

STATE OF ALABAMA,	)	IN THE CIRCUIT COURT OF
PETITIONER,	)	BALDWIN COUNTY, ALABAMA
VS.	)	CASE NO. <u>7272</u>
L.T. RHODES and CAMELLA N.)	
HOOPER, and TRACT NO. 4,)	
PROJECT S-60-E,)	
RESPONDENTS.)	

FINAL JUDGMENT

This cause coming on to be heard by the Court on this the 8th day of December, 1966, now come the parties and their respective attorneys of record and it appearing to the Court from the stipulation of the parties made and entered into on this date and filed for record in this cause, that on the 12th day of August, 1966, an application was filed in the Probate Court of Baldwin County, Alabama, by the State of Alabama, seeking to condemn certain lands therein described for the uses and purposes therein averred, and that subsequent thereto proceedings were had in the Probate Court of Baldwin County, Alabama, and that the necessary action to properly effect the appeal from the Probate Court of Baldwin County, Alabama, in accordance with all the statutes and laws in such cases made and provided, to the Circuit Court of Baldwin County, Alabama, were made, and that said Court did enter an order of condemnation of the lands described in said application and which are hereinafter described, and that on the 21st day of October, 1966, the Respondent, Camella N. Hooper, did appeal from said order of condemnation to this Court and demanded a trial by jury; and that on the said date the Petitioner, State of Alabama, did file a cross-appeal in said cause; and it appearing to the Court from the stipulation of the parties hereinabove referred to that the only issue in this proceeding is the damages and compensation, if any, to which the Defendant landowners, L. T. Rhodes and Camella N. Hooper, are entitled and that an order of condemnation should here be entered condemning the lands hereinafter described for the uses and purposes set forth

E X H I B I T "A"

TRACT NO. 4, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the southeast corner of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 21, T-2-S, R-3-E; thence westerly along the south line of said NW $\frac{1}{4}$ of SE $\frac{1}{4}$, a distance of 1280 feet, more or less, to the present east right-of-way line of U. S. Highway No. 31; thence northerly along said present east right-of-way line a distance of 48 feet, more or less, to a point that is easterly of and at right angles to the centerline of Project No. S-60-E at Station 484+50 and the point of beginning of the property herein to be conveyed; thence continuing northerly along said present east right-of-way line a distance of 515 feet, more or less, to the north property line; thence easterly along said north property line a distance of 10 feet, more or less, to a point that is 113 feet easterly of and at right angles to the centerline of said Project; thence S 01° 46' 30" E, parallel to the centerline of said Project a distance of 68 feet, more or less, to a point that is 113 feet easterly of and at right angles to the centerline of said Project at Station 489+00; thence turn an angle of 90° 00' to the right and run a distance of 13 feet; thence S 01° 46' 30" E, parallel to the centerline of said Project a distance of 450 feet; thence turn an angle of 90° 00' to the right and run a distance of 22 feet, more or less, to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 21, T-2-S, R-3-E and containing 0.24 acres, more or less.

No. 5771

In the matter of

State of Ala. vs. L. T. Rhodes, et

Administrator, Executor, or Guardian. Residence _____

Attorneys K. Cooper

Docket _____

Page _____

Fee Book _____

Page _____

DATE	FEE	AMOUNT	DATE	FEE	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	6.50
	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			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	
10.12.66	Rec'd notice of appeal	1.50 5.00		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	6.50		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	4.50
	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:				4.00

STATE OF ALABAMA,)	
	*	
PETITIONER,	)	IN THE PROBATE COURT OF
	*	
VS.	)	BALDWIN COUNTY, ALABAMA
	*	
L. T. RHODES, ET AL.,	)	NO. 5771
	*	
DEFENDANTS.)	

CROSS-APPEAL

Comes now the Petitioner in above-styled cause, the State of Alabama, by its attorney of record, Kenneth Cooper, Esquire, and hereby files this, its Cross-Appeal, and hereby appeals to the Circuit Court of Baldwin County, Alabama from the Final Order of Condemnation heretofore entered in this cause on 21 September, 1966, as to Tract No. 0023, Project S-635(2) said tract being located in Baldwin County, Alabama.

STATE OF ALABAMA,

BY: Kenneth Cooper
PETITIONER
Duly Appointed Special
Assistant Attorney General

Petitioner hereby demands a trial by jury in this cause.

Kenneth Cooper
ATTORNEY FOR PETITIONER

I hereby certify that I have served a copy of the foregoing Cross-Appeal upon Hon. J. B. Blackburn, Attorney At Law, Bay Minette, Alabama, by depositing a copy of same in United States mail, postage prepaid, at Bay Minette, Alabama, on this 18 day of October, 1966.

Kenneth Cooper
ATTORNEY FOR PETITIONER

STATE OF ALABAMA,

Petitioner,

VS.

L. T. RHODES, ET AL.,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

NO. 5771

APPEAL

Now comes L. T. Rhodes, one of the defendants in the above entitled cause, and hereby appeals to the Circuit Court of Baldwin County, Alabama, from the final order of condemnation heretofore rendered in this cause and dated September 21, 1966, as to Tract No. 23 as described in the proceedings in this cause, which tract of land is located in the Northwest Quarter of the Southwest Quarter of Section 16, Township 2 South, Range 3 East, Baldwin County, Alabama, and contains 1.33 acres, more or less.

Dated this 12th day of October, 1966.

J. B. Blasdelum
Attorney for said Defendant

Defendant demands trial of said cause by jury.

J. B. Blasdelum
Attorney for said Defendant

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon each of the parties to this proceeding, by mailing the same to each by First Class United States Mail, postage paid and postage receipt on the 12 day of Oct. 1966.

J. B. Blasdelum
Attorney

STATE OF ALABAMA, BALDWIN COUNTY
October 13, 1966

Filed _____
Recorded _____
book _____ page _____
Harry W. Oliver
Judge of Probate

STATE OF ALABAMA,)	
	*	
PETITIONER,	)	IN THE PROBATE COURT OF
	*	
VS.	)	BALDWIN COUNTY, ALABAMA
	*	
L. T. RHODES, ET AL.,	)	NO. _____
	*	
DEFENDANTS.)	

