BALDWIN COUNTY, ALABAMA,	)	
Condemnor,	)	IN THE PROBATE COURT OF
	)	
vs.		BALDWIN COUNTY, ALABAMA
	)	
M. D. COX, ET AL.,	)	

This being the day appointed by the Court for hearing the application heretofore filed in this Court praying that this Court condemn certain lands described in said application for the purpose set forth therein, now comes said applicant, by its attorney, and the said M. D. Cox, Heck Harville, Ethel Harville and First National Bank of Bay Minette, Alabama, having had due and legal 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 the said M. D. Cox, Heck Harville, Ethel Harville and First National Bank of Bay Minette, Alabama, are the owners of said lands and that it is necessary that the said lands be condemned for the purposes 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 Leon Gibson, E.R. Brantley and Tom Gandy are three citizens of the County possessing the qualifications of jurors, and who are disinterested, and that the said above named citizens are proper and competent persons to act as Commissioners to view the land described in said application, and after hearing all evidence offered to assess the damages and compensation to which the said M. D. Cox, Heck Harville, Ethel Harville and First National Bank of Bay Minette, Alabama are entitled, and they are hereby appointed Commissioners for the purposes aforesaid.

L. S. Ormond Jr.
Judge of Probate

BALDWIN COUNTY, ALABAMA,	)	
Condemnor,	)	IN THE PROBATE COURT OF
	)	
vs.	)	BALDWIN COUNTY, ALABAMA
	)	
M. D. COX, ET AL.,	)	
Condemnees.	)	

BOOK 217 PAGE 589

ORDER OF CONTINUANCE

This being the date heretofore set for the hearing of the application filed in this cause, now comes the Comdenor, by its attorneys, and moves the Court to continue this cause for and on account of a mistake in the description of the property described as "PARCEL ONE"; and the court having considered the same is of the opinion that this cause should be continued. It is, therefore

ORDERED, ADJUDGED and DECREED by the Probate Court of Baldwin County, Alabama, that this cause be, and the same is hereby continued until the 22nd day of October, 1964 at 10:00 A. M.

It is further ORDERED, ADJUDGED and DECREED by the court that each of the Condemnees involved in this proceeding be given notice of the continuance of this cause by mailing to them a copy of this order.

Done this 8th day of October, 1964.

L. D. Owen Jr.
Probate Judge

By Ann Chevalier
Chief Clerk

STATE OF ALABAMA, BALDWIN COUNTY
FILED 10-8-64
Recorded
L. D. Owen, Jr.
Judge of Probate

Baldwin County 7186

Rich Kennedy Hall

JURY LIST - MARCH 6, 1967 - SPRING SESSION

1. Ball, Johnnie Ruth, Bookkeeper, Bay Minette
2. Baskin, Lavon, - - - Bay Minette
3. ~~Denik, Edward, Farmer, Belforest~~
4. Benton, Thomas H., Farmer, Gulf Shores
5. ~~Cooper, Claude, Farmer, Rosinton~~
6. ~~Pierce, Arthur, Insurance, Fairhope~~
7. ~~Porter, Darrell Lee, Utility Man, Summerdale~~
8. ~~Mannich, Arthur, Merchant, Fairhope~~
9. ~~Matthews, Reid, Furniture Store Oper., Robertsdale~~
10. ~~Clemmons, H. P., Carpenter, Fairhope~~
11. ~~Cleveland, Lyle F., Nurseryman, Foley~~
12. ~~Byrne, Charles, Merchant, Foley~~
13. ~~Crawford, Harry E., Operator, Elberta~~
14. ~~Campbell, Acie, Farmer, Rosinton~~
15. ~~Bush, Hobson, Farmer, Bay Minette~~
16. Hesse, Henry W., Linesman, Foley
17. ~~Harris, Guy H., Merchant, Foley~~
18. ~~Hastie, Joe H., Merchant, Stockton~~
19. ~~McGowin, Randolph, Jr., Store Keeper, Bay Minette~~
20. ~~McMillan, Raymond N., Farmer, Stockton~~
21. ~~Sanders, William G., Real Estate, Gulf Shores~~
22. ~~Spader, Aubrey, Office, Robertsdale~~
23. ~~Spivey, Roy, - - Bon Secour~~
24. Stripline, Fred, Television Repair, Robertsdale
25. ~~Thompson, Robert H., Merchant, Foley~~
26. ~~Venson, Cecil, Civil Service, Stapleton~~
27. White, John R., Utilities Man, Foley
28. ~~Parker, Floyd B., Millman, Stockton~~
29. ~~Nall, Wilber O., Farmer, Bon Secour~~
30. Sanders, E. Frank, Banker, Foley
31. ~~Koehler, Frank, Farmer, Lillian~~
32. ~~Beverly, Marvin, Laborer, Robertsdale~~
33. Blair, Dorothy L., - - Stapleton
34. Boeschen, Sarah, - - Bay Minette
35. ~~Nell, Glenn, Merchant, Robertsdale~~
36. ~~Crosby, James W., Bookkeeper, Foley~~
37. ~~Long, Volton, Electrician, Foley~~
38. ~~Bryars, Ewing E., Reserve Fleet, Bay Minette~~
39. Weeks, William, Laborer, Magnolia Springs
40. ~~Earls, Doris K., --- Bay Minette~~
41. ~~DuBreck, George, Cabinet Maker, Fairhope~~
42. Durant, Wilma W., --- Bromley,
43. ~~Durant, Percy N., Merchant, Bay Minette~~
44. Arant, Luther, Postal Emp., Foley
45. ~~Jones, Sanford, Newport, Bay Minette~~
46. ~~Flowers, John B., Farmer, Gulf Shores~~
47. ~~Akers, Redus M., Insurance, Bay Minette~~
48. **~~Fuller, David, Motel, Spanish Fort - Daphne~~**

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BALDWIN COUNTY, ALABAMA,)

Condemnor,)

) IN THE PROBATE COURT OF

vs.)

