

STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 5771

L. T. RHODES, ET AL

RESPONDENTS.

COMMISSIONS

TO: E. P. BELL, MILTON WILSON,
and O. W. LYLES

KNOW YE, that having full faith and confidence in your integrity and competency, you have been by order and decree of the Probate Court of Baldwin County, Alabama, designated and appointed as commissioners in the above styled cause, 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 Chapter I of Title 19 of the Code of Alabama of 1940, as amended.

You will be sworn as jurors and you or a majority of you shall assess the damages and compensation to which the owners and interested parties are entitled by virtue of and on account of the condemning of the right of way or easement over the tracts of land described in the application for condemnation filed in this cause, all for the uses and purposes of a public road or highway in and for the State of Alabama. A description of the lands and the names of the owners and the easement sought are specifically set out in the application for condemnation filed in this cause.

You may view the lands to be subjected and you must receive all legal evidence offered by any party touching the amount of damages or compensation the owner of said lands and interested parties will sustain and are entitled to receive. Any person interested in the proceedings may be present in person or by attorney at any of these proceedings which you may have.

You must within twenty days from the day of your appointment, which is this date, make a report in writing to the Court stating the amount of damage and compensation ascertained and assessed by you for the owners and parties interested in the tracts of land, and file a certificate along with your award that none of you have been consulted, advised with or approached by any person with 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.

Given under my hand and seal of office this 13th day of September 1966.

Harry D'Olive
JUDGE OF PROBATE

BY: _____

STATE OF ALABAMA

BALDWIN COUNTY

We, and each of us do solemnly swear that we will well and truly try the cause now pending and submit it to our decision, said case being styled STATE OF ALABAMA vs. L. T. Rhodes +
Camella N. Harper, et al, and Baldwin County, a political subdivision of the State of Alabama, and that we are not directly, nor indirectly, interested in the issues to be tried, and that we are not biased or prejudiced against either of said parties, and that we will render such compensation to the defendants as to us shall seem just and proper in the presence, so help us God.

E. P. Bell
M. W. Lysen
O. W. Lysen

Sworn to and subscribed before me
this 21st day of Sept - 1966.

JUDGE OF PROBATE

received 13 day of Sept. 1966

End on 14 day of Sept 1966

I served a copy of the within Notice

to B. P. Bell; Milton

Wilcox, O. W. Lyles

By service on

TAYLOR WILKINS, Sheriff

W. A. Zelbach

on

[Signature]
TAYLOR WILKINS

THE STATE OF ALABAMA, Baldwin COUNTY

PROBATE COURT, September TERM, 19 66

BOOK 044 PAGE 329

To Wilson Hayes, Esquire
Bay Minette, Alabama

Take Notice, That by an order of this Court, this day made and entered, you were appointed to act as Guardian ad litem for Melinda Alford, minor

~~minor~~ ~~her~~ ~~interest~~ upon ~~the~~ hearing of the petition to condemn certain property belonging to said minor for the purpose of a road right-of-way

Given under my hand, this 7th day of September, 19 66

Harry D'Almeida

Judge of Probate

I hereby accept the appointment of Guardian ad litem for Melinda Alford, minor

~~minor~~ ~~her~~ ~~interests~~ upon the hearing of the above named proceedings and hereby deny each and every allegation contained in said proceedings and demand proof thereof.

Witness my hand, this 7th day of September, 19 66.

Wilson Hayes

Guardian ad litem

THE STATE OF ALABAMA

COUNTY

PROBATE COURT

ESTATE OF

Deceased

Minor

Guardian ad Litem

Notice of Appointment and Accept-
ance of Guardian ad Litem

Filed this _____ day of

_____, 19____, and recorded

in Book _____, page _____ this

_____ day of _____, 19____

Judge of Probate

ORIGINAL

STATE OF ALABAMA,

Petitioner,
VS.

L. T. RHODES and CAMELLA N.
HOOPER, TRACT NO. 4,

Defendants.