CROSS-APPEAL

Comes now the Petitioner in above-styled cause, the State of Alabama, by its attorney of record, Kenneth Cooper, Esquire, and hereby files this, its Cross-Appeal, and hereby appeals to the Circuit Court of Baldwin County, Alabama from the Final Order Of Condemnation heretofore entered in this cause on 21 September, 1966, as to Tract No. ~~0004~~, ownership of which is claimed by Defendants L. T. Rhodes and Camella N. Hooper, and Tract Nos. ~~0005~~ and ~~0010~~, ownership of which is claimed by Defendants Hooper Brothers, A Partnership and Camella N. Hooper, Leonard J. Hooper, William J. Hooper, Glen S. Hooper, and Thomas N. Hooper, all of said Tracts being located in Project S-60-E, and said Tracts being located in Baldwin County, Alabama.

STATE OF ALABAMA. BALDWIN COUNTY
 Filed October 21, 1966
 Recorded Stacy D. Chize
 Judge of Probate 570

STATE OF ALABAMA,

BY: Kenneth Cooper
 PETITIONER
 DULY APPOINTED SPECIAL
 ASSISTANT ATTORNEY GENERAL

Petitioner hereby demands a trial by jury in this cause.

Kenneth Cooper
 ATTORNEY FOR PETITIONER

I hereby certify that I have served a copy of the foregoing Cross-Appeal upon Hon. Wilson Hayes, Attorney At Law, Bay Minette, Alabama, by depositing a copy of same in United States mail, postage prepaid, at Bay Minette, Alabama on this 20th day of October, 1966.

Kenneth Cooper
 ATTORNEY FOR PETITIONER

I hereby certify that I have served a copy of the foregoing Cross-Appeal upon Hon. J. B. Blackburn, Attorney At Law, Bay Minette, Alabama, by depositing a copy of same in United States mail, postage prepaid, at Bay Minette, Alabama on this 20th day of October, 1966.

Kenneth Cooper
 ATTORNEY FOR PETITIONER

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 N. Hooper, who are some of the condemnees in the above styled cause, and hereby appeal to the Circuit Court of Baldwin County, Alabama, from the final order of condemnation heretofore rendered in this cause and dated September 21, 1966, as to tracts # 4, # 5 and # 10. as described in the proceedings in this cause.

Dated the 21st day of October, 1966.



Attorney for Condemnees

Condemnees demand trial by
jury this 21st day of
Oct, 1966.


Attorney for Condemnees

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 21st 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 for Condemnees

STATE OF ALABAMA,)	
	*	
PETITIONER,	)	IN THE PROBATE COURT OF
	*	
VS.	)	BALDWIN COUNTY, ALABAMA
	*	
L. T. RHODES, ET AL.,	)	NO. 5771
	*	
DEFENDANTS.)	

AMENDMENT TO CROSS-APPEAL

Comes now the Petitioner in above-styled cause, and amends its CROSS-APPEAL heretofore filed in this cause on 18 October, 1966, as follows:

On line six (6) of the CROSS-APPEAL delete the words "0023, Project S-635(2)" and substitute the following words:

"23, Project S-60-E."

In all other respects the said CROSS-APPEAL remains unchanged.

STATE OF ALABAMA

BY: Kenneth Cooper
 PETITIONER
 DULY APPOINTED SPECIAL
 ASSISTANT ATTORNEY GENERAL

I hereby certify that I have served a copy of the foregoing Amended Cross-Appeal upon Hon. J. B. Blackburn, Attorney At Law, Bay Minette, Alabama, by depositing a copy of same in United States mail, postage prepaid, at Bay Minette, Alabama, on this 20 day of October, 1966.

Kenneth Cooper
 ATTORNEY FOR PETITIONER

STATE OF ALABAMA, BALDWIN COUNTY
 Filed October 20, 1966
 Recorded Harry W. Oliver
 Index of Probate 218

STATE OF ALABAMA,

PETITIONER,

VS.

L. T. RHODES, et al., and
ELMA W. ALFORD, BARBARA A.
BRYANT, and MELINA L. AL-
FORD, a minor, and TRACT
NO. 0021,

RESPONDENTS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. _____

NOTICE OF APPEAL

Comes now the State of Alabama, Petitioner, in above styled cause, and prays for and takes an appeal to the Circuit Court of Baldwin County, Alabama, from the Final Order of Condemnation entered in said cause on the 21st day of September, 1966, said Order of Condemnation relating to Tract No. 0021, owned by Elma W. Alford, Barbara A. Bryant and Melinda L. Alford, a minor.

A copy of the description of the above designated tract is attached hereto as Exhibit "A", and by reference made a part hereof as though fully set forth herein.

The State of Alabama does herewith file in the Probate Court of Baldwin County, the Court rendering such Final Order Of Condemnation, this, its written Notice Of Appeal.

RICHMOND M. FLOWERS
Attorney General, State of Alabama

By:

Kenneth Cooper
Duly Appointed Special Assistant
Attorney General of State of Ala.

Appellant hereby demands a trial by jury in this cause.

Kenneth Cooper
Duly Appointed Special Assistant
Attorney General of State of Ala.

The undersigned hereby acknowledged himself as security for costs in this cause.

Kenneth Cooper
Duly Appointed Special Assistant
Attorney General of State of Ala.

STATE OF ALABAMA, BALDWIN COUNTY

Filed

October 12, 1966

Recorded

book

page

Harry D. Oliver
Judge of Probate *518*

E X H I B I T "A"

As shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the southwest corner of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 16, T-2-S, R-3-E; thence easterly along the south line of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$ a distance of 1270 feet, more or less, to a point that is 52 feet southwesterly of and at right angles to the centerline of Project No. S-60-E and the point of beginning of the property herein to be conveyed; thence N 19° 54' W, parallel to the centerline of said project a distance of 215 feet, more or less, to the north property line; thence easterly along said north property line (crossing the centerline of said Project at Station 542+27.3) a distance of 80 feet, more or less, to the present southwest right-of-way line of U. S. Highway No. 31; thence southeasterly along said present southwest right-of-way line a distance of 220 feet, more or less, to the south line of the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of said Section 16, the south property line; thence westerly along said south property line; thence westerly along said south property line (crossing the center-line of said Project at Station 540+02) a distance of 82 feet, more or less, to the point of beginning.