) BALDWIN COUNTY, ALABAMA

M. D. COX, ET AL.,)

Condemnees.)

BOOK 44 PAGE 192

TO: FIRST NATIONAL BANK OF BAY MINETTE, BAY MINETTE, ALABAMA

YOU WILL TAKE NOTICE that on the 15 day of September 1964, an application was filed in this Court for Baldwin County, Alabama, alleging that it desires to have condemned an easement or right-of-way for a public road, over the following described real property located in Baldwin County, Alabama, to-wit:

PARCEL TWO:

A strip of land 40 feet in width on the North side of a line described as follows: beginning at the Southeast Corner of the Southwest Quarter of the Northwest Quarter of Section 2, Township 1 South, Range 3 East at Station 112 + 65.0, run thence North 89° 20' West 739.6 feet to the point of ending at Station 105 + 25.4. Said strip of land lying in the Southwest Quarter of the Northwest Quarter of Section 2, Township 1 South, Range 3 East in Baldwin County, Alabama.

and the application prays that a day be appointed for the hearing thereof and for such further, other and different orders and decrees as may be necessary and proper for the acquisition by the Petitioner of the easement or right-of-way over and across the above described property.

THIS IS TO NOTIFY YOU that the Probate Court of Baldwin County, Alabama, has, by an order this day entered, appointed the 8th. day of October, 1964, as the day upon which said application will be heard, at which time you may appear and contest the same as you choose to do so.

Done this the 15th. day of September, 1964.

L. D. Owen Jr.
Judge of Probate

By Ann Cheralier
Chief Clerk

STATE OF ALABAMA, BALDWIN COUNTY
Filed 9-15-64 M
Recorded book page
L. D. Owen Jr.
Judge of Probate

083

ceived 15 day of Sept 1964
d on 22 day of Sept 1964
served a copy of the within Notice
n First National
Bank of Bay Minette
y service on Ray Stephens

TAYLOR WILKINS, Sheriff
By W A Talbert D. S.
One'

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BALDWIN COUNTY, ALABAMA,

Condemnor,

vs.

M. D. COX, ET AL.,

Condemnees.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

BOOK 44 PAGE 191

TO: HECK HARVILLE, RABUN, ALABAMA

YOU WILL TAKE NOTICE that on the 15th. day of September, 1964, an application was filed in this Court for Baldwin County, Alabama, alleging that it desires to have condemned an easement or right-of-way for a public road, over the following described real property located in Baldwin County, Alabama, to-wit:

PARCEL TWO

A strip of land 40 feet in width on the North side of a line described as follows: beginning at the Southeast Corner of the Southwest Quarter of the Northwest Quarter of Section 2, Township 1 South, Range 3 East at Station 112 + 65.0, run thence North 89° 20' West 739.6 feet to the point of ending at Station 105 + 25.4. Said strip of land lying in the Southwest Quarter of the Northwest Quarter of Section 2, Township 1 South, Range 3 East in Baldwin County, Alabama.

and the application prays that a day be appointed for the hearing thereof and for such further, other and different orders and decrees as may be necessary and proper for the acquisition by the Petitioner of the easement or right-of-way over and across the above described property.

THIS IS TO NOTIFY YOU that the Probate Court of Baldwin County, Alabama, has, by an order this day entered, appointed the 8th. day of October, 1964, as the day upon which said application will be heard, at which time you may appear and contest the same as you choose to do so.

Done this the 15th. day of September, 1964.

L. D. Owen Jr.
Judge of Probate

By Ann Chevalier
Chief Clerk

STATE OF ALABAMA, BALDWIN COUNTY
Filed 9-15-64 M
Recorded ..... book ..... page .....
L. D. Owen, Jr.
Judge of Probate
oc

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Received 15 day of Sept 1964

and on 16 day of Sept 1964

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on Neck Harmelle

By service on

TAYLOR WILKINS Sheriff

By W. A. Tollett D. S.

Rabon

Sheriff claims 22 miles at

Ten Cents per mile Total $ 2 20

TAYLOR WILKINS Sheriff

BY Tollett

DEPUTY SHERIFF

082

BALDWIN COUNTY, ALABAMA,

Condemnor,

vs.

M. D. COX, ET AL.,

Condemnees.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

BOOK 44 PAGE 190

ORDER APPOINTING DAY TO HEAR
APPLICATION TO CONDEMN LANDS

This day came Baldwin County, Alabama, acting by and through John B. Hadley, as its Agent and 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 land 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 all of the owners of such lands as shown by the application, it is therefore

ORDERED, ADJUDGED and DECREED by the Probate Court of Baldwin County, Alabama, that the 8th. day of October, 1964, at 10:00 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 M. D. Cox as the owner of Parcel One and to Heck Harville and Ethel Harville and First National Bank of Bay Minette, Alabama, as the owners of Parcel Two, by service upon them of a notice of the filing of the application and of the date set for the hearing thereof in accordance with the statutes in such cases made and provided.