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Ø
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Ø
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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 7272

APPLICATION FOR DISTRIBUTION OF FUNDS

Now comes L. T. Rhodes, one of the respondents in this cause, and shows unto the court that on, to-wit, April 12, 1967, a final judgment was rendered in this cause fixing the sum of Seven Hundred Twenty Dollars (\$720.00) as the amount due by the State of Alabama for the said Tract 4, as described in the application for condemnation filed by the State of Alabama in this cause.

The said L. T. Rhodes alleges that at the time of the filing of the application for condemnation of the property described as said Tract 4, he was the sole owner thereof and that Camella N. Hooper had no interest in the said property at the time of the filing of the said condemnation suit. The said L. T. Rhodes further alleges that he is now the only person entitled to payment of the said sum of \$720.00, which is now in possession of the Clerk of the Circuit Court of Baldwin County, Alabama.

The said L. T. Rhodes files this application as provided by Title 19, Section 26, Code of Alabama, and prays for the following separate and several relief:

1. That Camella N. Hooper be made a party to this cause and that notice of the filing of this application and of the date set for hearing same be given to her in the manner provided by law.

2. That a date be set for hearing this application, and that on the said hearing a proper order be made directing the Clerk of the Circuit Court of Baldwin County, Alabama, to pay the said

sum of \$720.00 to him.

J. T. B. Blackburn
Attorney for above named L. T. Rhodes

FILED

JAN 20 1969

STATE OF ALABAMA Ø
 *
BALDWIN COUNTY Ø

ALICE J. DUCK CLERK
 REGISTER

The above and foregoing application having been presented to me on this date, it shall be and it is hereby set for hearing at ^{1:00}~~9:30~~ 'clock P. M., on the 18th day of February, 1969.

Notice of the filing of the said application and of the date set for hearing same shall be given to Camella N. Hooper for ten (10) days prior to the date set for hearing the said application.

DONE on this the 20th day of January, 1969.
~~October, 1968~~

J. J. Madeline
Judge

FILED

JAN 20 1969

ALICE J. DUCK CLERK
 REGISTER

49527
69672

7272
ORIGINAL
State of Ala

Received 21 day of Jan 1969
and on 23 day of Jan 1968
I served a copy of the within C.D.F.
on Camella N. Hooper
By service on _____

TAYLOR WILKINS, Sheriff
By W. A. Salter D. S.
2 miles South
7 PM

Sheriff claims 4 miles at
Ten Cents per mile Total \$ 40
TAYLOR WILKINS, Sheriff
BY W. A. Salter
DEPUTY SHERIFF

vs.

L. J. Rhodes +
Camella N. Hooper
Tract 4

Seize Camella N. Hooper

J. B. Blackburn
Atty

STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 5772

L. T. Rhodes and Camellia N. Hooper, et al

RESPONDENTS.

REPORT OF THE COMMISSIONERS

TO THE HONORABLE HARRY M. D'OLIVE, JUDGE OF PROBATE, BALDWIN COUNTY, ALA.

Come the undersigned, E. P. Bell,

Milton Wilson,

and O. W. Lyles,

the Commissioners duly appointed to assess the damages to Parcel No.

4 of Project No. S-635(2), to which the owner and other parties interested in the parcel of land set forth and described in the original application for condemnation of lands filed in this cause, are entitled for the condemnation of such lands, and having been duly sworn as jurors, and having viewed the lands described in said application for condemnation, and having set a time and place for the hearing of the evidence to be offered by any party touching the amount of damages the owners of the lands and other parties interested therein will sustain and the amount of compensation they are entitled to receive, and having received all legal evidence offered, do hereby state that the amount of damages and compensation has been ascertained and assessed by the undersigned according to law and that the said owners of said Parcel of land and other parties interested therein are entitled to receive as damages and compensation for the condemnation of their property, the following amount:

Project No. S-635(2), Parcel No. 4, \$ 720.⁰⁰

BOOK 044 PAGE 331

We hereby certify that we have not been consulted with, advised with or approached by any person with reference to the value of the lands other than as to the evidence submitted to and considered by us 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

BOOK 044 PAGE 332

E. P. Bell
COMMISSIONER

M. Wilson
COMMISSIONER

O. W. Lyke
COMMISSIONER

Sworn to and subscribed before me
this 21st day of Sept, 1966.