Said strip of land lying in the N $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 16, T-2-S, R-3-E and containing 0.39 acres, more or less.

#1332

Received 13 day of Oct 1966
and on 17 day of Oct 1966
I served a copy of the within Notice
on John W. Alford
Barbara H. Bryant
By service on _____

TAYLOR WILKINS, Sheriff

By W. A. Talbert

Received 13 day of Oct 1966
and on 17 day of Oct 1966
I served a copy of the within Notice
on Melvin L. Alford
By service on John W. Alford

TAYLOR WILKINS, Sheriff

By W. A. Talbert

I hereby acknowledge
Serving a copy of
it within notice
of appeal this 29th
day of Oct 1966.

W. A. Talbert
not for me to appear
conference

ORIGINAL

STATE OF ALABAMA,

IN THE PROBATE COURT OF

PETITIONER,

BALDWIN COUNTY, ALABAMA

VS.

CASE NO. 5771

- A. L. T. RHODES and CAMELLA N. HOOPER, and TRACT NO. 4;
- B. HOOPER BROTHERS, A Partnership, and CAMELLA N. HOOPER, LEONARD J. HOOPER, WILLIAM J. HOOPER, GLEN S. HOOPER and THOMAS N. HOOPER, and TRACT NO. 5;
- C. HOOPER BROTHERS, A Partnership, and CAMELLA N. HOOPER, LEONARD J. HOOPER, WILLIAM J. HOOPER, GLEN S. HOOPER and THOMAS N. HOOPER, and TRACT NO. 10;
- D. L. T. RHODES, and TRACT NO. 12-A;
- E. BAY MINETTE LAND COMPANY, of Bay Minette, Alabama, and TRACT NO. 13;
- F. HENRY C. OWEN, CYBELE OWEN and DANIEL SLAY, and TRACT NO. 16;
- G. ELMA W. ALFORD, BARBARA A. BRYANT and MELINDA L. ALFORD, a minor, and TRACT NO. 21;
- H. HELEN P. WARD and JAMES G. WARD, and TRACT NO. 22;
- I. L. T. RHODES, and TRACT NO. 23;
- J. L. T. RHODES and PEARL RHODES, and TRACT NO. 27;
- K. KITTY SUE HAYLES, and TRACT NO. 29;
- L. JESSIE MOORER, and TRACT NO. 30;
- M. W. A. MILLER and AZILEE B. SPELCE M^cCAW, and TRACT NO. 31;
- N. CLARISSA B. HALL, and TRACT NO. 34; and
- O. BALDWIN COUNTY, ALABAMA, A POLITICAL SUBDIVISION OF THE STATE OF ALABAMA,

RESPONDENTS.

STATE OF ALABAMA, BALDWIN COUNTY
Filed August 11, 1966 M
Recorded Shirley W. Young
Judge of Probate P.H.

BOOK 044 PAGE 312

APPLICATION FOR CONDEMNATION

TO THE HON HARRY M. D'OLIVE, JUDGE OF PROBATE, BALDWIN COUNTY,
ALABAMA.

Comes the State of Alabama, Petitioner in the above styled cause and files this its application in the Probate Court of Baldwin County, Alabama, for order of condemnation of a right of way over the lands hereinafter described for a public road or highway and as a basis for the relief sought shows unto the Court as follows:

(1) Petitioner is authorized under the Constitution of Alabama 1901 and under the provisions of Title 19, Section 1, Code of Alabama, 1940, as amended, to institute and prosecute these proceedings in its own name for the purposes of a public road or highway.

(2) That said public highway has been designated by the State Highway Director as a part of the State Highway System and also known as Project No. S-60-E, Baldwin County, Alabama.

(3) That said public highway begins at the William Lowmes Yancey State Junior College, South of Bay Minette, Baldwin County, Alabama, and runs thence northwardly to D'Olive Street in Bay Minette, Baldwin County, Alabama.

(4) The right of way over the property and lands hereinafter described as Parcels or Tracts Nos. 4, 5, 10, 12-A, 13, 21, 22, 23, 27, 29, 30, 31 and 34, and as set out in the right of way map on Project No. S-60-E on file in the State Highway Department and in the office of the Judge of Probate of Baldwin County, Alabama, has been deemed necessary by the State Highway Director in order to facilitate the flow of traffic and promote public safety.

(5) That said tracts of land are necessary for use by Petitioner as a right of way for such public highway, and in

BOOK 044 PAGE 313

which Petitioner seeks to condemn an easement or right of way that is located wholly within Baldwin County, Ala., and is described in Exhibit "A" attached hereto.

(6) That the right of way or easement which Petitioner seeks to condemn for highway purposes is set out and described in the right of way map on Project No. S-60-E, which is on file in the State Highway Department and in the office of the Judge of Probate of Baldwin County, Alabama.

(7) That a diligent search has been made of the records of Baldwin County, Alabama, and diligent inquiry made to ascertain the names and addresses of the parties owning said tract of land and according to the best of Petitioner's information, knowledge and belief the said lands are owned and interest in said lands are claimed by the parties named as respondents in this cause.

(8) That Baldwin County, Alabama, a body corporate under the laws of the State of Alabama with its county seat in the City of Bay Minette, Alabama, may have or claim an interest in said tract by reason of taxes and easements due and chargeable, and is hence made a respondent herein.

WHEREFORE, the premises considered, your Petitioner respectfully prays:

(1) That an order be made appointing a day for the hearing of this application and that notice of the filing thereof and of the day set for the hearing thereof be given to the respondents.

(2) That this Court will appoint commissioners to ascertain and report the compensation and damages occasioned by such taking.

(3) That upon a final hearing of this petition an order and decree be made by this Court condemning the easement for the right of way, as set out in the right of way map on Project

BOOK 044 PAGE 314

No. S-60-E, over the lands as set out in Exhibit "A" of this application, all for the uses and purposes of a public highway for the State of Alabama.

