing to the Court that all nonresident defendants who are the owners of, or the owners of an interest in, the lands described in Article Fourth of the application, as amended, have had notice of the filing of said application and of the day set for hearing thereof, as provided by law, and in strict accordance with the former order of this Court made and entered in this cause on to wit, the 29th day of March, 1966, by publication of legal notice of this proceeding for three consecutive weeks prior to March 29, 1966, in The Baldwin Times, a newspaper of general circulation, published in Baldwin County, Alabama;

And it further appearing to the Court that all the remaining defendants named in said application, as amended, have had notice of the filing of said application and of the day set for the hearing thereof, as provided by law and in strict accordance with the former order of this Court made and entered in this cause on, to wit, the 29th day of March, 1966;

Thereupon the Court proceeded to hear on the 26th day of April, 1966, the allegations of the said application, as amended, and all legal evidence offered by the parties touching the same, and upon consideration of the amended application the Court now determines that all of the allegations of the amended application have been established and proven by legal evidence as to every party named therein, and that the amended application should be granted.



It is, therefore, ORDERED, ADJUDGED and DECREED that the application, as amended, be and the same is hereby granted as to all parties named therein. And the Court now coming to appoint commissioners to assess the damages and compensation to which said defendants are entitled for the lands or interest in lands sought to be condemned by the applicant, and it appearing to the Court that John Bensley, Charles J. Ebert, Jr., Foley and George Kaiser, Foley, are citizens of Baldwin County, Alabama, the county in which the lands sought to be condemned are situated, and that each of such three named persons possesses the qualifications of jurors under the laws of the State of Alabama and is disinterested in the proceeding;

It is, therefore, ORDERED, ADJUDGED and DECREED that John Bensley, Charles J. Ebert, Jr. and George Kaiser, be and they are hereby appointed commissioners to assess the damages and compensation to which such defendants, as owners and parties holding or claiming some interest in the lands described in the application, as amended, are entitled.

It is further ordered that notice of the appointment of the commissioners be served upon each of such commissioners and that they report to this Court, in writing, the amount of damages and compensation so ascertained and assessed by them as being due said owners of, or the owners of an interest in, said lands within the time prescribed by law.

Done in open court, this the 26<sup>th</sup> day of April, 1966.

Harry D'Olive  
Judge of the Court of Probate  
of Baldwin County, Alabama

BOOK 043 PAGE 327

IN THE COURT OF PROBATE OF

BALDWIN COUNTY, ALABAMA

ALABAMA POWER COMPANY,

Applicant,

v.

WILLIAM B. LOTT, ET AL.,

Defendants.

ORDER GRANTING APPLICATION  
AND APPOINTING COMMISSIONERS

ALABAMA POWER COMPANY,  
Applicant,

v.

THEO STYRON, MARIE STYRON, SUSAN  
T. COBB, STEWART COBB, AGNES L.  
PECK, JOE M. PECK, WADE D. LOTT,  
JOHN PALUGHI, MISSOURI ELIZABETH  
PALUGHI, WILLIAM B. LOTT, VIR-  
GINIA McW. LOTT, ELISABETH L.  
UNGER, GRADY HARRISON, FLORENCE  
C. SEA KEITH, FEDERAL LAND BANK  
OF NEW ORLEANS, CRAWFORD-WHITING,  
INC. AND ASSETS REALIZATION COM-  
PANY, INC, and STELLA HARRISON,

Defendants.

IN THE COURT OF PROBATE OF  
BALDWIN COUNTY, ALABAMA

225  
75  
3/0

*8*  
*44*  
*Sept.*  
BOOK PAGE 355

FINAL ORDER OF CONDEMNATION

This cause coming on to be heard on this day for a decree confirming the report of the commissioners heretofore appointed in this cause, and for an order of condemnation in pursuance thereof as to the lands, easements, rights and interests described in the application, as amended, heretofore filed in this cause;

