

No. 5693

In the matter of

Baldwin County vs. William Hains, et al

Administrator, Executor, or Guardian. Residence.

Attorneys

Harold C. Stone Jr.

Docket

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Fee Book

Page

DATE	FEES	AMOUNT	DATE	FEES	AMOUNT
	WILL—Orders on Presentation, \$1.00 Affidavit in Petition for Probate, 25c Recording Petition, per 100 words, 15c Issuing Citation, entering Sheriff's Returns, 50c Appointing, Notifying Guardian ad Litem, 50c Issuing Subpoena for Witnesses, 50c Affidavit of Witnesses, 25c Examining Witnesses and Order Probating, \$2.00 Issuing Commission to take Deposition, 50c Filing Interrogatories, 10c Copy of same, per hundred words, 15c Recording Will, per hundred words, 15c Recording Testimony, per hundred words, 15c Certificate, without Seal, 25c Certificate, with Seal, 50c Presiding at Trial of Contested Will, per day, \$2.50			BROUGHT FORWARD, SALE OF PERSONAL PROP.—Petition, 25c Recording same, per 100 words, 15c Granting Order of Sale, 50c Issuing Order of Sale, 25c Order to Publish Notice of Sale, 50c Affidavit to Report, 25c Recording, per 100 words, 15c Appointing Com'r to Divide, and Writ, \$2.00 Appointing and Notifying Guardian ad Litem, 50c	1.00
7-25.66	<i>Rec'd Notice Japped 1.00</i>			PARTIAL SETTLEMENT—Affi. in Account, 25c Examining, Stating Acc't, and App. Hearing, \$1.00 Order to Publish Notice of Sale, 50c Appointing and Notifying Guardian ad Litem, 50c Examining Vouchers, 10c Administering Affidavits, 25c Making Decree and Order to Record, \$1.50 Recording same, per 100 words, 15c Filing Claims and Giving Receipt, 15c INSOLVENCY—Affidavit in Report, 25c Recording Report and State., per 100 words, 15c Order Appointing Day for Hearing, 25c Order to Publish Notice of same, 25c Order for Citations, 25c Issuing Notice to Creditors, Day of Hearing, 50c Order Sustaining Report, 25c Order for Settlement, 25c Order to Publish Day of Settlement, 25c Issuing Notice of Day of Settlement, 25c Affidavit to Amount of Claims, 25c Appointing, Notifying Guardian ad Litem, 25c	
	LETTERS—Affidavit in Petition, 25c Recording Petition, per hundred words, 15c Granting Letters of Administration, 50c Issuing and Recording same, 50c Granting Letters of Guardianship, 75c Issuing, Filing, and Recording same, 50c Taking App., Filing, Rec. Adm. Bond, \$1.50 Taking App., Filing, Rec. Guard. Bond, \$1.00 Affidavit of Justification, 50c Granting Order of Appraisement, 50c Issuing Order of Appraisement, 25c Recording same, per hundred words, 15c Certified Copy Letters, 50c			SALE OF REAL ESTATE—Affi. in Petition, 25c Recording Petition, per 100 words, 15c Order App. Day of Hearing and Notice, \$1.00 Order to Publish Notice of same, 50c Issuing Citation, entering Sheriff's Return, 50c Appointing and Notifying Guardian ad Litem, 50c Issuing Commission to take Deposition, 50c Filing Interrogatories, per 100 words, 15c Copy of Interrogatories, per 100 words, 15c Appointing Com'r to Divide and Issue Writ, \$2.00 Affidavit in Report of same, 25c Order Approving Division and Report, \$1.00 Recording same, per 100 words, 15c Hearing Application for Dower, Issuing Writ, \$4.00 Exam. Testimony and Granting Order to Sell, \$2.00 Recording Depositions, per 100 words, 15c Recording Relinquishment of Dower, 100 wds., 15c Recording Report, per 100 words, 15c Rec. Payment Purchase Money, per 100 words, 15c Making Order on Report Sale of Land, 75c	
	HOMESTEAD—Rec. Petition for Com. 100 words, 15c Rec. Order for Applicant, per 100 words, 15c Recording Order for Com., per 100 words, 15c Notice to Commissioners, 50c Recording Report of Com., per 100 words, 15c Rec. Order Setting Apart, per 100 words, 15c INVENTORY—Order to App. and Rec., 50c Affidavit to same, 25c Recording same, per 100 words, 15c Recording Decree, per 100 words, 15c			FINAL SETTLEMENT—Affidavit in Acc's, 25c Examining, Stating, and Reporting Account, \$1.00 Order to Publish Notice of same, 50c Appointing and Notifying Guardian ad Litem, 50c Examining Vouchers, 10c Administering Affidavits, 25c Recording same, per 100 words, 15c Decrees in Final Settlement, 50c	
	APPRAISEMENT—Order Approving Rec., 50c Affidavit to same, 25c Recording same, per 100 words, 15c Issuing Order of Appraisement, 25c Recording Warrant, per 100 words, 15c Order to Approve Appraisement, 50c Affidavit to Appraisement, 25c Recording same, per 100 words, 15c Recording Decree, per 100 words, 15c				
	SALE OF PERISHABLE PROPERTY— Petition, 25c Recording same, per 100 words, 15c Granting Order of Sale, 50c Issuing Order of Sale, 25c Appointing, Notifying Guardian ad Litem, 50c Affidavit to Report, 25c Recording, per 100 words, 15c				
	CARRIED FORWARD:				