RICHMOND M. FLOWERS
ATTORNEY GENERAL
STATE OF ALABAMA

BY: Kenneth Cooper
DULY APPOINTED SPECIAL ASSISTANT
ATTORNEY GENERAL FOR THE
STATE OF ALABAMA

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Dorothy Martin,
personally appeared Kenneth Cooper, Special Assistant Attorney General of the State of Alabama, who is personally known to me, and who is known to me in his official capacity as an Assistant Attorney General of the State of Alabama, and also being first duly sworn, deposes and says that the allegations of the foregoing application for condemnation are true and correct.

Kenneth Cooper
AFFIANT

Sworn and subscribed before me on this 9 day of August, 1966.

Dorothy Martin
NOTARY PUBLIC, BALDWIN COUNTY, ALA.

ORDER OF PROBATE COURT

The foregoing application for condemnation having been presented to the Probate Court of Baldwin County, Alabama, and considered by the Court,

IT IS ORDERED that the same be and is hereby set for hearing on the 6th day of September, 1966, at 9:00AM. o'clock.

IT IS FURTHER ORDERED that notice of the application for condemnation and of the date set for the hearing thereof be given to respondents at least ten (10) days before the hearing of this application.

Dated this 12th day of August, 1966.

Harry D'Oliver
PROBATE JUDGE

BY: _____

BOOK 044 PAGE 316

EXHIBIT "A"

TRACT NO. 4, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the southeast corner of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 21, T-2-S, R-3-E; thence westerly along the south line of said NW $\frac{1}{4}$ of SE $\frac{1}{4}$, a distance of 1280 feet, more or less, to the present east right-of-way line of U. S. Highway No. 31; thence northerly along said present east right-of-way line a distance of 48 feet, more or less, to a point that is easterly of and at right angles to the centerline of Project No. S-60-E at Station 484+50 and the point of beginning of the property herein to be conveyed; thence continuing northerly along said present east right-of-way line a distance of 515 feet, more or less, to the north property line; thence easterly along said north property line a distance of 10 feet, more or less, to a point that is 113 feet easterly of and at right angles to the centerline of said Project; thence S 01° 46' 30" E, parallel to the centerline of said Project a distance of 68 feet, more or less, to a point that is 113 feet easterly of and at right angles to the centerline of said Project at Station 489+00; thence turn an angle of 90° 00' to the right and run a distance of 13 feet; thence S 01° 46' 30" E, parallel to the centerline of said Project a distance of 450 feet; thence turn an angle of 90° 00' to the right and run a distance of 22 feet, more or less, to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 21, T-2-S, R-3-E and containing 0.24 acres, more or less;

TRACT NO. 5, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the southwest corner of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 21, T-2-S, R-3-E; thence easterly along the south line of said NE $\frac{1}{4}$ of SW $\frac{1}{4}$, a distance of 1251 feet, more or less, to the centerline of Project No. S-60-E; thence N 01° 46' 30" W, along the centerline of said Project a distance of 331 feet, more or less, to Station 487+34 where the centerline of said Project intersects the south line of the property herein to be conveyed and the point of beginning; thence westerly along the south property line a distance of 83 feet, more or less, to a point that is 82 feet westerly of and at right angles to the centerline of said Project; thence N 01° 46' 30" W, parallel to the centerline of said Project a distance of 640 feet, more or less, to the north property line; thence easterly along said north property line (crossing the centerline of said Project at Station 493+75) a distance of 106 feet, more or less, to the present west right-of-way line of U. S. Highway No. 31; thence southerly along said present west right-of-way line a distance of 643 feet, more or less, to the south property line; thence westerly along said south property line a distance of 25 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 21, T-2-S, R-3-E and containing 1.56 acres, more or less.

Also an easement to a strip of land necessary for the

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construction and maintenance of a drainage ditch and being more fully described as follows: Commencing at the southwest corner of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 21, T-2-S, R-3-W; thence southerly along the south line of said NE $\frac{1}{4}$ of SW $\frac{1}{4}$, a distance of 1252 feet, more or less, to the centerline of Project No. S-60-E; thence N 01° 46' 30" W along the centerline of said Project a distance of 418 feet, more or less, to Station 88+31.07; thence turn an angle of 90° 00' to the left and run a distance of 82 feet to the point of beginning of the property herein to be conveyed; thence S 43° 13' 30" W along a straight line a distance of 106.07 feet; thence S 01° 46' 30" W parallel to the centerline of said Project a distance of 18 feet, more or less, to the south property line; thence easterly along the said south property line a distance of 75 feet, more or less, to a point that is 82 feet southwesterly of and at right angles to the centerline of said Project; thence N 01° 46' 30" W, parallel to the centerline of said Project a distance of 85 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 21, T-2-S, R-3-E and containing 0.03 acres, more or less.

TRACT NO. 10, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the northeast corner of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 21, T-2-S, R-3-E; thence westerly along the north line of said NW $\frac{1}{4}$ of SE $\frac{1}{4}$, a distance of 1282 feet, more or less, to the present east right-of-way line of U. S. Highway No. 31; thence southerly along the said present east right-of-way line a distance of 160 feet, more or less, to a point that is easterly of and at right angles to the centerline of Project No. S-60-E at Station 495+50 and the point of beginning of the property herein to be conveyed; thence continuing southerly along said present east right-of-way line a distance of 585 feet, more or less, to the south property line; thence easterly along said south property line a distance of 10 feet, more or less, to a point that is 113 feet easterly of and at right angles to the centerline of said Project; thence N 01° 46' 30" W, parallel to the centerline of said Project a distance of 32 feet, more or less, to a point that is 113 feet easterly of and at right angles to the centerline of said Project at Station 490+00; thence turn an angle of 90° 00' to the right and run a distance of 13 feet; thence N 01° 46' 30" W, parallel to the centerline of said project a distance of 550 feet; thence turn an angle of 90° 00' to the left and run a distance of 22 feet, more or less, to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 21, T-2-S, R-3-E and containing 0.28 acres, more or less.