Harry D'Olivera
JUDGE OF PROBATE

BY: _____

STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 5771

L. T. Rhodes and Camella N. Hooper, et al

RESPONDENTS.

FINAL ORDER OF CONDEMNATION

On the 21st day of September, 1966, came E. P. Bell

Milton Wilson, and D. W. Lyffe

commissioners heretofore appointed by this Court to assess and ascertain the damages and compensation to which the owners and other parties interested in the tract of land set forth in the application for condemnation of lands heretofore filed in this cause are entitled and filed their report in writing and under oath setting forth that they awarded compensation and damages to the said owners and other parties interested in Parcel Number 4, Project No. S-635(2), in the amount of \$ 720.⁰⁰.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the said report of commissioners be filed in this Court and recorded

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the property described in the application for condemnation heretofore filed in this cause be and the same is hereby condemned for the purposes set forth in said application for condemnation upon the payment of the damages and compensation so ascertained, assessed and reported or the deposit of the same in Court as provided in Section 16 of Title 19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all costs of the proceeding.

Done this 21st day of Sept., 1966.

Harry D. Oliver
JUDGE OF PROBATE

BOOK 044 PAGE 333

STATE OF ALABAMA,
PETITIONER,
VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 5771

L. T. RHODES, ET AL

RESPONDENTS.

REPORT OF THE COMMISSIONERS

TO THE HONORABLE HARRY M. D'OLIVE, JUDGE OF PROBATE, BALDWIN COUNTY, ALA.

Come the undersigned, J. P. Bue,
Milton Wilson, and O. W. Lytle,
the Commissioners duly appointed to assess the damages to Parcel No.
23 of Project No. S-635(2), to which the owner and other parties
interested in the parcel of land set forth and described in the origi-
nal application for condemnation of lands filed in this cause, are
entitled for the condemnation of such lands, and having been duly
sworn as jurors, and having viewed the lands described in said appli-
cation for condemnation, and having set a time and place for the
hearing of the evidence to be offered by any party touching the amount
of damages the owners of the lands and other parties interested there-
in will sustain and the amount of compensation they are entitled to
receive, and having received all legal evidence offered, do hereby
state that the amount of damages and compensation has been ascertained
and assessed by the undersigned according to law and that the said
owners of said Parcel of land and other parties interested therein are
entitled to receive as damages and compensation for the condemnation
of their property, the following amount:

Project No. S-635(2), Parcel No. 23, \$ 4000⁰⁰

BOOK 044 PAGE 349

We hereby certify that we have not been consulted with, advised with or approached by any person with reference to the value of the lands other than as to the evidence submitted to and considered by us 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

B96K 044 PAGE 350

E. P. Bell
COMMISSIONER

M. Wilson
COMMISSIONER

Chas. Lytle
COMMISSIONER

Sworn to and subscribed before me
this 21st day of Sept, 1966.

Harry D'Olive
JUDGE OF PROBATE

BY: _____

STATE OF ALABAMA,
PETITIONER,
VS.

L. T. RHODES, ET AL

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 5771

BOOK 044 PAGE 351

RESPONDENTS.

FINAL ORDER OF CONDEMNATION

On the 21st day of Sept, 1966, came E. P. Bell
Milton Wilson, and D. W. Ryker,
commissioners heretofore appointed by this Court to assess and ascer-
tain the damages and compensation to which the owners and other parties
interested in the tract of land set forth in the application for con-
demnation of lands heretofore filed in this cause are entitled and
filed their report in writing and under oath setting forth that they
awarded compensation and damages to the said owners and other parties
interested in Parcel Number 23, Project No. S-635(2), in the
amount of \$ 4000.00.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that
the said report of commissioners be filed in this Court and recorded.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the
property described in the application for condemnation heretofore
filed in this cause be and the same is hereby condemned for the pur-
poses set forth in said application for condemnation upon the payment
of the damages and compensation so ascertained, assessed and reported
or the deposit of the same in Court as provided in Section 16 of Title
19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all
costs of the proceeding.

Done this 21st day of Sept, 1966.