*Jaylon Watkins*

5

\$6.00

[illegible]

FILED

AUG 17 1966

ALICE L. DUK, CLERK  
REGISTER

BALDWIN COUNTY, ALABAMA, X  
Condemnor, X  
vs. X  
LILLIAN HARRIS and HYBART X  
and CHATAN STEVENS, also X  
known as HYBART and CHATAN X  
STEVENSON, X  
Condemnees. X

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA

TO: THE HONORABLE PROBATE COURT OF BALDWIN COUNTY, ALABAMA, AND  
TO THE HONORABLE HARRY D'OLIVE, JUDGE THEREOF:

Comes your Applicant, Baldwin County, Alabama, acting  
by and through John B. Hadley as its agent and as the duly elected  
Chairman of the County Commission thereof, the governing body  
thereof, and respectfully represents and shows unto Your Honor  
and unto this Honorable Court as follows:

FIRST:

That under the laws of the State of Alabama, Baldwin  
County is charged with the duty of providing rights-of-way for  
public roads constructed or to be constructed within said County;  
and it has, acting by and through the State Highway Department of  
the State of Alabama, surveyed and proposes to construct a public  
road over and across the lands hereinafter described.

SECOND:

That the County Commission of Baldwin County, Alabama,  
has by resolution determined that it is necessary that a right-of-  
way be acquired over and across said lands, and it has been re-  
quested to acquire such right-of-way by the State Highway Depart-  
ment of Alabama, acting by and through D'Olive Bill as its resi-  
dent engineer, all as shown by a certified copy of a resolution  
of the County Commission attached hereto and marked "Exhibit A"

STATE OF ALABAMA, BALDWIN COUNTY

Filed May 2nd 1966

Recorded Harry D'Olive book 50 page 661

Judge of Probate

and by reference made a part hereof, in which resolution is incorporated the request from the State Highway Department of the State of Alabama.

THIRD:

That the lands over which it is necessary that Baldwin County, Alabama, acquire a right-of-way for a public road are described as follows:

PARCEL ONE:

Beginning at the Southeast corner of Section 24, Township 4 South, Range 2 East, run 947.0 feet North .03°-30' East to Station 5+77.0 the point of beginning, thence 408.0 feet North .03°-30' East along the center line of survey to Station 9+85.0 the point of ending at the North property line.

Said right of way being 30 feet in width on the West side of said center line lying in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 2 East of Baldwin County and containing 0.281 acres more or less including the present roadway, excepting right of way to be 18 feet in width at Station 5+75.0 to Station 6+50.0.

PARCEL TWO:

Beginning at the Southeast corner of Section 24, Township 4 South, Range 2 East, run 584.5 feet North .03°-30' East to the point of beginning, thence 313.5 feet North .03°-30' East along the center line of survey to the point of ending at the North property line.

Said right of way being 30 feet in width on the West side of said center line, lying in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 2 East of Baldwin County and containing 0.216 acres more or less including the present roadway.