TRACT NO. 12-A, as shown on the right-of-way of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Beginning at the intersection of the present northeast right-of-way line of U. S. Highway No. 31 and the present west right-of-way line of Daphne Road; thence northwesterly along

said present northeast right-of-way line a distance of 215 feet, more or less, to a point that is northeasterly of and at right angles to the centerline of Project No. S-60-E at Station 515+50; thence northeasterly along a straight line a distance of 82 feet, more or less, to a point on the present west right-of-way line of said Daphne Road that is westerly of and at right angles to the centerline of said road at Station 3+75; thence southerly along said present west right-of-way line a distance of 222 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 21, T-2-S, R-3-E and containing 0.18 acres, more or less.

TRACT NO. 13, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the northwest corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 21, T-2-S, R-3-E; thence easterly along the north line of said NE $\frac{1}{4}$ of NW $\frac{1}{4}$ a distance of 658 feet, more or less, to the centerline of Project No. S-60-E; thence S 31° 49' E along the centerline of said Project a distance of 246 feet, more or less, to Station 522+70 where the centerline of said project intersects the northwest line of the property herein to be conveyed and the point of beginning; thence northeasterly along the northwest property line a distance of 25 feet, more or less, to the present southwest right-of-way line of U. S. Highway No. 31; thence southeasterly along said present southwest right-of-way line a distance of 523 feet, more or less, to the south property line; thence westerly along said south property line (crossing the centerline of said Project at Station 517+63) a distance of 105 feet, more or less, to a point on a line which extends from a point that is 70 feet southwesterly of and at right angles to the centerline of said Project at Station 517+00 to a point that is 62 feet southwesterly of and at right angles to the centerline of said Project at Station 518+49.90; thence northwesterly along said line a distance of 50 feet, more or less, to said point that is 62 feet southwesterly of and at right angles to the centerline of said Project at Station 518+49.90; thence N 31° 49' W, parallel to the centerline of said project a distance of 418 feet, more or less, to the northwest property line; thence northeasterly along said northwest property line a distance of 62 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 21, T-2-S, R-3-E and containing 0.95 acres, more or less.

TRACT NO. 16, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

A part of Lot 10, according to the survey of East Douglassville Subdivision, the map or plat of which is recorded in Map Book 1, Page 69 in the Office of the Judge of Probate of Baldwin County, Alabama, also a part of a 21.6 foot strip of land lying southerly of, adjacent and parallel to the south line of said Lot and being more fully described as follows: Commencing at the southwest corner of said Lot; thence easterly along the south line of said Lot a distance of 140 feet, more or

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less, to a point on a line which extends from a point on the south line of said subdivision that is northwesterly of and at right angles to the centerline of Alabama Highway No. 138 at Station 8+50 to a point that is 62 feet southwesterly of and at right angles to the centerline of Project No. S-60-E at Station 526+20 and the point of beginning of the property herein to be conveyed; thence northeasterly along said line a distance of 48 feet, more or less, to said point that is 62 feet southwesterly of and at right angles to the centerline of said Project at Station 526+20; thence N 31° 49' W, parallel to the centerline of said project a distance of 72 feet, more or less, to the north property line; thence easterly along said north property line (crossing the centerline of said Project at approximate Station 526+58) a distance of 100 feet, more or less, to the present southwest right-of-way line of U. S. Highway No. 31; thence southeasterly along said present southwest right-of-way line a distance of 65 feet, more or less, to the east line of said subdivision; thence southerly along the east line of said subdivision (crossing the centerline of said Project at approximate Station 525+38) a distance of 63 feet, more or less, to the south line of said subdivision; thence westerly along the south line of said subdivision a distance of 138 feet, more or less, to a point that is northwesterly of and at right angles to the centerline of Highway No. 138 at Station 8+50; thence northeasterly along a straight line (which if extended would intersect a point that is 62 feet southwesterly of and at right angles to the centerline of said Project at Station 526+20) a distance of 25 feet, more or less, to the point of beginning and containing 0.30 acres, more or less.

TRACT NO. 21, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the southwest corner of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 16, T-2-S, R-3-E; thence easterly along the south line of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$ a distance of 1270 feet, more or less, to a point that is 52 feet southwesterly of and at right angles to the centerline of Project No. S-60-E and the point of beginning of the property herein to be conveyed; thence N 19° 54' W, parallel to the centerline of said project a distance of 215 feet, more or less, to the north property line; thence easterly along said north property line (crossing the centerline of said Project at Station 542+27.3) a distance of 80 feet, more or less, to the present southwest right-of-way line of U. S. Highway No. 31; thence southeasterly along said present southwest right-of-way line a distance of 220 feet, more or less, to the south line of the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of said Section 16, the south property line; thence westerly along said south property line (crossing the centerline of said Project at Station 540+02) a distance of 82 feet, more or less, to the point of beginning.

Said strip of land lying in the N $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 16, T-2-S, R-3-E and containing 0.39 acres, more or less.

TRACT NO. 22, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the southwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 16, T-2-S, R-3-E; thence easterly along the south line of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$ a distance of 1326 feet, more or less, to Station 540+02 on the centerline of Project No. S-60-E; thence N 19° 54' W along the centerline of said project a distance of 225.3 feet to the south line of the property herein to be conveyed and the point of beginning; thence westerly along the south property line a distance of 55 feet, more or less, to a point that is 52 feet southwesterly of and at right angles to the centerline of said project; thence N 19° 54' W, parallel to the centerline of said project a distance of 210 feet, more or less, to the north property line; thence easterly along said north property line (crossing the centerline of said Project at Station 544+36.82) a distance of 80 feet, more or less, to the present southwest right-of-way line of U. S. Highway No. 31; thence southeasterly along said present southwest right-of-way line a distance of 210 feet to the south property line; thence westerly along said south property line a distance of 25 feet, more or less, to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 16, T-2-S, R-3-E and containing 0.37 acres, more or less.