And it appearing to the Court that on, to-wit, the 26th day of April, 1966, this Court heard the allegations of said application, as amended, as to the parties and lands named and described in Article Fourth of said application and all legal evidence offered by the parties touching the same, and did thereafter make an order granting said application, as amended, for the condemnation of certain lands, easements, rights and interests therein described, and did also in and by said order and decree appoint *John Beasley*, *Charles J. Chert, Jr.* and *George Kaiser*, three citizens of said County of Baldwin, in which county the lands and rights sought to be condemned are situated, possessing the qualifications of jurors and who are disinterested, to assess the damages and compensation to which the owners of the lands described in Article Fourth of said application, as amended, are entitled;

And it further appearing to the Court that notice of the appointment of said three named persons as commissioners was issued by this Court to the Sheriff of this county as required by law, and by said Sheriff served on said three persons, as commissioners, within five days from the receipt thereof by him;

2-Final order of condemnation

And it further appearing to the Court that said commissioners, before entering upon the discharge of their duties in the premises, were sworn as jurors are sworn, and that they did thereafter receive all legal evidence offered by the parties touching the amount of damages the owners of, or the owners of an interest in, said lands will sustain and the amount of compensation they are entitled to receive;

And it further appearing to the Court that said commissioners did on, to-wit, the <sup>13<sup>th</sup></sup> day of May, 1966, make their report in writing to this court, stating the amount of damages and compensation ascertained and assessed by them for the owners of, or the owners of an interest in, the lands described in Article Fourth of said application, as amended, as follows:

To Theo Styron and Marie Styron and Federal Land Bank of New Orleans (Mortgagee) (the owners of the lands described in Par. 1 of Article Fourth) \$200.00.

To Theo Styron, Marie Styron and Federal Land Bank of New Orleans (Mortgagee) (the owners of the lands described in Par. 2 of Article Fourth) \$610.00.

To Susan T. Cobb and Stewart Cobb (the owners of the lands described in Par. 3 of Article Fourth) \$175.00.

To Agnes L. Peck, Joe M. Peck, Wade D. Lott, William B. Lott, Virginia McW. Lott and Elisabeth L. Unger (the owners of the lands described in Par. 5 of Article Fourth) \$1,500.00.

To Agnes L. Peck, Joe M. Peck, Wade D. Lott, William B. Lott, Virginia McW. Lott and Elisabeth L. Unger (the owners of the lands described in Par. 6 of Article Fourth) \$1,200.00.

To Agnes L. Peck, Joe M. Peck, Wade D. Lott, William B. Lott, Virginia McW. Lott and Elisabeth L. Unger (the owners of the lands described in Par. 7 of Article Fourth) \$750.00.

To Grady Harrison and Stella Harrison (the owners of the lands described in Par. 8 of Article Fourth) \$90.00.

To John Palughi and Missouri Elizabeth Palughi (the owners of the lands described in Par. 9 of Article Fourth) \$350.00.

To Crawford-Whiting, Inc. and Assets Realization Company, Inc. (Mortgagee) (the owners of the lands described in Par. 10 of Article Fourth) \$600.00.

To Crawford-Whiting, Inc. and Assets Realization Company, Inc. (Mortgagee) (the owners of the lands described in Par. 11 of Article Fourth) \$1,350.00.

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3-Final order of condemnation

To Florence C. Sea Keith (the owner of a dower interest in the lands described in Par. 12 of Article Fourth) \$25.00.

And it further appearing to the Court that said commissioners did also file a certificate along with their award that none of them had ever 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 they knew nothing of the same prior to their appointment;

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the said report of Commissioners be and the same is hereby ordered to be recorded, together with said application and all the orders and decrees made in this cause and the pleadings filed herein.

It is further ORDERED, ADJUDGED and DECREED by the Court that the applicant, Alabama Power Company, pay all costs incurred in this cause.