Harry D'olive
JUDGE OF PROBATE

STATE OF ALABAMA,
PETITIONER,
VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 5771

ELMA W. ALFORD, MELINDA L. ALFORD,
BARBARA A. BRYANT, ET AL

RESPONDENTS.

REPORT OF THE COMMISSIONERS

TO THE HONORABLE HARRY N. D'OLIVE, JUDGE OF PROBATE, BALDWIN COUNTY, ALA.

Come the undersigned, J. P. Byrd,
Milton Wilson, and D. W. Lyles,
the Commissioners duly appointed to assess the damages to Parcel No.
21 of Project No. S-635(2), to which the owner and other parties
interested in the parcel of land set forth and described in the origi-
nal application for condemnation of lands filed in this cause, are
entitled for the condemnation of such lands, and having been duly
sworn as jurors, and having viewed the lands described in said appli-
cation for condemnation, and having set a time and place for the
hearing of the evidence to be offered by any party touching the amount
of damages the owners of the lands and other parties interested there-
in will sustain and the amount of compensation they are entitled to
receive, and having received all legal evidence offered, do hereby
state that the amount of damages and compensation has been ascertained
and assessed by the undersigned according to law and that the said
owners of said Parcel of land and other parties interested therein are
entitled to receive as damages and compensation for the condemnation
of their property, the following amount:

Project No: S-635(2), Parcel No. 21, \$ 20,140 ⁰⁰

BOOK 044
PAGE 343

We hereby certify that we have not been consulted with, advised with or approached by any person with reference to the value of the lands other than as to the evidence submitted to and considered by us 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.

E. P. Bell
COMMISSIONER

M. Wilson
COMMISSIONER

O. W. Lyle
COMMISSIONER

Sworn to and subscribed before me
this 21st day of Sept, 1966.

Harry D'Oliver
JUDGE OF PROBATE

BY: _____

STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 5771

ELMA W. ALFORD, MELINDA L. ALFORD,
AND BARBARA A. BRYANT, ET AL

RESPONDENTS.

FINAL ORDER OF CONDEMNATION

BOOK 044
PAGE 345

On the 21st day of Sept., 1966, came P. P. Bell
Milton Wilson, and O. W. Lytle,
commissioners heretofore appointed by this Court to assess and ascer-
tain the damages and compensation to which the owners and other parties
interested in the tract of land set forth in the application for con-
demnation of lands heretofore filed in this cause are entitled and
filed their report in writing and under oath setting forth that they
awarded compensation and damages to the said owners and other parties
interested in Parcel Number 21, Project No. S-635(2), in the
amount of \$ 20,140⁰⁰.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that
the said report of commissioners be filed in this Court and recorded.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the
property described in the application for condemnation heretofore
filed in this cause be and the same is hereby condemned for the pur-
poses set forth in said application for condemnation upon the payment
of the damages and compensation so ascertained, assessed and reported
or the deposit of the same in Court as provided in Section 16 of Title
19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all
costs of the proceeding.

Done this 21st day of Sept., 1966.

Harry D'Almeida
JUDGE OF PROBATE

STATE OF ALABAMA,
PETITIONER,
VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 5771

Hooper Brothers, and Camella N. Hooper, etal

RESPONDENTS.

REPORT OF THE COMMISSIONERS

TO THE HONORABLE HARRY N. D'OLIVE, JUDGE OF PROBATE, BALDWIN COUNTY, ALA.

Come the undersigned, E. P. Bell,
Milton Wilson, and O. W. Lyles,
the Commissioners duly appointed to assess the damages to Parcel No.
_____ of Project No. S-635(2), to which the owner and other parties
interested in the parcel of land set forth and described in the original
application for condemnation of lands filed in this cause, are
entitled for the condemnation of such lands, and having been duly
sworn as jurors, and having viewed the lands described in said application
for condemnation, and having set a time and place for the
hearing of the evidence to be offered by any party touching the amount
of damages the owners of the lands and other parties interested therein
will sustain and the amount of compensation they are entitled to
receive, and having received all legal evidence offered, do hereby
state that the amount of damages and compensation has been ascertained
and assessed by the undersigned according to law and that the said
owners of said Parcel of land and other parties interested therein are
entitled to receive as damages and compensation for the condemnation
of their property, the following amount:

Project No. S-635(2), Parcel No. 5, \$ 4680⁰⁰

BOOK 044
PAGE 358

We hereby certify that we have not been consulted with, advised with or approached by any person with reference to the value of the lands other than as to the evidence submitted to and considered by us 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.