FOURTH:

That the above described Parcel One is owned by Lillian Harris, a widow who is over the age of twenty-one years and is presently residing in the State of Alabama, her more particular address being Bay Minette, Alabama. That the above described Parcel Two is owned by Hybart and Chatan Stevens, also known as Hybart and Chatan Stevenson, who are over the age of twenty-one

years and whose address is to your Petitioner unknown after diligent search and inquiry.

FIFTH:

That Baldwin County, Alabama, proposes to acquire an easement or right of way over and across the above described lands for public road purposes.

SIXTH:

That Baldwin County, Alabama, does not know of any other person, firm or corporation who owns any right, title or interest in the above property and has used reasonable diligence to ascertain if any other person, firm or corporation other than the ones named, own any right, title or interest in said property.

WHEREFORE, the premises considered your Applicant respectfully prays that this Honorable Court will, on the filing of this application, make and enter an order appointing a day for the hearing hereof and will cause due notice of the filing hereof and the day set for the hearing hereof to be given to the owners of the above described land. And your Applicant further prays that on the day set for the hearing of this application, that this Honorable Court will enter an order granting this application and will, in and by the terms of said order, appoint three citizens of this County in accordance with the statutes in such cases made and provided to assess the damages and compensation, if any, to which the said Lillian Harris and Hybart and Chatan Stevens, also known as Hybart and Chatan Stevenson, are entitled. And your applicant further prays that upon the receipt by this Court of the report of the Commissioners and the certificate in connection therewith that this Honorable Court will enter an order or decree of condemnation of the interest sought to be acquired in the above described property for the uses and purposes herein set forth; and your Applicant prays for such other, further and different orders and decrees as may be necessary and proper for the acquisition by the Applicant of the

interest in the property sought to be condemned for the uses and purposes herein stated.

Respectfully submitted,

BALDWIN COUNTY, ALABAMA

By: John B. Hadley  
As Its Agent and as Chairman of the  
County Commission of Baldwin County, Alabama

STATE OF ALABAMA

BALDWIN COUNTY

Before me, John Earle Chason, a  
Notary Public, in and for said County in said State, personally  
appeared John B. Hadley, who is known to me and who, after being  
by me first duly and legally sworn, did depose and say under oath  
as follows:

That he is the duly elected and qualified Chairman of  
the County Commission of Baldwin County, Alabama. That he executed  
the foregoing application as such and he is informed and believes  
and upon such information and belief states that the facts alleged  
in the foregoing application are true and correct.

John B. Hadley

Sworn to and subscribed before me on  
this 2nd day of May, 1966.

John Earle Chason  
Notary Public, Baldwin County, Alabama

WHEREAS, the road designated as Bertagnolli Road has been surveyed and approved by the State Highway Department for construction and surfacing, all of which appears by letter of the State Highway Department by D'Olive Bill, Resident Engineer dated the 18<sup>th</sup> day of April, 1966, in words and figures as follows:

"County Commission of Baldwin County  
Bay Minette, Alabama

Gentlemen:

The road designated as Bertagnolli Road has been surveyed and approved by the State Highway Department for construction and surfacing. The following lands are needed and desired as a right-of-way for such road, to-wit:

PARCEL ONE:

Beginning at the Southeast corner of Section 24, Township 4 South, Range 2 East, run 947.0 feet North .03°-30' East to Station 5+77.0 the point of beginning, thence 408.0 feet North .03°-30' East along the center line for survey to Station 9+85.0 the point of ending at the North property line.

Said right of way being 30 feet in width on the West side of said center line lying in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 2 East of Baldwin County and containing 0.281 acres more or less including the present roadway, excepting right of way to be 18 feet in width at Station 5+75.0 to Station 6+50.0.

PARCEL TWO:"

Beginning at the Southeast corner of Section 24, Township 4 South, Range 2 East, run 584.5 feet North .03°-30' East to the point of beginning, thence 313.5 feet North .03°-30' East along the center line of survey to the point of ending at the North property line.

Said right of way being 30 feet in width on the West side of said center line, lying in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 2 East of Baldwin County and containing 0.216 acres more or less including the present roadway.

Said Parcel One is owned by Lillian Harris, a widow,



who is presently residing in the State of Alabama, her more particular address being Bay Minette, Alabama. Said Parcel Two is owned by Hybart and Chatan Stevens, also known as Hybart and Chatan Stevenson, whose address is unknown after diligent search and inquiry. Request is hereby made that you proceed to acquire the same by purchase or condemnation.