And it further appearing to the Court that the damages and compensation so ascertained and assessed by said commissioners for the said defendants, the owners of, or the owners of an interest in, the lands described in Article Fourth of said application, as amended, have been deposited in money in this Court by the applicant, Alabama Power Company, and that the said Alabama Power Company has paid into court all costs incurred in this cause;

And it further appearing to the satisfaction of the Court that all things necessary and required by Title 19, Chapter I, of the Code of Alabama of 1940, as amended, have been done and performed by the applicant;

It is further ORDERED, ADJUDGED and DECREED by the Court that the rights, interests, ways and rights of way sought to be condemned in said amended application be and the same are hereby condemned, granted and awarded to said applicant, Alabama Power Company, with the rights and for the uses and purposes set forth in said amended application and that all rights, title and interests prayed for in said amended application which are now condemned, granted and awarded to the applicant in and by this decree, be and the same are hereby divested out of said defendants, the owners of, or the owners of an interest in, the lands described in Pars. 1, 2, 3, 5, 6, 7, 8, 9, 10, 11 and 12 of Article Fourth of said amended application and vested in the applicant;

And it is further ORDERED, ADJUDGED and DECREED by the Court that the applicant be and it is hereby granted the right to construct, operate and maintain such towers, poles and wire lines and other appliances necessary or useful in connection therewith for such purposes on, across and over the lands described in Pars. 1, 2, 3, 5, 7, 8, 9, 10, 11, and 12 of Article Fourth of said amended application.

4-Final order of condemnation


It is further ORDERED, ADJUDGED and DECREED by the Court that applicant be and it is hereby granted all timber and other growth on said ways and rights of way hereby condemned, and the right to clear and remove said timber and other growth from said ways and rights of way.

It is further ORDERED, ADJUDGED and DECREED by the Court that applicant be and it is hereby granted all timber outside of said ways and rights of way hereby condemned and outside the ways and rights of way described in Par. 6 of Article Fourth of said amended application that may injure or endanger by falling or otherwise any towers, poles and wire lines and other appliances necessary or useful in connection therewith to be located on said ways or rights of way, and the right to clear and remove said timber.

It is further ORDERED, ADJUDGED and DECREED by the Court that applicant be and it is hereby granted the right and authority to erect and place guy wires and anchors outside of ways and rights of way as described in Pars. 1, 5, 7, 9 and 10 of Article Fourth of said amended application;

And it is further ORDERED, ADJUDGED and DECREED by the Court that applicant be and it is hereby granted all the relief, rights, interests, easements and privileges set out, described and prayed for in said application, as amended.

DONE in open court, this the 17<sup>th</sup> day of May, 1966.

  
\_\_\_\_\_  
Judge of the Court of Probate  
of Baldwin County, Alabama

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IN THE COURT OF PROBATE OF  
BALDWIN COUNTY, ALABAMA

ALABAMA POWER COMPANY,

Applicant

v.

WILLIAM B. LOFT, ET. AL.,

Defendants.

FINAL ORDER OF CONDEMNATION

ALABAMA POWER COMPANY,

Applicant,

v.

WILLIAM B. LOTT, ET AL.,

Defendants.

IN THE COURT OF PROBATE OF

BALDWIN COUNTY, ALABAMA

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REPORT OF COMMISSIONERS

We, the undersigned commissioners, duly and regularly appointed by the Court of Probate of Baldwin County, Alabama, by decree rendered on the 26<sup>th</sup> day of April, 1966, do hereby report in writing as follows:

That after each of us had been sworn as jurors are sworn, we executed our duties in strict accordance with the conditions of the commission issued and the decree of this said Court which appointed us, and we herewith set forth the amount of damages and compensation ascertained and assessed by us for the owners and other parties claiming or holding some right, title or interest in the tracts of land as set out in said commission issued to us:



PAR. 1

Only so much of a strip of land 60 feet in width as lies within the north half of northeast quarter of northeast quarter ( $N\frac{1}{2}$  of  $NE\frac{1}{4}$  of  $NE\frac{1}{4}$ ) of Section 9, Township 8 south, Range 3 east, Baldwin County, Alabama, said 60-foot-wide strip of land being more particularly described as follows: To reach a point of beginning, commence at the southeast corner of Section 4, Township 8 south, Range 3 east; thence run north along the east boundary line of such Section 4 a distance of 39.2 feet to a point near the east boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of said 60-foot-wide strip of land and that portion thereof which is herein sought to be condemned; therefrom, said 60-foot wide strip of land lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and turns an angle to the left of 90 degrees 00 minutes and thence runs north 89 degrees 57 minutes west a distance of 29.9 feet to a point; thence such center line turns an angle to the left of 90 degrees 00 minutes and runs south 00 degrees 03 minutes west a distance of 21.39 feet to a point; thence such center line turns an angle to the right of 89 degrees 59 minutes and runs north 89 degrees 58 minutes west a distance of 131.8 feet, to a point, such point being called Point A for reference hereinafter; thence such center line continues to run north 89 degrees 58 minutes west a distance of 1148.5 feet to a point near the west boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of said 60-foot-wide strip of land and that portion thereof which is herein sought to be condemned. The applicant also seeks the the right and authority to place a stub pole and such guy wires and anchors for a distance not to exceed 50 feet outside of and in a southerly direction from such ways and rights of way at Point A indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said

Theo Styron and wife, Marie Styron, and Federal Land Bank of New Orleans (Mortgagee) are the owners of the lands described above.

TO:

The above listed owners \$ 200.00

PAR. 2

A strip of land 60 feet in width which lies within the south half of southwest quarter of southeast quarter ( $S\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $SE\frac{1}{4}$ ) the south half of southeast quarter of southwest quarter ( $S\frac{1}{2}$  of  $SE\frac{1}{4}$  of  $SW\frac{1}{4}$ ) of Section 4, and the north half of northwest quarter of northeast quarter ( $N\frac{1}{2}$  of  $NW\frac{1}{4}$  of  $NE\frac{1}{4}$ ) the north half of northeast quarter of northwest quarter ( $N\frac{1}{2}$  of  $NE\frac{1}{4}$  of  $NW\frac{1}{4}$ ) of Section 9, all in Township 8 south, Range 3 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the southeast corner of Alex Bowden Grant of Fractional Section 30, Township 8 south, Range 3 east; thence run in a southwesterly direction along the southeast boundary line of such Fractional Section 30 a distance of 1129.2 feet to a point; thence turn an angle to the left of 117 degrees 28 minutes and run south 89 degrees 49 minutes east a distance of 1227.4 feet to a point; thence turn an angle to the left of 00 degrees 20 minutes and run north 89 degrees 51 minutes east a distance of 1148 feet, more or less, to a point on the west boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs north 89 degrees 51 minutes east a distance of 1337.5 feet to a point; thence such center line turns an angle to the right of 00 degrees 11 minutes and runs south 89 degrees 58 minutes east a distance of 24 feet to a point,

such point being

the point of ending of the right of way sought to be condemned.

The said Theo Styron and wife, Marie Styron, and Federal Land Bank of New Orleans (Mortgagee) are the owners of the lands described above.

TO:

The above listed owners

\$ 610.00

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PAR. 3

A strip of land 60 feet in width which lies within Lot 2 of D. W. Weeks Division of Lots 5 & 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 & 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3 a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 136 feet, more or less, to a point on the south boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs north 43 degrees 47 minutes west a distance of 150 feet, more or less, to a point on the north boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of the right of way sought to be condemned.

The said Susan T. Cobb and husband, Stewart Cobb, are the owners of the lands described above.

TO:

The above listed owners

\$ 175.00

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PAR. 5

A strip of land 60 feet in width which lies within a portion of Nicholas Cook Grant of Fractional Section 4, Township 8 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 & 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3 a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3477 feet, more or less, to a point on the northwestern shore of Weeks Bay, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs north 43 degrees 47 minutes west a distance of 458.8 feet to a point, such point being called Point "A" for reference hereinafter; thence such center line turns an angle to the left of 08 degrees 26 minutes and runs north 52 degrees 13 minutes west a distance of 246.8 feet to a point, such point being called Point "B" for reference hereinafter; thence such center line turns an angle to the left of 08 degrees 53 minutes and runs north 61 degrees 06 minutes west a distance of 241.5 feet to a point, such point being called Point "C" for reference hereinafter; thence such center line turns an angle to the left of 07 degrees 08 minutes and runs north 68 degrees 14 minutes west a distance of 253.3 to a point, such point being called Point "D" for reference hereinafter; thence such center line turns an angle to the left of 10 degrees 44 minutes and runs north 78 degrees 58 minutes west a distance of 247.6 feet to a point, such point being the point of ending of the right of way sought to be condemned. The applicant also seeks the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northeasterly direction from such ways and rights of way at Point "A" indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northeasterly direction from such ways and rights of way at Point "B" indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northerly direction from such ways and rights of way at Point "C" indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northerly direction from such ways and rights of way at Point "D" indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said Agnes L. Peck and husband, Joe M. Peck, Wade D. Lott, a single man, William B. Lott and wife, Virginia McW. Lott and Elisabeth L. Unger, a divorced woman, are the owners of the lands described above.

TO:

The above listed owners

\$ 1500.00

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418

PAR. 6 The rights to be acquired in this parcel consist of the right to cut such timber and other growth along and adjacent to the north right of way line of a paved road leading to Bon Secour Bay, such road being located in Fractional Section 4, Township 8 south, Range 2 east, Baldwin County, Alabama, as may injure or endanger by falling or otherwise the towers, poles, wire lines and other appliances that are to be hereafter constructed or placed on the following described right of way: To reach the point of beginning of said right of way, commence at the north-east corner of Lot #3 of D. W. Weeks Division of Lots 5 and 6 of ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of said Lot #3 a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3935.8 feet to a point; thence turn an angle to the left of 08 degrees 26 minutes and run north 52 degrees 13 minutes west a distance of 246.8 feet to a point; thence turn an angle to the left of 08 degrees 53 minutes and run north 61 degrees 06 minutes west a distance of 241.5 feet to a point; thence turn an angle to the left of 07 degrees 08 minutes and run north 68 degrees 14 minutes west a distance of 253.3 feet to a point; thence turn an angle to the left of 10 degrees 44 minutes and run north 78 degrees 58 minutes west a distance of 247.6 feet to a point, such point being the point of beginning of the right of way herein described; therefrom, the strip of right of way lies 25 feet on each side of a center line and the continuations thereof which begins at such point of beginning and turns an angle to the right of 01 degree 56 minutes and runs north 77 degrees 02 minutes west a distance of 872.4 feet to a point; thence such center line turns an angle to the left of 05 degrees 06 minutes and runs north 82 degrees 08 minutes west a distance of 244.4 feet to a point; thence such center line turns an angle to the left of 04 degrees 08 minutes and runs north 86 degrees 16 minutes west a distance of 713.3 feet to a point, such point being the point of ending of said right of way.

The said Agnes L. Peck and husband, Joe M. Peck, Wade D. Lott, a single man, William B. Lott and wife, Virginia McW. Lott and Elisabeth L. Unger, a divorced woman, are the owners of the lands described above.

TO:

The above listed owners

\$ 1200.00

PAR. 7

A strip of land 50 feet in width which lies within a portion of Nicholas Cook Grant or Fractional Section 4, Township 8 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 and 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3, a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3935.8 feet to a point; thence turn an angle to the left of 08 degrees 26 minutes and run north 52 degrees 13 minutes west a distance of 246.8 feet to a point; thence turn an angle to the left of 08 degrees 53 minutes and run north 61 degrees 06 minutes west a distance of 241.5 feet to a point; thence turn an angle to the left of 07 degrees 08 minutes and run north 68 degrees 14 minutes west a distance of 253.3 feet to a point; thence turn an angle to the left of 10 degrees 44 minutes and run north 78 degrees 58 minutes west a distance of 247.6 feet to a point; thence turn an angle to the right of 01 degree 56 minutes and run north 77 degrees 02 minutes west a distance of 872.4 feet to a point; thence turn an angle to the left of 05 degrees 06 minutes and run north 82 degrees 08 minutes west a distance of 244.4 feet to a point; thence turn an angle to the left of 04 degrees 08 minutes and run north 86 degrees 16 minutes west a distance of 713.3 feet to a point, such point being called Point A for reference hereinafter, such point also being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 25 feet on each side of a center line and the continuations thereof which begins at such point of beginning and turns an angle to the right of 19 degrees 48 minutes and runs north 66 degrees 28 minutes west a distance of 202.9 feet to a point on the northwest boundary line of the property of the condemnees named in this paragraph, such point being called Point B for reference hereinafter, such point also being the point of ending of the right of way sought to be condemned. The applicant also seeks the right and authority to place a stub pole and such guy wires and anchors for a distance not to exceed 110 feet outside of and in a southeasterly direction from such ways and rights of way at Point A indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a northerly direction from such ways and rights of way at Point B indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said Agnes L. Peck and husband, Joe M. Peck, Wade D. Lott, a single man, William B. Lott and wife, Virginia McW. Lott and Elisabeth L. Unger, a divorced woman, are the owners of the lands described above.