Done this the 15th. day of September, 1964.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 9-15-64 M
Recorded _____ book _____ page _____
L. D. Owen, Jr.
Judge of Probate

080 L D Owen Jr
Judge of Probate
By Ann Chevalier
Chief Clerk

BALDWIN COUNTY, ALABAMA, Condemnor,	)	
vs.	)	IN THE PROBATE COURT OF
M. D. COX, HECK HARVILLE, ETHEL HARVILLE and FIRST NATIONAL BANK OF BAY MINETTE, ALABAMA, Condemnees.	)	BALDWIN COUNTY, ALABAMA

7186

APPLICATION TO CONDEMN LANDS

TO THE HONORABLE PROBATE COURT OF BALDWIN COUNTY, ALABAMA, AND TO THE HONORABLE L. D. OWEN, JR., JUDGE THEREOF:

Comes your Applicant, Baldwin County, Alabama, acting by and through John B. Hadley as Chairman of the County Commission of Baldwin County, Alabama, its duly authorized agent, 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, Alabama, 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, 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 the lands hereinafter described, and it has been requested to acquire such rights-of-way by the State Highway Department of the State of Alabama, acting by and through D'Olive Bill, its Resident Engineer, all as shown by a certified copy of a resolution of the County Commission of Baldwin County, Alabama, attached hereto and marked "Exhibit A" and

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

THIRD:

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

PARCEL ONE

A strip of land 40 feet in width on the South side of a line described as follows: beginning at the Northwest Corner of Section 34, Township 1 South, Range 3 East at Station 10 + 48.7, run thence North 89° 10' East 717.4 feet to a point; run thence in a Southeasterly direction along a 5° 00' curve concave Westerly and having a radius of 1145.28 feet a distance of 832 feet to the point of ending. Said strip of land lying in the North Half of the Northwest Quarter of Section 34, Township 1 South, Range 3 East in Baldwin County, Alabama.

PARCEL TWO

A strip of land 40 feet in width on the North side of a line described as follows: beginning at the Southeast Corner of the Southwest Quarter of the Northwest Quarter of Section 2, Township 1 South, Range 3 East at Station 112 + 65.0, run thence North 89° 20' West 739.6 feet to the point of ending at Station 105 + 25.4. Said strip of land lying in the Southwest Quarter of the Northwest Quarter of Section 2, Township 1 South, Range 3 East in Baldwin County, Alabama.

FOURTH:

That Parcel No. One is owned by M. D. Cox who is over the age of twenty-one years and is a resident citizen of Baldwin County, Alabama, residing at ~~Little River~~ Stockton in said County. That Parcel No. Two is owned by Heck Harville and Ethel Harville, both of whom are over the age of twenty-one years and reside at Rabun in Baldwin County, Alabama, subject to a mortgage thereon to First National Bank of Bay Minette, Alabama, a national banking association having its principal place of business in Bay Minette, Baldwin County, Alabama.

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 or claims any right, title or interest in and to the above described parcels of land and has used reasonable diligence to ascertain if any other person, firm or corporation other than the ones named claim to own or own any right, title or interest in said parcels of land.

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 notice of the filing hereof and of the day set for the hearing hereof to be given to the above named persons and to the above named national banking association in accordance with the statutes in such cases made and provided. 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 in and by the terms of which order three citizens of this County will be appointed to assess the damages and compensation, if any, to which the said Condemnees 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 to such other, further and different orders and decrees as may be necessary and proper for the acquisition by it 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

BOOK 44 PAGE 180

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, 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, and as such is the duly authorized agent 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

John B. Hadley

Sworn to and subscribed before me on this the 14th day of Sept, 1964.

Notary Public, Baldwin County, Alabama

EXHIBIT A

WHEREAS, the roads designated as "Drinkard Road (Project 14, 1961-62 Betterment Program)" and "Harville Road" have been surveyed and approved by the State Highway Department for construction and surfacing, all of which appears by letter of the State Highway Department acting by and through D'Olive Bill as its Resident Engineer dated the first day of September, 1964, in words and figures as follows:

"County Commission of Baldwin County
Bay Minette, Alabama

Gentlemen:

The roads designated as the "Drinkard Road (Project 14, 1961-62 Betterment Program)" and "Harville Road" have 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 roads, to-wit:

PARCEL ONE

A strip of land 40 feet in width on the South side of a line described as follows: beginning at the Northwest Corner of Section 34, Township 1 South, Range 3 East at Station 10 + 48.7, run thence North 89° 10' East 717.4 feet to a point, run thence in a Southeasterly direction along a 5° 00' curve concave Westerly and having a radius of 1145.28 feet a distance of 832 feet to a point; run thence South 49° 14' East 425.0 feet to the point of ending. Said strip of land lying in the North Half of the Northwest Quarter of Section 34, Township 1 South, Range 3 East in Baldwin County, Alabama.

PARCEL TWO

A strip of land 40 feet in width on the North side of a line described as follows: beginning at the Southeast Corner of the Southwest Quarter of the Northwest Quarter of Section 2, Township 1 South, Range 3 East at Station 112 + 65.0, run thence North 89° 20' West 739.6 feet to the point of ending at Station 105 + 25.4. Said strip of land lying in the Southwest Quarter of the Northwest Quarter of Section 2, Township 1 South, Range 3 East in Baldwin County, Alabama.

Parcel One is owned by M. D. Cox who is over the age of twenty-one years and resides at ~~Little River~~ Stockton in Baldwin County, Alabama; and Parcel Two is owned by Heck Harville and Ethel Harville who reside at Rabon, Baldwin County, Alabama, subject to a mortgage in favor of First National Bank of Bay Minette, Alabama.