BOOK 044 PAGE 359

E. P. Bell
COMMISSIONER

M. Wilson
COMMISSIONER

C. W. Lyle
COMMISSIONER

Sworn to and subscribed before me
this 21 day of Sept., 1966.

Harry D. Oliver
JUDGE OF PROBATE

BY: _____

STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 5771

BOOK
044
PAGE 360

Hooper Brothers, and Camella N. Hooper, et al

RESPONDENTS.

FINAL ORDER OF CONDEMNATION

On the 21st day of Sept., 1966, came E. P. Bell
Milton Wilson, and D. W. Lyles,

commissioners heretofore appointed by this Court to assess and ascertain the damages and compensation to which the owners and other parties interested in the tract of land set forth in the application for condemnation of lands heretofore filed in this cause are entitled and filed their report in writing and under oath setting forth that they awarded compensation and damages to the said owners and other parties interested in Parcel Number 5, Project No. S-635(2), in the amount of \$ 4680.00.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the said report of commissioners be filed in this Court and recorded.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the property described in the application for condemnation heretofore filed in this cause be and the same is hereby condemned for the purposes set forth in said application for condemnation upon the payment of the damages and compensation so ascertained, assessed and reported or the deposit of the same in Court as provided in Section 16 of Title 19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all costs of the proceeding.

Done this 21st day of Sept., 1966.

Harry D. Oliver
JUDGE OF PROBATE

STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. _____

RESPONDENTS.

ORDER OF PROBATE JUDGE GRANTING APPLICATION FOR
CONDEMNATION AND APPOINTING COMMISSIONERS

This cause having heretofore been set for hearing on the 7th day of September, 1966, at 10:00 H. o'clock, as set forth in the application of the State of Alabama to condemn the right of way or easement on Parcel Number _____, Project S-60-E ~~3-33-E~~, as specified in said application for condemnation over the lands therein described for the uses and purposes of a public road or highway for the State of Alabama, and it appearing to the Court that notice of the filing of said application for condemnation and of the day set for the hearing of the same has been given to the owners and interested parties by service of a notice upon them for more than ten (10) days prior to this date.

WHEREUPON, after examination of said application and after hearing the evidence in support thereof, the Court is of the opinion that the allegations contained in said application are true and that it is necessary to condemn the easement or right of way over the lands as described in said application, all for the uses and purposes of a public road or highway in and for the State of Alabama, and no cause having been shown why such application should not be granted;

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the prayer of said application for condemnation be granted and that the easement or right of way over the lands described in said application is hereby condemned for the uses and purposes of a public road or highway in Baldwin County, Alabama.

BOOK 044 PAGE 325

IT IS FURTHER ORDERED by the Court that E. P. Bell,
Milton Wilson, O. W. Lyles,

who are resident citizens of Baldwin County, Alabama, possessing the qualifications of jurors and who are disinterested in these proceedings (each of these facts being ascertained by the Court) be and they are hereby appointed commissioners to view said property and hear any evidence offered by interested parties and report to the Court within twenty days after their appointment the amount of damages and compensation to which the owners and interested parties are entitled to receive for the condemnation of said right of way.

IT IS FURTHER ORDERED by this Court that a notice of their appointment be at once issued to said commissioners, and that the Sheriff of said County serve notice of said appointment upon each of the commissioners as required by law.

Done this 13th day of September, 1966.

Harry D. Shue
 JUDGE OF PROBATE

BY: _____

STATE OF ALABAMA,
PETITIONER,
VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 5771

Hooper Brothers, Camella N. Hooper, et al

RESPONDENTS.

REPORT OF THE COMMISSIONERS

TO THE HONORABLE HARRY M. D'OLIVE, JUDGE OF PROBATE, BALDWIN COUNTY, ALA.

