

NO. 16 state of La. 05. L. J. Rhodes

JURY LIST - MARCH 6, 1967 - SPRING SESSION

1. Ball, Johnnie Ruth, Bookkeeper, Bay Minette
2. Baskin, Lavon, - - - Bay Minette
3. ~~Benton, Thomas H., Farmer, Gulf Shores~~
4. ~~Benton, Thomas H., Farmer, Gulf Shores~~
5. ~~Casper, Claude, Farmer, Rosinton~~
6. ~~Casper, Arthur, Insurance, Fairhope~~
7. ~~Porter, Darrell Lee, Utility Man, Summerdale~~
8. ~~Marion, Arthur, Merchant, Fairhope~~
9. ~~Matthews, Reid, Furniture Store Oper., Robertsedale~~
10. ~~Clennons, W. P., Carpenter, Fairhope~~
11. ~~Clavland, Lydie E., Nurse, Foley~~
12. ~~Byrne, Charles, Merchant, Foley~~
13. ~~Crawford, Harry D., Operator, Alberta~~
14. ~~Campbell, Acie, Farmer, Rosinton~~
15. ~~Bash, Hobson, Farmer, Bay Minette~~
16. Hesse, Henry W., Linesman, Foley
17. Harris, Guy H., Merchant, Foley
18. ~~Hattie, Joe H., Merchant, Stockton~~
19. ~~McGowan, Randolph, Jr., Store Keeper, Bay Minette~~
20. ~~Mohrman, Raymond A., Farmer, Stockton~~
21. ~~Sanders, William G., Real Estate, Gulf Shores~~
22. ~~Spader, Audrey, Office, Robertsedale~~
23. ~~Spry, Roy, - - - Bon Secour~~
24. Stripline, Fred, Television Repair, Robertsedale
25. ~~Thompson, Robert W., Merchant, Foley~~
26. ~~Venson, Cecil, Civil Service, Stapleton~~
27. ~~White, John H., Utilities Man, Foley~~
28. ~~Parker, Floyd S., Millman, Stockton~~
29. ~~Nalley, Wilber C., Farmer, Bon Secour~~
30. Sanders, E. Frank, Banker, Foley
31. ~~Koenig, Francis, Farmer, Lillian~~
32. ~~Beverly, Marvin, Laborer, Robertsedale~~
33. Blair, Dorothy L., - - Stapleton
34. Boeschen, Sarah, - - Bay Minette
35. ~~Nail, Glenn, Merchant, Robertsedale~~
36. ~~Grooby, James W., Bookkeeper, Foley~~
37. ~~Long, Volton, Electrician, Foley~~
38. ~~Bryers, Ewing D., Reserve Fleet, Bay Minette~~
39. ~~Weeks, William, Laborer, Magnolia Springs~~
40. Earls, Doris K., --- Bay Minette
41. ~~Dubrock, George, Cabinet Maker, Fairhope~~
42. ~~Durant, Wilma W., --- Bromley~~
43. Durant, Percy N., Merchant, Bay Minette
44. ~~Arant, Luther, Postal Emp., Foley~~
45. ~~Jones, Sanford, Newport, Bay Minette~~
46. ~~Blowers, John B., Farmer, Gulf Shores~~
47. ~~Akers, Redus M., Insurance, Bay Minette~~
48. ~~Fulmer, David, Motel, Spanish Fort-Daphne~~
49. ~~Hinote, Sherman R., Butcher, Robertsedale~~
50. ~~Hankins, C. E., Farmer, Robertsedale~~
51. Duck, Jos Willison, Brookley Field, Bay Minette

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STATE OF ALABAMA,)	IN THE CIRCUIT COURT OF
	*	
PETITIONER,)	BALDWIN COUNTY, ALABAMA
	*	
VS)	CASE NO. 7276
	*	
L. T. RHODES, et al,)	
Tract 23,	*	
)	
RESPONDENTS.	*	

STIPULATION

It is hereby stipulated by and between the Petitioner (appellee), and L. T. Rhodes, et al, (appellant), 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 21st day of September, 1966, in 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 is 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 is the only parties known to either petitioner or respondents who have or assert 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 enter their appearance in this court.

6. That the only issue in this proceeding is the damages and compensation, if any, to which the respondents are entitled.

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, the 12th day of 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, the 21st day of September, 1966.

Kenneth Cooper
ATTORNEY FOR PETITIONER

J. B. Blodgett
ATTORNEY FOR RESPONDENTS

Filed 3-7-67
Deane S. S. S.
Clerk

STATE OF ALABAMA

VS:

L. J. Rhodes, Jr.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW, CASE NO. 7276

We, the Jury, find for the landowners and assess the damages and compensation at \$ 6250.00.

L. W. Baskin
Foreman.

No. 1216

The State of Alabama

 COUNTY

PROBATE COURT

In the Matter of

PROBATE FEE BILL

Received of

Dollars

in payment of the above.

This _____, 19____

Judge of Probate

Probate Docket _____ Page _____

Free Book _____ Page _____

Attorneys

[illegible]

STATE OF ALABAMA,

PETITIONER,

VS

L. T. RHODES, et al,
Tract 23,

RESPONDENTS.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 7276

FINAL JUDGMENT

This cause coming on to be heard by the Court on this the 7th day of March, 1967, 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 13 day of October, 1966, L. T. Rhodes, et al, Defendants, appealed from said order of condemnation to this Court and demanded a trial by jury; and that on the 18th day of October, 1966, the Petitioner, State of Alabama, did file a cross-appeal in said cause and demanded a trial by jury; 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 are entitled and that an order of condemnation should here be entered condemning the lands hereinafter described for the uses and

purposes set forth in the application, which is now on file in this Court.

And now comes a jury of twelve good and lawful men, to-wit, Lavon Baskin and eleven others, and the issue of the amount of damages and compensation, if any, to which the landowner is entitled having been submitted to them, did return a verdict in words and figures as follows, to-wit:

We, the Jury, find for the landowners and assess the damages and compensation at \$6,250.00.

/s/ LaVon Baskin
Foreman

And the Court having considered all of the above is of the opinion and judgment that an order or judgment of condemnation should here be entered conditioned upon the payment by the State of Alabama to the Clerk of this Court for the use and benefit of the Defendant landowners the sum aforesaid; it is, therefore

ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, as follows:

1. That the application of the State of Alabama for the condemnation of the lands, rights and construction hereinafter described be, and the same are hereby granted, and that the property described in Exhibit "A" attached hereto, and by reference made a part thereof as though fully set forth herein, be, and the same is hereby condemned for the use by the State of Alabama as a right-of-way for a public road as set forth in the application aforesaid, and the rights therein are hereby divested out of the landowners and into the State of Alabama, upon the payment by the State of Alabama of the sum hereinafter ordered and decreed to be paid.

2. That the damages and compensation to which the Defendant landowners in this case, L. T. Rhodes, et al, are entitled is hereby fixed at the sum of \$ 6,250.00, which said sum is hereby ordered to be paid by the State of Alabama to the said Defendant landowners; and that upon payment of said amount by the State of

Alabama to said landowners the condemnation of the lands herein-
above described shall be, and become effective.

3. That the State of Alabama pay the costs of this proceeding.

Dated this 7th day of March, 1967.

Jessie G. Matheson
CIRCUIT JUDGE

FILED

MAR 7 1967

ALICE J. NICK, CLERK
REGISTER

EXHIBIT "A"

The following described property, lying and being in Baldwin County, Alabama, and more particularly described as follows:

And 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 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.