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

Yours very truly,

078

/s/ Dolive Bill
D'Olive Bill, Resident Engineer

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

NOW, THEREFORE, be it resolved by the County Commission of Baldwin County, Alabama, that it be, and it is hereby, judicially ascertained and determined that it is necessary and proper and to the best interest of Baldwin County, Alabama, that an easement across the lands hereinabove described be acquired and owned by Baldwin County, Alabama, for and as a public road right-of-way and that John B. Hadley, as Chairman of the County Commission of Baldwin County, Alabama, be, and he is hereby, authorized and directed to institute the imminent domain proceedings to acquire easements across the lands above described for and as rights-of-way for said public roads.

I, John B. Hadley, as Chairman of the County Commission of Baldwin County, Alabama, and as such the Custodian of the Records of 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 held on the 1st day of September, 1964, as the same appears in the minutes of said meeting.

Witness my hand and the seal of the County Commission of Baldwin County, Alabama, on this the 11th day of September, 1964.

John B. Hadley

John B. Hadley

BALDWIN COUNTY, ALABAMA,

Condemnor,

vs.

M. D. COX, HECK HARVILLE, ETHEL HARVILLE and FIRST NATIONAL BANK OF BAY MINETTE, ALABAMA,

Condemnees.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

BOOK 44 PAGE 183

AMENDED APPLICATION TO CONDEMN LANDS

TO THE HONORABLE PROBATE COURT OF BALDWIN COUNTY, ALABAMA, AND TO THE HONORABLE L. D. OWEN, JR., JUDGE THEREOF:

Comes your applicant, Baldwin County, Alabama, acting by and through John B. Hadley as Chairman of the County Commission of Baldwin County, Alabama, its duly authorized agent, and respectfully amends its application to condemn lands heretofore filed in this cause so that the same shall read as follows:

FIRST:

That under the laws of the State of Alabama, Baldwin County, Alabama, is charged with the duty of providing rights-of-way for public roads constructed within said county; and it has, acting by and through the State Highway Department, 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 the lands hereinafter described, and it has been requested to acquire such rights-of-way by the State Highway Department of the State of Alabama, acting by and through D'Olive Bill, its Resident Engineer, all as shown by a certified copy of a resolution of the County Commission of Baldwin County, Alabama, attached hereto and marked "Exhibit A" and

STATE OF ALABAMA, BALDWIN COUNTY
Filed 10-22-64 M
Recorded book page
L. D. Owen Jr.
Judge of Probate

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

THIRD:

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

PARCEL ONE:

Commencing at the Northwest corner of Section 34, Township 1 South, Range 3 East, the point of beginning, thence run North 89° - 10' East, a distance of 972.2 feet, thence run in a southeasterly direction along a 6° - 00' curve concave southwesterly and having a radius of 955.37 feet, a distance of 412.0 feet, thence run South 50° - 58' East a distance of 1280.0 feet, thence run South 89° - 10' West a distance of 120.0 feet, thence run North 50° - 58' West a distance of 1280.0 feet, thence run in a northwesterly direction along said 6° - 00' curve a distance of 636.58 feet, thence run South 89° - 10' West a distance of 707.2 feet run thence North 0° - 50' West a distance of 40.0 feet to the point of beginning.

Said right-of-way being in the North Half of the Northwest quarter (NW¼) of Section 34, Township 1 South, Range 3 East, of Baldwin County and containing 4.047 acres more or less including the present roadway.

PARCEL TWO:

A strip of land 40 feet in width on the North side of the line described as follows:

Beginning at the Southeast corner of the Southwest quarter (SW¼) of the Northwest quarter (NW¼) of Section 2, Township 1 South, Range 3 East at Station 112 + 65.0, run thence North 89° 20' West 659.6 feet to the point of ending at Station 106 + 05.4. Said strip of land lying in the Southwest quarter of the Northwest quarter of Section 2, Township 1 South, Range 3 East in Baldwin County, Alabama, and containing 0.679 acres, more or less including the present roadway.

FOURTH:

That Parcel No. One is owned by M. D. Cox who is over the age of twenty-one years and is a resident citizen of Baldwin County, Alabama, residing at Stockton in said County. That Parcel No. Two is owned by Heck Harville and Ethel Harville, both of whom are over the age of twenty-one years and reside at Rabun

in Baldwin County, Alabama, subject to a mortgage thereon to First National Bank of Bay Minette, Alabama, a national banking association having its principal place of business in Bay Minette, Baldwin County, Alabama.

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 or claims any right, title or interest in and to the above described parcels of land and has used reasonable diligence to ascertain if any other person, firm or corporation other than the ones named claim to own or own any right, title or interest in said parcels of land.

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 notice of the filing hereof and of the day set for the hearing hereof to be given to the above named persons and to the above named national banking association in accordance with the statutes in such cases made and provided. 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 in and by the terms of which order three citizens of this County will be appointed to assess the damages and compensation, if any, to which the said Condemnees 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 to such other, further and different orders and decrees as may be necessary and proper

for the acquisition by it 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

BOOK 44 PAGE 186

EXHIBIT A

WHEREAS, the roads designated as "Drinkard Road (Project 14, 1961-62 Betterment Program)" and "Harville Road" have been surveyed and approved by the State Highway Department for construction and surfacing, all of which appears by letter of the State Highway Department acting by and through D'Olive Bill as its Resident Engineer dated the first day of September, 1964, in words and figures as follows:

BOOK 44 PAGE 187

"County Commission of Baldwin County
Bay Minette, Alabama

Gentlemen:

The roads designated as the "Drinkard Road (Project 14, 1961-62 Betterment Program)" and "Harville Road" have 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 roads, to-wit:

PARCEL ONE:

Commencing at the Northwest corner of Section 34, Township 1 South, Range 3 East, the point of beginning, thence run North 89° - 10' East, a distance of 972.2 feet, thence run in a southeasterly direction along a 6° - 00' curve concave southwesterly and having a radius of 955.37 feet, a distance of 412.0 feet, thence run South 50° - 58' East a distance of 1280.0 feet, thence run South 89° - 10' West a distance of 120.0 feet, thence run North 50° - 58' West a distance of 1190.0 feet, thence run in a northwesterly direction along said 6° - 00' curve a distance of 636.58 feet, thence run South 89° - 10' West a distance of 707.2 feet run thence North 0° - 50' West a distance of 40.0 feet to the point of beginning.