TRACT NO. 23, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the northwest corner of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 16, T-2-S, R-3-E; thence easterly along the north line of of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$ a distance of 895 feet, more or less, to Station 553+98 on the centerline of Project No. S-60-E; thence S 19° 54' E along the centerline of said project a distance of 298 feet, to the north line of the property herein to be conveyed and the point of beginning; thence easterly along the north property line a distance of 25 feet, more or less, to the present southwest right-of-way line of U. S. Highway No. 31; thence southeasterly along said present southwest right-of-way line a distance of 665 feet, more or less, to the south property line; thence westerly along said south property line (crossing the centerline of said Project at Station 544+36.82) a distance of 80 feet, more or less, to a point that is 52 feet southwesterly of and at right angles to the centerline of said project; thence N 19° 54' W, parallel to the centerline of said project a distance of 350 feet, more or less, to a point that is 52 feet southwesterly of and at right angles to the centerline of said Project at Station 548+00; thence northwesterly along a straight line a distance of 103 feet, more or less, to a point that is 65 feet southwesterly of and at right angles to the centerline of said Project at Station 549+00; thence N 19° 54' W, parallel to the centerline of said project a distance of 222 feet, more or less, to the north property line; thence easterly along said north property line a distance of 68 feet, more or less, to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 16, T-2-S, R-3-E and containing 1.33 acres, more or less.

TRACT NO. 27, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the southwest corner of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 16, T-2-S, R-3-E; thence easterly along the south line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$ a distance of 823 feet, more or less, to a point that is 65 feet southwesterly of and at right angles to the centerline of Project No. S-60-E and the point of beginning of the property herein to be conveyed; thence N 19° 54' W, parallel to the centerline of said project a distance of 95 feet, more or less, to the north property line; thence easterly along said north property line a distance of 42 feet, more or less, to the east property line; thence southerly along said east property line a distance of 95 feet, more or less, to the south line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$, the south property line; thence westerly along said south property line a distance of 55 feet, more or less, to the point of beginning.

Said strip of land lying in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 16, T-2-S, R-3-E and containing 0.11 acres, more or less.

TRACT NO. 29, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the southwest corner of Lot 5, according to the survey of the Hayles Subdivision, the map or plat of which is recorded in Map Book 1, Page 13 in the Office of the Judge of Probate of Baldwin County, Alabama; thence easterly along the south line of said Lot a distance of 180 feet, more or less, to a point that is 90 feet southwesterly of and at right angles to the centerline of Project No. S-60-E and the point of beginning of the property herein to be conveyed; thence N 19° 54' W, parallel to the centerline of said project a distance of 288 feet, more or less, to the present southeast right-of-way line of the L & N Railroad; thence northeasterly along said present southeast right-of-way line (crossing the centerline of said Project at Station 561+85) a distance of 110 feet, more or less, to the present southwest right-of-way line of U. S. Highway No. 31; thence southeasterly along said present southwest right-of-way line a distance of 810 feet, more or less, to the south line of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 16, T-2-S, R-3-W, the south property line; thence westerly along said south property line (crossing the centerline of said Project at Station 553+98) a distance of 40 feet, more or less, to the west property line; thence northerly along said west property line a distance of 480 feet, more or less, to the south line of Lot 5 of said subdivision; thence westerly along the south line of said Lot 5 a distance of 18 feet, more or less, to the point of beginning.

Said strip of land lying in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 16, T-2-S, R-3-E and containing 1.42 acres, more or less.

TRACT NO. 30, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the northwest corner of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 16, T-2-S, R-3-E; thence easterly along the north line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$ a distance of 392 feet, more or less, to a point that is 65 feet southwesterly of and at right angles to the

centerline of Project No. S-60-E; thence S 19° 54' E, parallel to the centerline of said project a distance of 218 feet, more or less, to a point that is 65 feet southwesterly of and at right angles to the centerline of said Project at Station 566+00; thence turn an angle of 90° 00' to the right and run a distance of 25 feet; thence S 19° 54' E, parallel to the centerline of said project a distance of 150 feet, more or less, to the northeast line of the property herein to be conveyed and the point of beginning; thence southeasterly along the northeast property line a distance of 173 feet, more or less, to the present northwest right-of-way line of the L & N Railroad; thence southwesterly along said present northwest right-of-way line a distance of 50 feet, more or less, to a point that is 90 feet southwesterly of and at right angles to the centerline of said project; thence N 19° 54' W, parallel to the centerline of said project a distance of 182 feet, more or less, to the point of beginning.

Said strip of land lying in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 16, T-2-S, R-3-E and containing 0.18 acres, more or less.

TRACT NO. 31, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

Commencing at the northwest corner of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 16, T-2-S, R-3-E; thence easterly along the north line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$, a distance of 330 feet, more or less, to the southwestern-most line of the property herein to be conveyed and the point of beginning; thence northwesterly along the southwestern-most property line a distance of 155 feet, more or less, to the present southeast right-of-way line of D'Olive Street; thence northeasterly along said present southeast right-of-way line of D'Olive Street; thence northeasterly along said present southeast right-of-way line a distance of 75 feet, more or less, to the northeast property line; thence southeasterly along said northeast property line a distance of 200 feet, to the northwest property line; thence northeasterly along said northwest property line (crossing the centerline of said Project at Station 568+18) a distance of 75 feet, to the southwest property line; thence northwesterly along said southwest property line (crossing the centerline of said Project at Station 569+58) a distance of 200 feet, to the present southeast right-of-way line of said D'Olive Street; thence northeasterly along said present southeast right-of-way line (crossing the centerline of said Project at Station 570+24.64) a distance of 365 feet, more or less, to the present west right-of-way line of U. S. Highway No. 31; thence southerly along said present west right-of-way line a distance of 735 feet, more or less, to the southeastern-most property line; thence southwesterly along said southeastern-most property line (crossing the centerline of said Project at Station 564+76) a distance of 108 feet, more or less, to a point that is 90 feet southwesterly of and at right angles to the centerline of said project; thence N 19° 54' W, parallel to the centerline of said project a distance of 145 feet, more or less, to a point that is 90 feet southwesterly of and at right angles to the centerline of said Project at Station 566+00; thence northwesterly along a straight line a distance of 195 feet, more or less, to the southwestern-most property line; thence northwesterly along the said southwestern-most

property line a distance of 45 feet, more or less, to the point of beginning.