Yours very truly,

/s/ D'Olive Bill  
D'Olive Bill  
Resident Engineer."

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

THEREFORE, BE IT RESOLVED that it be and is hereby judicially ascertained and determined that it is necessary and proper and to the best interest of the County that an easement across said lands be acquired and owned by the County for and as a public road right-of-way and that John B. Hadley, as Chairman of the County Commission be, and he is hereby authorized and directed to institute eminent domain proceedings to acquire an easement across the lands above described for and as a right-of-way for a public road.

I, John B. Hadley, as Chairman of the County Commission and as such the custodian of the records of the said County Commission, do hereby certify that the foregoing is a true and correct and literal copy of a resolution duly adopted by the County Commission at its meeting on the 21<sup>st</sup> day of April 1966, as the same appears in the minutes of the said meeting.

Witness my hand and official seal this the 2<sup>nd</sup> day of May, 1966.

  
John B. Hadley, Chairman of Commission

BALDWIN COUNTY, ALABAMA,	X	
Condemnor,	X	
vs.	X	IN THE PROBATE COURT OF
LILLIAN HARRIS and HYBART	X	
and CHATAN STEVENS, also	X	BALDWIN COUNTY, ALABAMA
known as HYBART and CHATAN	X	
STEVENSON,	X	
Condemnees.	X	

ORDER SETTING DAY

This day came Baldwin County, Alabama, acting by and through John B. Hadley, as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, and filed its application to have condemned an easement or right-of-way for public road purposes over and across the lands therein described; and it appearing to the Court from the allegations of said application that it is necessary that Baldwin County, Alabama, acquire such easement or right-of-way and that Baldwin County, Alabama, desires to have such easement or right-of-way condemned; and the Court having considered the same is of the opinion that an order should be entered appointing a day for the hearing of said application and that notice should be given to the owners of the land as shown by said application; it is, therefore

ORDERED, ADJUDGED and DECREED by the Probate Court of Baldwin County, Alabama, that the 24<sup>th</sup> day of May 1966, at 9:00 A. M., be, and the same is hereby appointed as the day for the hearing of said application and that notice of the filing of said application and of the day set for the hearing of said application be given to Lillian Harris who is presently residing in the State of Alabama, her more particular address being Bay Minette, Alabama, and notice by publication be given to Hybart and Chatan Stevens, also known as Hybart and Chatan Stevenson, whose address is to your Petitioner unknown after diligent search and inquiry.

Done this the 27<sup>th</sup> day of May, 1966.

Harry D. Oliver  
Judge of Probate

BALDWIN COUNTY, ALABAMA,	X	
Condemnor,	X	
vs.	X	IN THE PROBATE COURT OF
LILLIAN HARRIS and HYBART	X	
and CHATAN STEVENS, also	X	BALDWIN COUNTY, ALABAMA
known as HYBART and CHATAN	X	
STEVENSON,	X	
Condemnees.	X	

ORDER OF CONTINUANCE

This cause coming on to be heard on this date and it appearing to the Court that service has not been perfected on all Condemnees, the Court is of the opinion that the same should be continued; it is, therefore

ORDERED and DECREED by the Court that this cause be, and the same is hereby, continued until June 8, 1966 at 10:00 A. M.

Done this 24th day of May, 1966.

*Harry D. Davis*  
\_\_\_\_\_  
Judge of Probate

BALDWIN COUNTY, ALABAMA, X  
 Condemnor, X IN THE PROBATE COURT OF  
 vs. X  
 LILLIAN HARRIS, X BALDWIN COUNTY, ALABAMA  
 Condemnee. X

TO: LILLIAN HARRIS, BAY MINETTE, ALABAMA:

YOU ARE HEREBY NOTIFIED that on the 2nd day of May, 1966, Baldwin County, Alabama, acting by and through John B. Hadley as its Agent and as Chairman of the County Commission of Baldwin County, Alabama, filed an application in writing for the condemnation of an easement or right-of-way for public road purposes over and across the following described real property situated in Baldwin County, Alabama, alleged to be owned by you:

Beginning at the Southeast corner of Section 24, Township 4 South, Range 2 East, run 947.0 feet North .03°-30' East to Station 5+77.0 the point of beginning, thence 408.0 feet North .03°-30' East along the center line of survey to Station 9+85.0 the point of ending at the North property line.