Said right-of-way being in the North Half of the Northwest quarter (NW¼) of Section 34, Township 1 South, Range 3 East, of Baldwin County and containing 4.047 acres more or less including the present roadway.

PARCEL TWO:

A strip of land 40 feet in width on the North side of the line described as follows:

Beginning at the Southeast corner of the Southwest quarter (SW¼) of the Northwest quarter (NW¼) of Section 2, Township 1 South, Range 3 East at Station 112 + 65.0, run thence North 89° 20' West 659.6 feet to the point of ending at Station 106 + 05.4. Said strip of land lying in the Southwest quarter of the Northwest Quarter of Section 2, Township 1 South, Range 3 East in Baldwin County, Alabama, and containing 0.679 acres, more or less, including the present roadway.

Parcel One is owned by M. D. Cox who is over the age of twenty-one years and resides at Little River in Baldwin County, Alabama; and Parcel Two is owned by Heck Harville and Ethel Harville who reside at Rabun, Baldwin County, Alabama, subject to a mortgage in favor of First National Bank of Bay Minette, Alabama.

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 and request are needed by the County for public road purposes and that the State Highway Department has approved and requested this Commission to acquire the same for such purposes.

NOW, THEREFORE, be it resolved by the County Commission of Baldwin County, Alabama, that it be, and it is hereby, judicially ascertained and determined that it is necessary and proper and to the best interest of Baldwin County of Alabama, that an easement across the lands hereinabove described be acquired and owned by Baldwin County, Alabama, for and as a public road right-of-way and that John B. Hadley, as Chairman of the County Commission of Baldwin County, Alabama, be, and he is hereby, authorized and directed to institute the imminent domain proceedings to acquire easements across the lands above described for and as rights-of-way for said public roads.

I, John B. Hadley, as Chairman of the County Commission of Baldwin County, Alabama, and as such the Custodian of the Records of 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 held on the 1st day of September, 1964, as the same appears in the minutes of said meeting.

Witness my hand and the seal of the County Commission of Baldwin County, Alabama, on this the _____ day of September, 1964.

John B. Hadley

John B. Hadley

We the Jury find for the land owner the sum of $250.00

J. J. Faulkner
Foreman

No. 7186

BALDWIN COUNTY, ALABAMA,	)	
Condemnor,	)	IN THE PROBATE COURT OF
	)	
vs.	)	BALDWIN COUNTY, ALABAMA
	)	
M. D. COX, ET AL.,	)	
Condemnees.	)	

MOTION FOR CONTINUANCE

Comes now the Condemnor in the above styled cause by its Attorneys, and moves this Honorable Court to enter an Order of Continuance of the above styled cause and as grounds therefor says as follows:

That since the filing of the Application for Condemnation in this cause the Petitioner has learned that there is a mistake in the discription of the land described as "PARCEL ONE" belonging to M. D. Cox and that it will be necessary that the Application be amended in order to accurately describe the land involved in this proceeding.

Respectfully submitted,

CHASON, STONE & CHASON

By: _____
Attorneys for Condemnor

STATE OF ALABAMA, BALDWIN COUNTY
Filed 10-8-64 M
Recorded _____ book _____ page _____
L. D. Owen, Jr.
Judge of Probate
ac

BALDWIN COUNTY, ALABAMA,)

Condemnor,)

) IN THE PROBATE COURT OF

vs.)

) BALDWIN COUNTY, ALABAMA

M. D. COX, ET AL.,)

Condemnees.)

TO: M. D. COX, ~~LITTLE RIVER~~ STOCKTON, ALABAMA

YOU WILL TAKE NOTICE that on the 15th. day of September, 1964, an application was filed in this Court for Baldwin County, Alabama, alleging that it desires to have condemned an easement or right-of-way for a public road, over the following described real property located in Baldwin County, Alabama, to-wit:

PARCEL ONE

A strip of land 40 feet in width on the South side of a line described as follows: beginning at the Northwest Corner of Section 34, Township 1 South, Range 3 East at Station 10 + 48.7, run thence North 89° 10' East 717.4 feet to a point; run thence in a Southeasterly direction along an 5° 00' curve concave Westerly and having a radius of 1145.28 feet a distance of 832 feet to the point of ending. Said strip of land lying in the North Half of the Northwest Quarter of Section 34, Township 1 South, Range 3 East in Baldwin County, Alabama.

and the application prays that a day be appointed for the hearing thereof and for such further, other and different orders and decrees as may be necessary and proper for the acquisition by the Petitioner of the easement or right-of-way over and across the above described property.

THIS IS TO NOTIFY YOU that the Probate Court of Baldwin County, Alabama, has, by an order this day entered, appointed the 8th. day of October, 1964, as the day upon which said application will be heard, at which time you may appear and contest the same as you choose to do so.

Done this the 15th. day of September, 1964.