Said strip of land lying in the $W\frac{1}{2}$ of $NW\frac{1}{4}$, Section 16, T-2-S, R-3-E and containing 2.45 acres, more or less.

TRACT NO. 34, as shown on the right-of-way map of Project No. S-60-E as recorded in the Office of the Judge of Probate of Baldwin County:

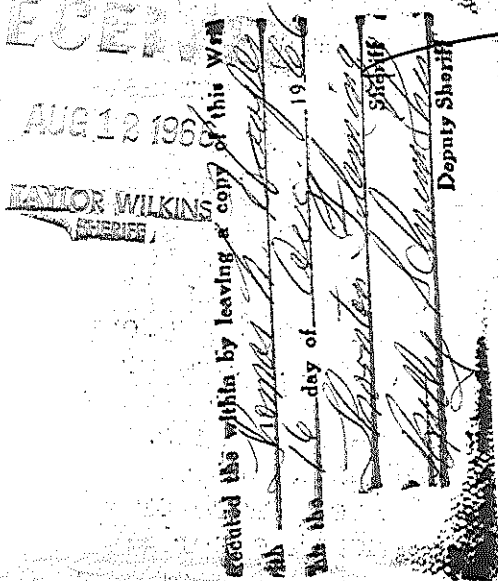
Commencing at the northwest corner of the $SW\frac{1}{4}$ of $NW\frac{1}{4}$, Section 16, T-2-S, R-3-E; thence easterly along the north line of said $SW\frac{1}{4}$ of $NW\frac{1}{4}$ a distance of 460 feet, more or less, to the centerline of Project No. S-60-E; thence $S 19^{\circ} 54' E$ along the centerline of said project a distance of 318 feet, more or less, to Station 564+76 where the centerline of said project intersects the northwest line of the property herein to be conveyed and the point of beginning; thence northeasterly along the northwest property line a distance of 18 feet, more or less, to the present southwest right-of-way line of U. S. Highway No. 31; thence southeasterly along said present southwest right-of-way line a distance of 195 feet, more or less, to the present northwest right-of-way line of the L & N Railroad; thence southwesterly along said present northwest right-of-way line (crossing the centerline of said project at approximate Station 562+85) a distance of 55 feet, more or less, to the southwest property line; thence northwesterly along said southwest property line a distance of 180 feet, more or less, to a point that is 90 feet southwesterly of and at right angles to the centerline of said project; thence $N 19^{\circ} 54' W$, parallel to the centerline of said project a distance of 3 feet, more or less, to the northwest property line; thence northeasterly along said northwest property line a distance of 92 feet, more or less, to the point of beginning.

Said strip of land lying in the $SW\frac{1}{4}$ of $NW\frac{1}{4}$, Section 16, T-2-S, R-3-E and containing 0.36 acres, more or less.

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I hereby acknowledge service of
a copy of the within petition on
condemnation an Attorney for
Patty Sue Hayler, Condonee,
Aug 12, 1966

W. L. Hayler
Attorney



Received 12 day of Aug. 1966
and on 6 day of Sept 1966
I served a copy of the within Notice
on L. J. Rhodes tract #4,
12-A, 23, 27
By service on _____

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

Received 12 day of Aug. 1966
and on 15 day of Aug 1966
I served a copy of the within Notice
on Elma W. Alfard, Barbara A.
Bryant, Melinda L Alfard.
By service on _____

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

Received 12 day of Aug 1966
and on 15 day of Aug 1966
I served a copy of the within Notice
on Camella M. Hooper, tract #4;
5; 10; William J. Hooper tract #5,
By service on 10; Henry C. Owen,
Cybele Owen, Daniel Slay

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

Received 12 day of Aug. 1966
and on 15 day of Aug. 1966
I served a copy of the within Notice
on Allen J. Ward, James H.
Ward, Pearl R. Rhodes;
By service on Jessie Meager;
Clarissa B. Hall - 7/10/66

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

Received 12 day of Aug. 1966
and on 22 day of Aug. 1966
I served a copy of the within Notice
on Baldwin County, Ala.

By service on John Hadley
Chairman

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

STATE OF ALABAMA,

PETITIONER,

VS.

L.T. RHODES and CAMELLA N.
HOOPER, and TRACT NO. 4,
PROJECT S-60-E,

RESPONDENTS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 7272

AMENDED FINAL JUDGMENT

WHEREAS, there was a FINAL JUDGMENT rendered in this cause on the 8 day of December, 1966, wherein this Court ordered the Petitioner, State of Alabama, to pay to the Respondents the sum of Seven Hundred and Fifty (\$750.00) Dollars as compensation for the parcel of land described in the said FINAL JUDGMENT, and

WHEREAS, it has been made known unto this Court that the correct amount of the award was to be Seven Hundred and Twenty (\$720.00) Dollars for the Respondent property owners, now

THEREFORE, wherein the above-mentioned FINAL JUDGMENT the figures "\$750.00" appears, the said figures are deleted, and in lieu thereof the figures "\$720.00" shall be substituted. In all other respects the said FINAL JUDGMENT remains unchanged.

DONE this 12th day of April, 1967.

John A. Wadsworth
CIRCUIT JUDGE

FILED

APR 12 1967

AUG. L. BUCK, CLERK
REGISTER

STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. _____

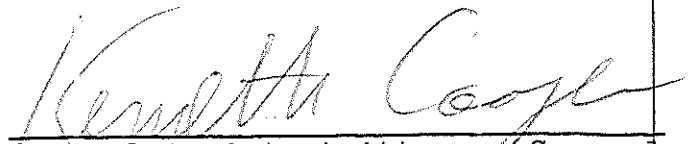
L. T. RHODES, et al.,

RESPONDENTS.

PETITION FOR DELETION OF
RESPONDENT IN CONDEMNATION PROCEEDING.