Said right of way being 30 feet in width on the West side of said center line lying in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 2 East of Baldwin County and containing 0.281 acres more or less including the present roadway, excepting right of way to be 18 feet in width at Station 5+75.0 to Station 6+50.0;

and that the 24th day of May, 1966, at 9:00 A. M., has been appointed as the day for the hearing of said application, at which time you may appear and contest the same if you so desire.

Done this the 2nd day of May, 1966

Harry D. Oliver  
 Judge of Probate

CHASON, STONE & CHASON  
 Attorneys for Condemnor

Received 6 day of May 1966

and on 27 day of May 1966

I served a copy of the within Notice

on William Harris

By service on James

TAYLOR WILKINS, Sheriff  
By Ray Randall D.S.

*Station*  
*Shambo*

Sheriff claims 35 miles at

Ten Cents per mile Total \$ 3.50

TAYLOR WILKINS, Sheriff  
By Ray Randall  
DEPUTY SHERIFF

BALDWIN COUNTY, ALABAMA,	X	
Condemnor,	X	
vs.	X	IN THE PROBATE COURT OF
LILLIAN HARRIS and HYBART	X	
and CHATAN STEVENS, also	X	BALDWIN COUNTY, ALABAMA
known as HYBART and CHATAN	X	
STEVENSON,	X	
Condemnees.	X	

ORDER GRANTING APPLICATION AND  
APPOINTING COMMISSIONERS

This being the day appointed by the Court for the hearing of the application heretofore filed in this Court praying that this Court condemn certain lands described therein for the purpose set forth therein, now comes said Applicant, by its Attorney, and the condemnees having had due notice as required by law, the Court proceeds to hear said application, together with all legal evidence touching the same; and it appearing to the Court that the allegations of said application are true and that it is necessary that said land be condemned for the purpose mentioned in said application, and the Court having considered all of the above; it is, therefore

ORDERED, ADJUDGED and DECREED by the Probate Court of Baldwin County, Alabama, that said application be, and the same is hereby, granted.

And it further appearing to the Court that JACK  
CAVIN, FRANK BUZBEE and  
BEN DIGMAN are three citizens of the  
County possessing the qualifications of jurors, and who are dis-  
interested, and that the above named citizens are proper and  
competent persons to act as Commissioners to view the land de-

scribed in said application, and, after hearing all evidence offered, to assess the damages and compensation to which the owners of the land are entitled, and they are hereby appointed as Commissioners for the purposes aforesaid.

Done this the 5<sup>th</sup> day of July,

1966.

Harry D'Olive  
Judge of Probate

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BALDWIN COUNTY, ALABAMA,	X	
Condemnor,	X	
vs.	X	IN THE PROBATE COURT OF
LILLIAN HARRIS and HYBART	X	
and CHATAN STEVENS, also		
known as HYBART and CHATAN	X	BALDWIN COUNTY, ALABAMA
STEVENSON,		
Condemnees.	X	
	X	

NOTICE OF APPOINTMENT OF COMMISSIONERS

TO: TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA:

YOU ARE HEREBY NOTIFIED that the undersigned Judge of Probate of Baldwin County, Alabama, has, in the above styled cause now pending in said Court, appointed JACK GAVIN FRANK BUZBEE and BEN DIGMAN as Commissioners to assess the damages and compensation, if any, to which Lillian Harris, as the owner of the following described Parcel One situated in Baldwin County, Alabama, and Hybart and Chatan Stevens, also known as Hybart and Chatan Stevenson, as the owners of the following described Parcel Two situated in Baldwin County, Alabama, to-wit:

PARCEL ONE:

Beginning at the Southeast corner of Section 24, Township 4 South, Range 2 East, run 947.0 feet North .03°-30' East to Station 5+77.0 the point of beginning, thence 408.0 feet North .03-30' East along the center line of survey to Station 9+85.0 the point of ending at the North property line.

Said right of way being 30 feet in width on the West side of said center line lying in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 2 East of Baldwin County and containing 0.281 acres more or less including the present roadway, excepting right of way to be 18 feet in width at Station 5+75.0 to Station 6+50.0.