L. D. Owen Jr.
Judge of Probate

By Ann Chevalier
Chief Clerk

STATE OF ALABAMA, BALDWIN COUNTY
Filed 9-15-64 M
Recorded _____ book _____ page _____
L. D. Owen, Jr.
Judge of Probate

087

Received 15 day of Sept 1964
and on 15 day of Sept 1964
I served a copy of the within Notice
on M. O. Cox

By service on

TAYLOR WILKINS, Sheriff
By W. A. Colbert D. S.
Little River

Sheriff claims 70 miles at
Ten Cents per mile Total $ 7.00
TAYLOR WILKINS, Sheriff
BY Colbert
DEPUTY SHERIFF

088

BALDWIN COUNTY, ALABAMA,)

Condemnor,)

) IN THE PROBATE COURT OF

vs.)

) BALDWIN COUNTY, ALABAMA

M. D. COX, ET AL.,)

Condemnees.)

BOOK 44 PAGE 133

TO: ETHEL HARVILLE, RABUN, ALABAMA

YOU WILL TAKE NOTICE that on the 15 day of September, 1964, an application was filed in this Court for Baldwin County, Alabama, alleging that it desires to have condemned an easement or right-of-way for a public road, over the following described real property located in Baldwin County, Alabama, to-wit:

PARCEL TWO

A strip of land 40 feet in width on the North side of a line described as follows: beginning at the Southeast Corner of the Southwest Quarter of the Northwest Quarter of Section 2, Township 1 South, Range 3 East at Station 112 + 65.0, run thence North 89° 20' West 739.6 feet to the point of ending at Station 105 + 25.4. Said strip of land lying in the Southwest Quarter of the Northwest Quarter of Section 2, Township 1 South, Range 3 East in Baldwin County, Alabama.

and the application prays that a day be appointed for the hearing thereof and for such further, other and different orders and decrees as may be necessary and proper for the acquisition by the Petitioner of the easement or right-of-way over and across the above described property.

THIS IS TO NOTIFY YOU that the Probate Court of Baldwin County, Alabama, has, by an order this day entered, appointed the 8th. day of October, 1964, as the day upon which said application will be heard, at which time you may appear and contest the same as you choose to do so.

Done this the 15 day of September, 1964.

L. D. Owen Jr.
Judge of Probate

By Ann Chevalier
Chief Clerk

STATE OF ALABAMA, BALDWIN COUNTY
Filed 9-15-64 M
Recorded _____ book _____ page _____
L. D. Owen, Jr.
Judge of Probate

085

ceiv 15 day of Sept 19 64
d on 16 Sept 19 64
served a copy of the within Notice
on Ethel Farrelle

By service on

TAYLOR WILKINS, Sheriff
By Tallent D. S.

Sheriff claims 22 miles at
Ten Cents per mile Total $ 2.20
TAYLOR WILKINS, Sheriff
BY Tallent
DEPUTY SHERIFF

086

BALDWIN COUNTY, ALABAMA,)

Condemnor,) IN THE PROBATE COURT OF

vs.) BALDWIN COUNTY, ALABAMA

M. D. COX, ET AL.,)

Condemnees.)

TO: THE HONORABLE L. D. OWEN, JR., JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA:

The undersigned Leon Gibson, E. R. Brantley and Tom Gandy who were heretofore appointed by the Probate Court of Baldwin County, Alabama, as Commissioners to assess the damages and compensation to which M. D. Cox, Heck Harville, Ethel Harville and First National Bank of Bay Minette, Alabama, 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:

Commencing at the Northwest corner of Section 34, Township 1 South, Range 3 East, the point of beginning, thence run North 89° - 10' East, a distance of 972.2 feet, thence run in a southeasterly direction along a 6° - 00' curve concave southwesterly and having a radius of 955.37 feet, a distance of 412.0 feet, thence run South 50° - 58' East a disntance of 1280.0 feet, thence run South 89° - 10' West a distance of 120.0 feet, thence run North 50° - 58' West a distance of 1280.0 feet, thence run in a northwesterly direction along said 6° - 00' curve a distance of 636.58 feet, thence run South 89° - 10' West a distance of 707.2 feet run thence North 0° - 50' West a distance of 40.0 feet to the point of beginning.

Said right-of-way being in the North Half of the Northwest quarter (NW¼) of Section 34, Township 1 South, Range 3 East, of Baldwin County and containing 4.047 acres more or less including the present roadway.

PARCEL TWO:

A strip of land 40 feet in width on the North side of the line described as follows:

Beginning at the Southeast corner of the Southwest quarter (SW¼) of the Northwest quarter (NW¼) of Section 2, Township 1 South, Range 3 East at Station 112 + 65.0, run thence North 89° 20' West 659.6 feet to the point of ending at Station 106 + 05.4. Said strip of land lying in the Southwest

STATE OF ALABAMA, BALDWIN COUNTY
Filed 11-12-69 Book ... Page ...
Recorded ... Judge of Probate

quarter of the Northwest quarter of Section 2, Township 1 South, Range 3 East in Baldwin County, Alabama, and containing 0.679 acres, more or less, including the present roadway.

do hereby respectfully report that pursuant to said commission we viewed said lands after having been duly sworn as jurors are sworn, and thereafter we proceeded to assess the damages and compensation to which the said M. D. Cox, Heck Harville, Ethel Harville and First National Bank of Bay Minette, Alabama, are entitled by reason of the condemnation of said easements for road purposes over and across the above described lands belonging to the, and we, and each of us, separately assessed the damages and compensation to the said M. D. Cox at the sum of $ 400.00; and we, and each of us, separately assessed the damages and compensation to the said Heck Harville and Ethel Harville and First National Bank of Bay Minette, Alabama, at the sum of $ 50.00.

We further certify that we have not been consulted, advised 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 know nothing of the same prior to our appointment as such commissioners.

IN WITNESS WHEREOF, we have hereunto set out hands on this the 12 day of Nov, 1964.