Come the undersigned, J. P. Bell,
Milton Wilson, and O. W. Lyles,
the Commissioners duly appointed to assess the damages to Parcel No.
10 of Project No. S-635(2), to which the owner and other parties
interested in the parcel of land set forth and described in the origi-
nal application for condemnation of lands filed in this cause, are
entitled for the condemnation of such lands, and having been duly
sworn as jurors, and having viewed the lands described in said appli-
cation for condemnation, and having set a time and place for the
hearing of the evidence to be offered by any party touching the amount
of damages the owners of the lands and other parties interested there-
in will sustain and the amount of compensation they are entitled to
receive, and having received all legal evidence offered, do hereby
state that the amount of damages and compensation has been ascertained
and assessed by the undersigned according to law and that the said
owners of said Parcel of land and other parties interested therein are
entitled to receive as damages and compensation for the condemnation
of their property, the following amount:

Project No. S-635(2), Parcel No. 10, \$ 500⁰⁰

BOOK 044
PAGE 334

We hereby certify that we have not been consulted with, advised with or approached by any person with reference to the value of the lands other than as to the evidence submitted to and considered by us 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.

BOOK 044 PAGE 335

E. P. Bell
COMMISSIONER

M. Wilson
COMMISSIONER

O. W. Lyke
COMMISSIONER

Sworn to and subscribed before me
this 21st day of Sept, 1966.

Harry D'olive
JUDGE OF PROBATE

BY: _____

STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 5771

HOOPER BROTHERS, AND CAMELLA N. HOOPER, ET AL

RESPONDENTS.

FINAL ORDER OF CONDEMNATION

On the 21st day of Sept., 1966, came J. P. Burr
Milton Wilson, and O. W. Lytle,

commissioners heretofore appointed by this Court to assess and ascertain the damages and compensation to which the owners and other parties interested in the tract of land set forth in the application for condemnation of lands heretofore filed in this cause are entitled and filed their report in writing and under oath setting forth that they awarded compensation and damages to the said owners and other parties interested in Parcel Number 10, Project No. S-635(2), in the amount of \$ 500.⁰⁰.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the said report of commissioners be filed in this Court and recorded.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the property described in the application for condemnation heretofore filed in this cause be and the same is hereby condemned for the purposes set forth in said application for condemnation upon the payment of the damages and compensation so ascertained, assessed and reported or the deposit of the same in Court as provided in Section 16 of Title 19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all costs of the proceeding.

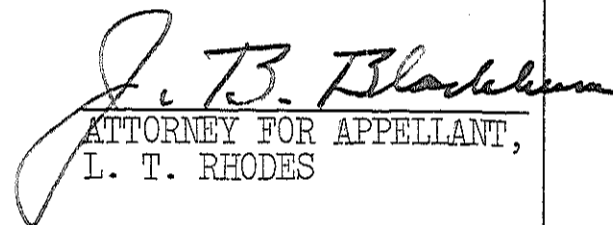
Done this 21st day of Sept., 1966.

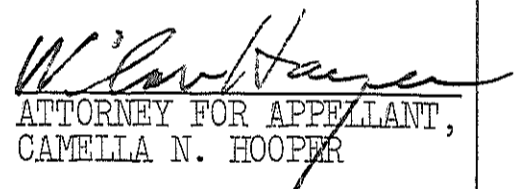
Harry D'Almeida
JUDGE OF PROBATE

STATE OF ALABAMA,)	IN THE CIRCUIT COURT OF
PETITIONER,)	BALDWIN COUNTY, ALABAMA
VS.)	CASE NO. <u>7272</u>
L. T. RHODES, et al,)	
RESPONDENTS.)	