PARCEL TWO:

Beginning at the Southeast corner of Section 24, Township 4 South, Range 2 East, run 584.5 feet North .03°-30' East to the point of beginning, thence 313.5 feet North .03°-30' East along the center line of survey to the point of ending at the North property line.

Said right of way being 30 feet in width on the West side of said center line, lying in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 2 East of Baldwin County and containing 0.216 acres more or less including the present roadway,

are entitled.

And you are hereby required to serve a copy of this notice upon each of the persons designated herein as Commissioners within five days of the receipt of this notice, which said Commissioners must, within twenty days from this date, make a report in writing, to the Court stating the amount of damages and compensation ascertained and assessed by them for the owners of the above described land.

And you are required to make due return on this notice to this Court.

Done this the 5<sup>th</sup> day of July,

1966.

Harry D'Oliver  
Judge of Probate

Received 5 day of July 1966  
in 7 day of July 1966

I served a copy of the within Notice  
on Jack Garin, Frank  
Buzbee, Ben Dignan

By service on Harold  
affanish  
TAYLOR WILKINS, Sheriff  
By Ray Randall D. 3

Received 132 132  
TAYLOR WILKINS, Sheriff  
BY Ray Randall  
DEPUTY SHERIFF

BALDWIN COUNTY, ALABAMA,	X	
Condemnor,	X	IN THE PROBATE COURT OF
vs.	X	
LILLIAN HARRIS and HYBART	X	
and CHATAN STEVENS, also		BALDWIN COUNTY, ALABAMA
known as HYBART and CHATAN	X	
STEVENSON,		
	X	
Condemnees.	X	

REPORT OF COMMISSIONERS

TO THE HONORABLE HARRY D'OLIVE, JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA:

The undersigned JACK CAVIN Sp. Jct.,  
FRANK BUZBEE and BEN DIGMAN

who were heretofore appointed by the Probate Court of Baldwin County, Alabama, as Commissioners to assess the damages and compensation to which Lillian Harris, as the owner of Parcel One of the land hereinafter described, and Hybart and Chatan Stevens, also known as Hybart and Chatan Stevenson, as the owners of Parcel Two of the land hereinafter described, are entitled on the application of Baldwin County, Alabama, for an order of condemnation of an easement for road purposes over and across the following described land situated in Baldwin County, Alabama, to-wit:

PARCEL ONE:

Beginning at the Southeast corner of Section 24, Township 4 South, Range 2 East, run 947.0 feet North .03°-30' East to Station 5+77.0 the point of beginning, thence 408.0 feet North .03°-30' East along the center line of survey to Station 9+85.0 the point of ending at the North property line.

Said right of way being 30 feet in width on the West side of said center line lying in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 2 East of Baldwin County and containing 0.281 acres more or less including the present roadway, excepting right of way to be 18 feet in width at Station 5+75.0 to Station 6+50.0.

PARCEL TWO:

Beginning at the Southeast corner of Section 24, Township 4 South, Range 2 East, run 584.5 feet North .03°-30' East to the point of beginning, thence 313.5 feet North .03°-30' East along the center line of survey to the point of ending at the North property line.

Said right of way being 30 feet in width on the West side of said center line, lying in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 2 East of Baldwin County containing 0.216 acres more or less including the present roadway,

do hereby respectfully report that pursuant to said commission we viewed the said land after having been sworn as jurors are sworn, and thereafter we proceeded to assess the damages and compensation to which the owners of the above described property are entitled by reason of the condemnation of said easement for road purposes over and across the above described lands belonging to them, and we, and each of us, separately assessed the damages and compensation to Lillian Harris, owner of the above Parcel One at the sum of \$ 750.00, and Hybart and Chatan Stevens, also known as Hybart and Chatan Stevenson, as owners of the above Parcel Two at the sum of \$ - 0 -.

We further certify that we have not been consulted, advised or approached by any person in reference to the value of the land or the proceedings to condemn the same prior to the assessment of damages and ther we knew nothing of the same prior to our appointment as such commissioners.

Done this the 7<sup>th</sup> day of July, 1966.