TO:

The above listed owners

420

\$ 750.00

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PAR. 8

A strip of land 25 feet in width which lies with Lots 19 & 20 of Mary Ann Beach Subdivision as recorded in Map Book 3, Page 80 in the Office of the Probate Judge of Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 & 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3, a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3935.8 feet to a point; thence turn an angle to the left of 08 degrees 26 minutes and run north 52 degrees 13 minutes west a distance of 246.8 feet to a point; thence turn an angle to the left of 08 degrees 53 minutes and run north 61 degrees 06 minutes west a distance of 241.5 feet to a point; thence turn an angle to the left of 07 degrees 08 minutes and run north 68 degrees 14 minutes west a distance of 253.3 feet to a point; thence turn an angle to the left of 10 degrees 44 minutes and run north 78 degrees 58 minutes west a distance of 247.6 feet to a point; thence turn an angle to the right of 01 degrees 56 minutes and run north 77 degrees 02 minutes west a distance of 872.4 feet to a point; thence turn an angle to the left of 05 degrees 06 minutes and run north 82 degrees 08 minutes west a distance of 244.4 feet to a point; thence turn an angle to the left of 04 degrees 08 minutes and run north 86 degrees 16 minutes west a distance of 713.3 feet to a point; thence turn an angle to the right of 19 degrees 48 minutes and run north 66 degrees 28 minutes west a distance of 202.9 feet to a point; thence turn an angle to the left of 26 degrees 07 minutes and run south 87 degrees 25 minutes west a distance of 526.9 feet to a point; thence turn an angle to the right of 11 degrees 09 minutes and run north 81 degrees 26 minutes west a distance of 373 feet, more or less, to a point on the northeast boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 25 feet south of and contiguous to a survey line and the continuations thereof which begins at such point of beginning and runs north 81 degrees 26 minutes west a distance of 100 feet, more or less, to a point on the southwest boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of the right of way sought to be condemned.

The said Grady Harrison and wife, Stella Harrison, are the owners of the lands described above.

TO:

The above listed owners

\$ 90.00

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PAR. 9

A strip of land 25 feet in width which lies within Lots 27, 28, 29, 30 and 31 of Mary Ann Beach Subdivision as recorded in Map Book 3, Page 80, in the Office of the Probate Judge of Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northeast corner of Lot 3 of D. W. Weeks Division of Lots 5 and 6 of Ward Grant of Fractional Section 5, Township 8 south, Range 2 east; thence run south along the east boundary line of such Lot 3, a distance of 103.7 feet to a point; thence turn an angle to the right of 89 degrees 52 minutes and run north 89 degrees 55 minutes west a distance of 322.4 feet to a point; thence turn an angle to the right of 46 degrees 08 minutes and run north 43 degrees 47 minutes west a distance of 3935.8 feet to a point; thence turn an angle to the left of 08 degrees 26 minutes and run north 52 degrees 13 minutes west a distance of 246.8 feet to a point; thence turn an angle to the left of 08 degrees 53 minutes and run north 61 degrees 06 minutes west a distance of 241.5 feet to a point; thence turn an angle to the left of 07 degrees 08 minutes and run north 68 degrees 14 minutes west a distance of 253.3 feet to a point; thence turn an angle to the left of 10 degrees 44 minutes and run north 78 degrees 58 minutes west a distance of 247.6 feet to a point; thence turn an angle to the right of 01 degree 56 minutes and run north 77 degrees 02 minutes west a distance of 872.4 feet to a point; thence turn an angle to the left of 05 degrees 06 minutes and run north 82 degrees 08 minutes west a distance of 244.4 feet to a point; thence turn an angle to the left of 04 degrees 08 minutes and run north 86 degrees 16 minutes west a distance of 713.3 feet to a point; thence turn an angle to the right of 19 degrees 48 minutes and run north 66 degrees 28 minutes west a distance of 202.9 feet to a point; thence turn an angle to the left of 26 degrees 07 minutes and run south 87 degrees 25 minutes west a distance of 526.9 feet to a point; thence turn an angle to the right of 11 degrees 09 minutes and run north 81 degrees 26 minutes west a distance of 773 feet, more or less, to a point on the northeast boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 25 feet south of and contiguous to a survey line and the continuations thereof which begins at such point of beginning and runs north 81 degrees 26 minutes west a distance of 27.6 feet to a point, such point being called Point A for reference hereinafter; thence such survey line turns an angle to the right of 04 degrees 12 minutes and runs north 77 degrees 14 minutes west a distance of 259.8 feet to a point, such point being called Point B for reference hereinafter, such point also being the point of ending of the right of way sought to be condemned. The applicant also seeks the right and authority to place such guy wires and anchors for a distance not to exceed 10 feet outside of and in a southerly direction from such ways and rights of way at Point A indicated above; also, the right and authority to place such guy wires and anchors for a distance not to exceed 30 feet outside of and in a westerly direction from such ways and rights of way at Point B indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said John Palughi and wife, Missouri Elizabeth Palughi, are the owners of the lands described above.

TO:

The above listed owners

\$ 350.00

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422



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PAR. 10 A strip of land 60 feet in width which lies within Fractional Section 4, Township 8 south, Range 2 east, and Nicholas Cook Grant of Fractional Section 38, Township 7 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northwest corner of Fractional Section 34, Township 7 south, Range 2 east; thence run southeasterly along the southwest boundary line of Fractional Sections 34 and 35, a distance of 1021.0 feet to a point; thence turn an angle to the right of 74 degrees 26 minutes and run south 00 degrees 01 minutes east a distance of 423.6 feet to a point; thence turn an angle to the right of 00 degrees 30 minutes and run south 00 degrees 29 minutes west a distance of 998.1 feet to a point; thence turn an angle to the left of 00 degrees 26 minutes and run south 00 degrees 03 minutes west a distance of 1945.9 feet to a point; thence turn an angle to the left of 00 degrees 54 minutes and run south 00 degrees 51 minutes east a distance of 444.7 feet to a point; thence turn an angle to the right of 01 degree 15 minutes and run south 00 degrees 24 minutes west a distance of 749.7 feet to a point; thence turn an angle to the left of 00 degrees 13 minutes and run south 00 degrees 11 minutes west a distance of 372 feet, more or less, to a point on the northwest boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs south 00 degrees 11 minutes west a distance of 1450.0 feet to a point; such point being called Point A for reference hereinafter; thence such center line turns an angle to the right of 01 degree 08 minutes and runs south 01 degrees 19 minutes west a distance of 199.2 feet to a point; thence such center line turns an angle to the right of 05 degrees 06 minutes and runs south 06 degrees 25 minutes west a distance of 78.5 feet to a point on the south boundary line of the property of the condemnees named in this paragraph, such point being called Point B for reference hereinafter; such point also being the point of ending of the right of way sought to be condemned. The applicant also seeks the right and authority to place a stub pole and such guy wires and anchors for a distance not to exceed 50 feet outside of and in an easterly direction from such ways and rights of way at Point A indicated above; also the right and authority to place such guy wires and anchors for a distance not to exceed 30 feet outside of and in a westerly direction from such ways and rights of way at Point B indicated above as may be necessary in the erection, construction or maintenance of said towers, poles, wire lines and appliances of applicant.