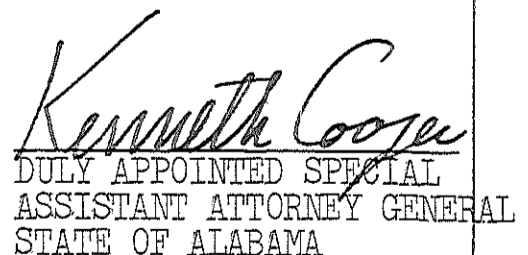
WITHDRAWAL OF JURY DEMAND

Come now the Appellants (Respondents) in above-styled cause, to-wit, L. T. Rhodes and Camella N. Hooper, by their respective attorneys of record, to-wit, J. B. Blackburn, Esquire, and Wilson Hayes, Esquire, and respectfully withdraw their demand for a trial by jury in this cause for Tract No. 4. And the Respondent, Hooper Brothers, et al, also withdraw their demand for a trial by jury for Tracts Nos. 5 and 10.


 ATTORNEY FOR APPELLANT,
 L. T. RHODES


 ATTORNEY FOR APPELLANT,
 CAMELLA N. HOOPER

And further comes the Petitioner, and Cross-Appellant, State of Alabama, by Kenneth Cooper, its Duly Appointed Special Assistant Attorney General, and withdraws its demand for a trial by jury heretofore made in its NOTICE OF CROSS-APPEAL for Tracts Nos. 4, 5 and 10.


 DULY APPOINTED SPECIAL
 ASSISTANT ATTORNEY GENERAL
 STATE OF ALABAMA

FILED

DEC 21 1966

ALICE L. DUCK, CLERK
 REGISTER

STATE OF ALABAMA

CONDEMNOR

VS

CAMELLA N. HOOPER, et al

CONDEMNNEES

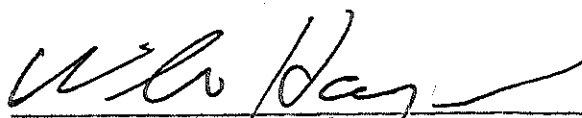
IN THE PROBATE COURT

BALDWIN COUNTY, ALABAMA


NUMBER: 5771

NOTICE OF APPEAL

Come now Camella N. Hooper, Hooper Brothers, a partnership, and Camella N. Hooper, Leonard J. Hooper, William J. Hooper, Glen S. Hooper and Thomas W. Hooper, Condemnees, in the above styled cause and pray and take an appeal to the Circuit Court of Baldwin County, Alabama from the decree of the Court of September 21, 1966.


Attorney for Condemnees

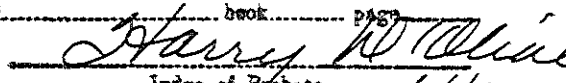
Condemnees demand trial by
jury this 10th day of
October, 1966.


Attorney for Condemnees

STATE OF ALABAMA, BALDWIN COUNTY

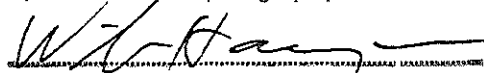
Filed October 13, 1966

Recorded _____ book _____ page _____


Judge of Probate HW

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 10th day of Oct,
1966 served a copy of the foregoing pleading on counsel for all
parties to this proceeding by mailing the same by United States
Mail, properly addressed, with first class postage prepaid.


Attorney

STATE OF ALABAMA,)	IN THE CIRCUIT COURT OF
PETITIONER,)	BALDWIN COUNTY, ALABAMA
VS.)	CASE NO. <u>1272</u>
L.T. RHODES and CAMELLA N.)	
HOOPER, and TRACT NO. 4,)	
RESPONDENTS.		

STIPULATION:

It is hereby stipulated by and between the Petitioner (appellant), and L. T. Rhodes and Camella N. Hooper, (appellees) parties to the above styled cause, through their respective attorneys of record, each acting with full authority as follows:

1. That the petitioner is authorized to institute and prosecute this proceeding to acquire the property or interest for order of condemnation filed in the Probate Court of Baldwin County, Alabama, on the 12th day of August, 1966, for the public purposes stated in said application or petition.

2. That all proceedings in the Probate Court of Baldwin County, Alabama, in this cause were regular, and an appeal has been duly and properly perfected within the time allowed and entered in said Probate Court in this cause on the 12th day of October, 1966, to this Court and trial by jury on the issue of valuation has been properly demanded.