Tom Hardy

E.R. Brantley

Leon Gibson

Sworn to and subscribed before me this the 12 day of Nov., 1964.

L. D. Owen Jr.

L. D. Owen, Jr., Judge of Probate of Baldwin County, Alabama.

BOOK 44 PAGE 198

BALDWIN COUNTY, ALABAMA,)
Condemnor,)
)
vs.)
)
M. D. COX, ET AL.,)
Condemnees.)

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

TO: THE SHEROFF OF BALDWIN COUNTY, ALABAMA:

You are hereby commanded to notify Leon Gibson, E.R. Brantley and Tom Gandy, that, by order of the Probate Court of Baldwin County, Alabama, made and entered on the 22 day of Oct, 1964, they were appointed Commissioners to ascertain and report to this Court, in writing, within twenty days from this date, the amount of damages and compensation which M. D. Cox, Heck Harville, Ethel Harville and First National Bank of Bay Minette, Alabama, 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 lands situated in Baldwin County, Alabama, to-wit:

PARCEL ONE:

Beginning at the Northwest corner of Section 34, Township 1 South, Range 3 East, the point of beginning, thence run North 89° - 10' East, a distance of 972.2 feet, thence run in a southeasterly direction along a 6° - 00' curve concave southwesterly and having a radius of 955.37 feet, a distance of 412.0 feet, thence run South 50° - 58' East a distance of 1280.0 feet, thence run South 89° - 10' West a distance of 120.0 feet, thence run North 50° - 58' West a distance of 1280.0 feet, thence run in a northwesterly direction along said 6° - 00' curve a distance of 636.58 feet, thence run South 89° - 10' West a distance of 707.2 feet run thence North 0° - 50' West a distance of 40.0 feet to the point of beginning.

Said right-of-way being in the North Half of the Northwest quarter (NW¼) of Section 34, Township 1 South, Range 3 East, of Baldwin County and containing 4.047 acres more or less including the present roadway.

PARCEL TWO:

A strip of land 40 feet in width on the North side of the line described as follows:

Beginning at the Southeast corner of the Southwest quarter of the Northwest quarter of Section 2, Town-

STATE OF ALABAMA, BALDWIN COUNTY
Filed 12-28-64 M
Recorded book 1969
Judge of Probate

ship 1 South, Range 3 East at Station 112 + 65.0, run thence North 89° 20' West 659.6 feet to the point of ending at Station 106 + 05.4. Said strip of land lying in the Southwest quarter of the Northwest quarter of Section 2, Township 1 South, Range 3 East in Baldwin County, Alabama, and containing 0.679 acres, more or less including the present roadway.

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

Done this the 28 day of Oct, 1964.

Judge of Probate

Received 31 day of Oct 1964
and on 6 day of Nov ~~Oct~~ 1964
I served a copy of the within Notice
on Leon Pilson - 10/31/64
Leon Dandy
By ~~service on~~ E. L. Brantley

TAYLOR WILKINS, Sheriff
By W. A. Tilbert D. S.

BALDWIN COUNTY, ALABAMA,)

Condemnor,)

vs.)

M. D. COX, ET AL.,)

Condemnees)

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

BOOK 14 PAGE 202

ORDER OF CONDEMNATION

The Commissioners heretofore appointed by this Court to assess the damages and compensation to which M. D. Cox, Heck Harville, Ethel Harville and First National Bank of Bay Minette, Alabama are each entitled having heretofore on November 12, 1964 filed their report in writing under oath in which report was included their certificate as required by law; and it appearing to the Court from said report that said Commissioners have assessed the damages to which the said M. D. Cox is entitled at $ 400.00 and the damages to which the said Heck Harville, Ethel Harville and First National Bank of Bay Minette, Alabama, are entitled at $ 50.00 ; and it further appearing to the Court that Baldwin County, Alabama, has this day paid into Court the damages and compensation so assessed and reported, which sum of money is now on deposit in this Court, and that an order should be entered condemning an easement or right-of-way for public road purposes over and across the lands hereinafter described belonging to the Condemnees 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; as follows:

1. That an easement or right-of-way for public road purposes be, and the same is hereby, condemned, granted and awarded to Baldwin County, Alabama, over and across the following described real property belonging to M. D. Cox and being situated in Baldwin County, Alabama, viz:

STATE OF ALABAMA, BALDWIN COUNTY
Filed 12-2-64
Recorded book page
L. D. Owen Jr
Judge of Probate

PARCEL ONE:

Commencing at the Northwest corner of Section 34, Township 1 South, Range 3 East, the point of beginning, thence run North 89° - 10' East, a distance of 972.2 feet, thence run in a Southeasterly direction along a 6° - 00' curve concave southwesterly and having a radius of 955.37 feet, a distance of 412.0 feet, thence run South 50° - 58' East a distance of 1280.0 feet, thence run South 89° - 10' West a distance of 120.0 feet, thence run North 50° - 58' West a distance of 1280.0 feet, thence run in a northwesterly direction along said 6° - 00' curve a distance of 636.58 feet, thence run South 89° - 10' West a distance of 707.2 feet run thence north 0° - 50' West a distance of 40.0 feet to the point of beginning.

Said right-of-way being in the North Half of the Northwest quarter (NW¼) of Section 34, Township 1 South, Range 3 East, of Baldwin County, and containing 4.047 acres more or less including the present roadway.

and that such easement be, and the same is hereby, divested out of the said M. D. Cox and in Baldwin County, Alabama.