The said Crawford-Whiting, Inc. and Assets Realization Company, Inc. (Mortgagee) are the owners of the lands described above.

TO:

The above listed owners

\$ 600<sup>00</sup>

PAR. 11 A strip of land 60 feet in width which lies within the Nicholas Cook Grant of Fractional Section 38, Township 7 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northwest corner of Fractional Section 34, Township 7 south, Range 2 east; thence run southeasterly along the southwest boundary line of Fractional Sections 34 and 35 a distance of 1021.0 feet to a point; thence turn an angle to the right of 74 degrees 26 minutes and run south 00 degrees 01 minute east a distance of 423.6 feet to a point; thence turn an angle to the right of 00 degrees 30 minutes and run south 00 degrees 29 minutes west a distance of 998.1 feet to a point; thence turn an angle to the left of 00 degrees 26 minutes and run south 00 degrees 03 minutes west a distance of 252 feet, more or less, to a point on the north boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs south 00 degrees 03 minutes west a distance of 1693.9 feet to a point; thence such center line turns an angle to the left of 00 degrees 54 minutes and runs south 00 degrees 51 minutes east a distance of 370 feet, more or less, to a point on the south boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of the right of way sought to be condemned.

The said Crawford-Whiting, Inc. and Assets Realization Company, Inc. (Mortgagee) are the owners of the lands described above.

TO:

The above listed owners

\$ 1350.00

A dower interest in and to the following:

PAR. 12

A strip of land 60 feet in width which lies within the northwest quarter of the southwest quarter ( $NW\frac{1}{4}$  of  $SW\frac{1}{4}$ ) of Section 23, Township 7 south, Range 2 east, Baldwin County, Alabama, such strip being more particularly described as follows: To reach a point of beginning, commence at the northwest corner of the northwest quarter of the southwest quarter of Section 23, Township 7 south, Range 2 east; thence run south along the west boundary line of said quarter-quarter section a distance of 488.2 feet to a point; thence turn an angle to the left of 73 degrees 04 minutes and run south 72 degrees 53 minutes east a distance of 16.6 feet to a point; thence turn an angle to the right of 72 degrees 50 minutes and run south 00 degrees 03 minutes east a distance of 163 feet, more or less, to a point on the north boundary line of the property of the condemnees named in this paragraph, such point being the point of beginning of the right of way herein described and sought to be condemned; therefrom, the strip to be condemned lies 30 feet on each side of a center line and the continuations thereof which begins at such point of beginning and runs south 00 degrees 03 minutes east a distance of 219 feet, more or less, to a point on the south boundary line of the property of the condemnees named in this paragraph, such point being the point of ending of the right of way sought to be condemned.

The said Florence C. Sea Keith is the owner of a dower interest in the lands described above.

TO:

The above listed owner

\$ 25.00

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We herewith file a certificate along with this award that none of us has ever 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.

George Haines

John M. Beasley

Charles J. Bluff

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Sworn to and subscribed before me,  
this 13 day of May, 1966.

Harry D'Oliver  
Judge of the Court of Probate  
of Baldwin County, Alabama

ALABAMA POWER COMPANY,  
Applicant,  
v.  
WILLIAM B. LOTT, ET AL.,  
Defendants.

IN THE COURT OF PROBATE OF  
BALDWIN COUNTY, ALABAMA

CERTIFICATE OF COMMISSIONERS

We, the undersigned commissioners, duly and regularly appointed in this cause, do hereby certify that none of us has ever 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.

This the 12 day of May, 1966.

George Kaiser

John M. Brasley

Charles J. Hunt

Sworn to and subscribed before me,  
this 13 day of May, 1966.

Harry Doline  
Judge of the Court of Probate of  
Baldwin County, Alabama

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IN THE COURT OF PROBATE OF

BALDWIN COUNTY, ALABAMA

ALABAMA POWER COMPANY,

Applicant,

v.

WILLIAM B. LOTTE, ET AL.,

Defendants.

REPORT OF COMMISSIONERS