Jack Galt  
Frank Buzbee  
Ben Virginia

CERTIFICATE OF COMMISSIONERS

We, the undersigned, as Commissioners heretofore appointed by the Judge of Probate of Baldwin County, Alabama, in the above styled cause, do hereby certify that we each possess the qualifications of jurors, that we have never been consulted, advised or approached by any person in reference to the value of the lands which are the subject of this proceeding, or the proceedings to condemn the same prior to the assessment of the damages, and that we and each of us, knew nothing of the same prior to our appointment as such.

And each of us do hereby certify that we were sworn as jurors are sworn and that the following oath administered to us:

"You do solemnly swear that you will well and truly try all issues, execute all writs of inquiry which may be submitted to you during the present session, and true verdicts render according to the evidence----so help you God."

Done this the 7<sup>th</sup> day of July, 1966.

Jack Paul  
Frank Buzbee  
Ben Vignum

Sworn to and subscribed before me  
this 7<sup>th</sup> day of July, 1966.

Marion M. Smith  
Notary Public, Baldwin County, Alabama

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS: That Baldwin County, Alabama, acting by and through John B. Hadley, as Chairman of the County Commission of Baldwin County, Alabama, the governing body thereof, as principal and Fidelity and Deposit Company of Maryland, a corporation, as surety, are held and firmly bound unto Lillian Harris in the sum of Fifty Hundred Dollars (\$1500.00) for the payment of which well and truly to be made we bind ourselves, our successors and assigns, jointly and severally by these presents:

This the 25<sup>th</sup> day of July, 1966.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That WHEREAS, the said Baldwin County, Alabama, heretofore filed its application in the Court of Probate of Baldwin County, Alabama, against Lillian Harris seeking to condemn an easement or right-of-way for public road purposes over and across the lands described as Parcel One in said application; and

WHEREAS, the said Court of Probate did, in and by a decree dated the 25<sup>th</sup> day of July, 1966, grant the prayer of said application and appoint commissioners, as required by law, to ascertain and assess the damages and compensation of the defendants as the owners of the lands, and all rights, interests and easements described in said application; and

WHEREAS, said commissioners did ascertain and assess the damages and compensation of the said Lillian Harris in accordance with the statutes

STATE OF ALABAMA, BALDWIN COUNTY

Filed July 25, 1966

Recorded July 25, 1966

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Judge of Probate

of the State of Alabama, at the sum of Seven Hundred and Fifty Dollars (\$750.00) as shown by the report of said commissioners; and

WHEREAS, an order was thereafter made by said Court of Probate condemning an easement or right-of-way for public road purposes over and across the lands described in said application as Parcel One belonging to the said Lillian Harris; and

WHEREAS, the said Baldwin County, Alabama, has filed in the Probate Court of Baldwin County, Alabama, a written notice of appeal from said order of condemnation to the Circuit Court of Baldwin County, Alabama; and

WHEREAS, said Baldwin County, Alabama, has paid into said Court of Probate in money the amount of said damages and compensation so assessed by said commissioners for said Lillian Harris and is desirous that said judgment, or order of condemnation, be not suspended pending such appeal and desires to enter upon said lands for the uses and purposes stated in said application pending appeal;

NOW, THEREFORE, if the said Baldwin County, Alabama, shall pay such damages as the said Lillian Harris may sustain, this obligation shall be void; otherwise to remain in full force and effect.

BALDWIN COUNTY, ALABAMA

ATTEST:

[Signature]  
Clerk

By: John B. Hadley  
John B. Hadley, as Chairman of the County Commission of Baldwin County, Alabama, the governing body thereof.

APPROVED:

Harry D. Oliver  
Judge of Probate

FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation

By: [Signature]  
As Its Attorney-in-Fact

BALDWIN COUNTY, ALABAMA,	X	
Condemnor,	X	IN THE PROBATE COURT OF
vs.	X	
LILLIAN HARRIS and HYBART	X	
and CHATAN STEVENS, also		BALDWIN COUNTY, ALABAMA
known as HYBART and CHATAN	X	
STEVENSON,		
	X	
Condemnees.	X	