3. That the application or petition for order of condemnation correctly sets out the uses and purposes for which the property and rights herein sought is to be devoted, used or applied and the petitioner has the right to obtain said property in this proceeding for the purposes stated.

4. That the respondents herein are the only parties known to either petitioner or respondents who has or asserts any right, title or interest in or to the lands or interest therein sought to be acquired.

5. That the respondents have had due notice of this trial and all proceedings herein, and expressly enters their appearance

in this Court thru their respective attorneys of record, to-wit,
Hon. J. B. Blackburn and Hon. Wilson Hayes.

6. That the only issue in this proceeding is the damages and compensation, if any, to which the respondents are entitled for the lands and interest in lands sought to be acquired by the petitioner for the uses and purposes stated.

7. That the time of taking in this proceeding is the date on which the application for order of condemnation was filed in the Probate Court, to-wit, 12 August, 1966, and the valuation of said property was constant between that date and the date on which the order of condemnation was entered, to-wit, 21 September, 1966.

Kenneth Cooper
ATTORNEY FOR PETITIONER

J. B. Blackburn
ATTORNEY FOR RESPONDENT,
L. T. RHODES

Wilson Hayes
ATTORNEY FOR RESPONDENT,
CAMELLA N. HOOPER

FILED

DEC 21 1966

ALICE I. RICK, CLERK
REGISTER

STATE OF ALABAMA,
PETITIONER,
VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 5771

CLARISSA B. HALL ET AL

RESPONDENTS.

REPORT OF THE COMMISSIONERS

TO THE HONORABLE HARRY M. D'OLIVE, JUDGE OF PROBATE, BALDWIN COUNTY, ALA.

Come the undersigned, J. P. Bice

Milton Wilson, and D. W. Lyles,

the Commissioners duly appointed to assess the damages to Parcel No.

34 of Project No. S-635(2), to which the owner and other parties interested in the parcel of land set forth and described in the original application for condemnation of lands filed in this cause, are entitled for the condemnation of such lands, and having been duly sworn as jurors, and having viewed the lands described in said application for condemnation, and having set a time and place for the hearing of the evidence to be offered by any party touching the amount of damages the owners of the lands and other parties interested therein will sustain and the amount of compensation they are entitled to receive, and having received all legal evidence offered, do hereby state that the amount of damages and compensation has been ascertained and assessed by the undersigned according to law and that the said owners of said Parcel of land and other parties interested therein are entitled to receive as damages and compensation for the condemnation of their property, the following amount:

Project No. S-635(2), Parcel No. 34, \$ 180⁰⁰

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We hereby certify that we have not been consulted with, advised with or approached by any person with reference to the value of the lands other than as to the evidence submitted to and considered by us 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

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E. P. Bell
COMMISSIONER

M. Williams
COMMISSIONER

O. W. Lybe
COMMISSIONER

Sworn to and subscribed before me
this 21st day of Sept, 1966.

Harry D'Olme
JUDGE OF PROBATE

BY: _____

STATE OF ALABAMA,
PETITIONER,
VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 5771

BOOK 044 PAGE 363

CLARISSA B. HALL, ET AL
RESPONDENTS.

FINAL ORDER OF CONDEMNATION

On the 21st day of Sept., 1966, came E. P. Bell
Milton Wilson, and O. W. Lyles,
commissioners heretofore appointed by this Court to assess and ascer-
tain the damages and compensation to which the owners and other parties
interested in the tract of land set forth in the application for con-
demnation of lands heretofore filed in this cause are entitled and
filed their report in writing and under oath setting forth that they
awarded compensation and damages to the said owners and other parties
interested in Parcel Number 34, Project No. S-635(2), in the
amount of \$ 180⁰⁰.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that
the said report of commissioners be filed in this Court and recorded.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the
property described in the application for condemnation heretofore
filed in this cause be and the same is hereby condemned for the pur-
poses set forth in said application for condemnation upon the payment
of the damages and compensation so ascertained, assessed and reported
or the deposit of the same in Court as provided in Section 16 of Title
19 of the Code of Alabama, 1940.

IT IS FURTHER ORDERED by the Court that said Petitioner pay all
costs of the proceeding.

Done this 21st day of Sept., 1966.