2. That an easement or right-of-way, for public road purposes be, and the same is hereby condemned, granted and awarded to Baldwin County, Alabama, over and across the following described real property belonging to Heck Harville, Ethel Harville and First National Bank of Bay Minette, Alabama, and being situated in Baldwin County, Alabama, viz:

PARCEL TWO:

A strip of land 40 feet in width on the North side of the line described as follows:

Beginning at the Southeast corner of the Southwest quarter (SW¼) of the Northwest quarter (NW¼) of Section 2, Township 1 South, Range 3 East at Station 112 + 65.0, run thence North 89° 20' West 659.6 feet to the point of ending at Station 106 + 05.4. Said strip of land lying in the Southwest quarter of the Northwest quarter of Section 2, Township 1 South, Range 3 East in Baldwin County, Alabama, and containing 0.679 acres, more or less, including the present roadway.

and that such easement be, and the same is hereby, divested out of the said Heck Harville and First National Bank of Bay Minette, Alabama, and in Baldwin County, Alabama.

3. That all of the papers now on file in this cause, including the report of commissioners hereinabove referred to be, and the same are hereby ordered to be, recorded.

Done this 2 day of Dec., 1964.

Judge of Probate

BOOK 44 PAGE 204

BALDWIN COUNTY, ALABAMA	X	
Condemnor	X	IN THE PROBATE COURT OF
vs.	X	
		BALDWIN COUNTY, ALABAMA
M. D. COX, ET AL	X	
Condemnees	X	NO. 4984

NOTICE OF APPEAL

Comes Heck Harville, defendant in the above styled cause by his attorney of record, C. LeNoir Thompson, and in compliance with Title 19, Section 17, files this his written notice of appeal from the order condeming his said lands described in the complaint as Parcel Two which was entered in the Probate Court of Baldwin County on to-wit, ~~November~~ December 2 1964, and further gives notice that such appeal is given in writing within thirty days after the entering of said order of condemnation by the Probate Court of Baldwin County, Alabama.

BOOK 44 PAGE 205

These premises considered, your petitioner, Heck Harville prays that a copy of this notice of appeal shall be served upon the said plaintiff herein, Baldwin County, Alabama, through its attorney of record.

Petitioner further prays this matter shall be set for trial de novo in the Circuit Court of Baldwin County, Alabama, in accordance with the provisions of Title 19 of the 1940 Code of Alabama as revised and amended in 1958.

THOMPSON & WHITE

BY: C. LeNoir Thompson

TO: The Honorable Attorney of Record in the above styled cause for Baldwin County, Alabama, plaintiff in said cause.

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 10th day of December, 1964.

L. D. Owen Jr
Judge of Probate

By Drew Chevalier
Chief Clerk

STATE OF ALABAMA, BALDWIN COUNTY
Filed 12-10-64
Recorded ..... book ..... page .....
L. D. Owen, Jr
Judge of Probate

BALDWIN COUNTY, ALABAMA	X	
Condemnor	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
M. D. COX, ET AL.	X	
Condemnees	X	

Comes the defendant, Heck Harville, et al, and demands a jury trial in Probate Court, Case No. 5300 appealed to this, the Circuit Court of Baldwin County on the 10th day of December, 1964.

THOMPSON & WHITE

BY: [signature]
Attorneys for defendant.

FILED
DEC 17 1964
ALICE L. DUCK, CLERK REGISTER

7186 ~~5300~~

Baldwin Crawley

vs

MBO Corp et al

BALDWIN COUNTY, ALABAMA Condemnor vs M. D. COX, et al Condemnees.	X X X X X X X X X	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

Comes C. LeNoir Thompson, attorney for the condemnee, Heck Harville in the above styled cause and withdraws his appearance in said cause.

C. LeNoir Thompson

I hereby certify I have this 8 day of February, 1967, mailed a copy of the foregoing withdrawal to Mr. Heck Harville, Rabun Route, Bay Minette, Alabama, and to Honorable Norborne Stone, Attorney for Baldwin County, Alabama, condemnor in the above styled cause.

C. LeNoir Thompson

FILED
FEB 8 1967
ALICE J. BUCK, CLERK
REGISTER

BALDWIN COUNTY, ALABAMA,	X	
Petitioner,	X	IN THE CIRCUIT COURT OF
	X	BALDWIN COUNTY, ALABAMA
vs	X	AT LAW
HECK HARVILLE, ET AL.,	X	NUMBER: 7186
Condemnees.	X	

STIPULATION OF PARTIES

It is stipulated and agreed by and between the parties to this cause, acting by and through their respective attorneys of record, as follows:

1. That the Petitioner is authorized to institute and prosecure this proceeding to acquire the lands or interest in lands owned by the Condemnees, Heck Harville, Ethel Harville and First National Bank of Bay Minette, Alabama and situated in Baldwin County, Alabama for the uses and purposes more particularly set forth in the application or petition heretofore filed by the Petitioner in the Probate Court of Baldwin County, Alabama.

2. That all proceedings heretofore had in the Probate Court of Baldwin County, Alabama with respect to this condemnation proceeding were regular, and an appeal has been duly and properly perfected within the time allowed by law from the Order of Condemnation of the Probate Court of Baldwin County, Alabama, and the trial by jury of the issues presented by this appeal has been properly demanded.

3. That the only issue in this proceeding is the amount of damages and compensation, if any, to which the Condemnees are entitled for the taking of the lands or interest in lands sought to be acquired by the Petitioner for the uses and purposes stated in the Application hereinabove referred to.

4. That the time of the taking of the property and the

interest in property in this proceeding is the date on which the Application for Condemnation was filed in the Probate Court of Baldwin County, Alabama.

Attorney for Petitioner

Kenneth Cooper

Attorney for Condemnees

Filed 3-6-67