ORDER OF CONDEMNATION

The Commissioners heretofore appointed by this Court to assess the damages and compensation to which Lillian Harris and Hybart and Chatan Stevens, also known as Hybart and Chatan Stevenson, are entitled as the owners of the hereinafter described land, having heretofore, on the 7<sup>th</sup> day of July 1966, filed their report in writing, to which was attached their certificate as required by law in and by the terms of which report it appears that said commissioners have determined that said Lillian Harris, as the owner of Parcel One, is entitled to the sum of \$ 750.00 and Hybart and Chatan Stevenson also known as Hybart and Chatan Stevenson, as the owners of Parcel Two, are entitled to the sum of \$ NONE, and it further appearing to the Court that Baldwin County, Alabama, has this day paid into Court the costs of this proceeding and the amount assessed to the owners of the said land, and that an order should be entered condemning an easement or right-of-way over and across the land hereinafter described in favor of Baldwin County, Alabama; and the Court having considered all of the above, it is therefore

ORDERED, ADJUDGED and DECREED by the Probate Court of



Baldwin County, Alabama, that an easement or right-of-way for public roads be, and the same is hereby condemned, granted and awarded to Baldwin County, Alabama, over and across the following described parcels of real property situated in Baldwin County, Alabama, to-wit:

PARCEL ONE:

Beginning at the Southeast corner of Section 24, Township 4 South, Range 2 East, run 947.0 feet North .03°-30' East to Station 5+77.0 the point of beginning, thence 408.0 feet North .03°-30' East along the center line of survey to Station 9+85.0 the point of ending at the North property line.

Said right of way being 30 feet in width on the West side of said center line lying in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 2 East of Baldwin County and containing 0.281 acres more or less including the present roadway, excepting right of way to be 18 feet in width at Station 5+75.0 to Station 6+50.0.

PARCEL TWO:

Beginning at the Southeast corner of Section 24, Township 4 South, Range 2 East, run 584.5 feet North .03°-30' East to the point of beginning, thence 313.5 feet North .03°-30' East along the center line of survey to the point of ending at the North property line.

Said right of way being 30 feet in width on the West side of said center line, lying in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 2 East of Baldwin County and containing 0.216 acres more or less including the present roadway,

and that such easement be, and the same is, divested out of the Condemnee and in Baldwin County, Alabama.

It is further ORDERED, ADJUDGED and DECREED by the Court that all of the papers now on file in this Court, including the report of the Commissioners, be recorded.

Done this the 25<sup>th</sup> day of July

1966.

  
Judge of Probate

1317

BALDWIN COUNTY, ALABAMA, X  
Condemnor, X IN THE PROBATE COURT OF  
vs. X  
LILLIAN HARRIS, et al, X BALDWIN COUNTY, ALABAMA  
Condemnees. X

NOTICE OF APPEAL

Comes now the Applicant, Baldwin County, Alabama, by its attorneys, and files this its notice of an appeal to the Circuit Court of Baldwin County, Alabama, from the order of condemnation entered in this cause on the 25<sup>th</sup> day of July, 1966, insofar as said order of condemnation relates to the lands described in the application as parcel One

The Applicant does hereby also pray for and take an appeal from said order of said Court in accordance with the statutes in such cases made and provided and does hereby demand a trial by jury in the Circuit Court of Baldwin County, Alabama.

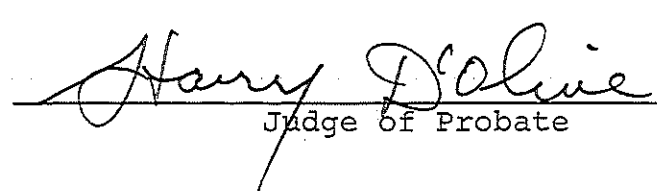
Respectfully submitted,

CHASON, STONE & CHASON

By: 

TO: Lillian Harris

You are hereby notified that the above notice of appeal was filed in the office of the Judge of Probate of Baldwin County, Alabama on the 25<sup>th</sup> day of July, 1966.

  
Judge of Probate

STATE OF ALABAMA, BALDWIN COUNTY  
Filed July 25, 1966 M  
Recorded Harry D. O'Leary book 518 page 518  
Judge of Probate

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8-11-66

Received 25 day of July 1966  
and on 11 day of Aug 1966  
I served a copy of the within Notice  
on William Harris

By service on Same

TAYLOR WILKINS, Sheriff  
By Roy Randall U.S.

Adopted citation 40  
by Taylor Wilkins Sheriff  
Roy Randall  
400