TO HON. HARRY D'OLIVE, JUDGE OF SAID COURT:

Comes now Petitioner in above-styled cause, acting by and through its Special Assistant Attorney General, and respectfully request Your Honor to dismiss as Respondents in the above-styled cause W. A. Miller and Azilee B. Spelce McCaw and Tract No. 31, shown as Respondents in subparagraph M, of the Application For Condemnation, filed on 11 August, 1966.


Special Assistant Attorney General
For Petitioner.

ORDER

The foregoing Petition having been duly considered by the Court, it is the opinion of the Court that said Petition should be granted, It is therefore,

ORDERED, ADJUDGED and DECREED by the Court that the foregoing Petition is granted and the Respondents W. A. Miller and Azilee B. Spelce McCaw, and Tract No. 31, are hereby deleted from the Application For Condemnation.

Done this 15th day of August, 1966.

Judge of Probate

STATE OF ALABAMA,	Ø	
	Ø	
Petitioner,	Ø	
VS.	Ø	IN THE CIRCUIT COURT OF
	Ø	
L. T. RHODES, ET AL.,	Ø	BALDWIN COUNTY, ALABAMA
(TRACT 4, PROJECT S-60-E),	Ø	
	Ø	AT LAW NO. 7272
Defendants.	Ø	

FINAL JUDGMENT

In this cause it has been made to appear to the court that at the time the Petition for Condemnation was filed in this case, L. T. Rhodes and Camella N. Hooper were named in the said Petition for Condemnation as owners of Tract 4 as described in the said petition, after which the sum of Seven Hundred Twenty Dollars (\$720.00) was paid into court and which is now in possession of the Clerk of the Circuit Court of Baldwin County, Alabama, as compensation for the said property.

L. T. Rhodes, one of the defendants, pursuant to the provisions of Title 19, Section 26 of the Code of Alabama, has filed his claim for the said sum of \$720.00, notice of which claim was given to Camella N. Hooper, and the said cause was set for hearing and continued to this date, at which time it was heard and was submitted on behalf of the said claimant, L. T. Rhodes, on the testimony of E. S. Tunstall and the said L. T. Rhodes. The other claimant, Camella N. Hooper, was present in court and represented by her attorney;

Upon consideration of all of which, it is ORDERED AND ADJUDGED by the court as follows:

1. That the said L. T. Rhodes is the owner of all of the said property described as Tract 4 in the said cause; that he is entitled to payment of the said sum of \$720.00, and that the other claimant, Camella N. Hooper, has no claim to the said sum of \$720.00 or any part thereof.

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2. The Clerk of this court is hereby instructed and directed to forthwith pay to L. T. Rhodes the said sum of \$720.00, take his receipt therefor and file it in this court.

3. The costs of this proceeding are hereby taxed against the said Camella N. Hooper, for which execution may issue.

ORDERED AND ADJUDGED on this the 28th day of February, 1969.

J. Edgar J. Marshall
Judge

FILED

FEB 28 1969

ALICE J. DUCK CLERK
REGISTER

STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CAST NO. 5771

HELEN P. WARD AND JAMES G. WARD, ET AL

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RESPONDENTS.

FINAL ORDER OF CONDEMNATION

On the 21st day of Sept, 1966, came C. P. Bell
Milton Wilson, and D. W. Ryker,
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 22, Project No. S-635(2), in the amount of \$ 33,680⁰⁰.

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. 5771

HELEN P. WARD AND JAMES G. WARD, ET AL

RESPONDENTS.

REPORT OF THE COMMISSIONERS

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

Come the undersigned, L. P. Bue,
Milton Wilson, and O. W. Lyles,
the Commissioners duly appointed to assess the damages to Parcel No.
22 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. 22, \$ 33,680⁰⁰

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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.

BOOK 044 PAGE 347

E. P. Bell
COMMISSIONER

M. Wilson
COMMISSIONER

P. W. Lyke
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

JESSIE MOORER, 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 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 30, Project No. S-635(2), in the
amount of \$ 150⁰⁰.

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. Oliver
JUDGE OF PROBATE

STATE OF ALABAMA,
PETITIONER,
VS.

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

JESSIE MOORER, 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. 30 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. 30, \$ 150⁰⁰

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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.

BOOK 044 PAGE 356

E. P. Bell
COMMISSIONER

M. Wilson
COMMISSIONER

O. W. Lybs
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

BOOK 044 PAGE 354

KITTY SUE HAYLES, ET AL

RESPONDENTS.

FINAL ORDER OF CONDEMNATION

On the 21st day of Sept - , 1966, came E. P. Bell
Milton Wilson, and O. W. Hayles;
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 29, Project No. S-635(2), in the
amount of \$ 400⁰⁰.

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'Oliver
JUDGE OF PROBATE

STATE OF ALABAMA,
PETITIONER,
VS.

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

KITTY SUE HAYLES, 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. Bull
Milton Wilson, and O. W. Lyles,
the Commissioners duly appointed to assess the damages to Parcel No.
29 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. 29, \$ 400 00

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. 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

HENRY C. OWEN, CYBELE OWEN, AND
DANIEL SLAY, ET AL

RESPONDENTS.

FINAL ORDER OF CONDEMNATION

On the 21st day of Sept., 1966, came J. L. Buss
Nelson Wilson, and D. 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 16, Project No. S-635(2), in the
amount of \$ 20,575⁰⁰.

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'Oliver
JUDGE OF PROBATE

STATE OF ALABAMA,
PETITIONER,
VS.

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

HENRY C. OWEN, CYBELE OWEN, AND
DANIEL SLAY, 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.
16 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. 16, \$ 20,575.⁰⁰

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044
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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.

BOOK 044 PAGE 341

E. P. Bell
COMMISSIONER

M. Allison
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

L. T. RHODES, ET AL

RESPONDENTS.

FINAL ORDER OF CONDEMNATION

On the 21st day of Sept., 1966, came E. P. Bill
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 12-A, Project No. S-635(2), in the
amount of \$ 900⁰⁰.

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

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. Bice,

Milton Wilson, and O. W. Lytle,

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

12-A 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. 12-A, \$ 900.00

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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. Wilson
COMMISSIONER

O. W. Lyke
COMMISSIONER

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

Harry D'Oliver
JUDGE OF PROBATE

BY: _____