

- ~~1. Williams, Bryant, Farmer, Fairhope~~
- ~~2. Mitchell, Clifton Elm, Sr., Fairhope~~
- ~~3. Bishop, David, Farmer, Fairhope~~
- ~~4. McKean, Mary, Fairhope~~
- ~~5. Corte, Julio, Farmer, Belforest~~
- ~~6. Barnhill, Charles W., Oil Dealer, Robertsdale~~
- ~~7. Smythe, George F., Furniture Dealer, Foley~~
- ~~8. Hesse, Henry W., Linesman, Foley~~
- ~~9. Stephens, Billie W., Brookley, Summerdale~~
- ~~10. Andrews, Guy C., Bay Minette~~
- ~~11. Ankum, Charlotte, Tensaw~~
- ~~12. Bill, Harry C., Farmer, Loxley~~
- ~~13. Lamar, Reuben, Laborer, Foley~~
- ~~14. Lang, Arthur, Laborer, Foley~~
- ~~15. Ponder, Virginia Irby, Fairhope~~
- ~~16. Ingersoll, Helen, Fairhope~~
- ~~17. Jenkins, Hillard P., Farmer, Loxley~~
- ~~18. Jones, Adolphus, Retired, Bay Minette~~
- ~~19. Hill, Calvin, Farmer, Belforest~~
- ~~20. Hunt, Frank C., GRAMCO, Loans Mgr, S.E., Spanish Fort-Daphne~~
- ~~21. Eslava, Clarence, Farmer, Magnolia Springs~~
- ~~22. Rhodes, Latham, Farmer, Foley~~
- ~~23. Ruple, J. L., Civil Service, Bay Minette~~
- ~~24. Skipper, Lois F., Real Estate, Foley~~
- ~~25. Mason, Mayre H., Fairhope~~
- ~~26. McCallagher, Joseph E., Fairhope~~
- ~~27. McIntosh, William J., Jr., Fairhope~~
- ~~28. McKibbin, Linda B., Fairhope~~
- ~~29. Mills, Elbert R., Jr., Fairhope~~
- ~~30. Love, Carol Fisher, Fairhope~~
- ~~31. Perryman, Matt, Fairhope~~
- ~~32. Pipkin, James E., Stockton~~
- ~~33. Ponder, Ellis C., Auto Salesman, Fairhope~~
- ~~34. Pope, James M., Hotel Manager, Fairhope~~
- ~~35. Powe, Prince A., Fairhope~~

35
12
23

PS XXXXX XXXXX XE
D XXXXX XXXXX V

STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6572

MALBIS PLANTATION, INC.,
A Corporation (Daphne,
Alabama), Claimant to
Tract No. 17, Project
No. I-10-1(19), Baldwin
County, Alabama; and

BALDWIN COUNTY, ALABAMA,
A Political Subdivision
of the State of Alabama,

RESPONDENTS.

TO: MALBIS PLANTATION, INC., A Corporation, Daphne, Alabama; and
BALDWIN COUNTY, ALABAMA, A Political Subdivision of the State
of Alabama.

YOU WILL PLEASE TAKE NOTICE That an application was filed in
this Court by the State of Alabama, a copy of which said appli-
cation is attached hereto, alleging that it desires to have con-
demned fee simple title for a right of way for a public road across
lands belonging to above named Respondents, which said lands are
particularly described in the said application.

And the application prays that a day be appointed for the
hearing thereof and for such further, other and different orders
and decrees as may be necessary and proper for the acquisition by
the Applicant of the fee simple title for the right of way over
and across the above mentioned property.

THIS IS TO NOTIFY YOU that the Probate Court of Baldwin County,
Alabama, has, and by an order this day made and entered, appointed
the 22nd day of May, 1969, at 9:30 A.M. o'clock
as the day and time upon which said application will be heard at
which time you may appear and contest the same, if you choose to do so.

Done this 6th day of May, 1969.

Harry D'Olive
JUDGE OF PROBATE

BY: _____

STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6572

MALBIS PLANTATION, INC.,
A Corporation (Daphne,
Alabama), Claimant to
Tract No. 17, Project
No. I-10-1(19), Baldwin
County, Alabama; and

BALDWIN COUNTY, ALABAMA,
A Political Subdivision
of the State of Alabama,

RESPONDENTS.

ORDER OF PROBATE JUDGE GRANTING APPLICATION FOR
CONDEMNATION AND APPOINTING COMMISSIONERS

This cause having heretofore been set for hearing on the
22nd day of May, 1969, at 9:30 A.M. o'clock, as
set forth in the application of the State of Alabama to condemn
the right of way or easement on Parcel Number 17, Project I-10-1
(19), 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 appli-
cation 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

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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. It is, further,

M. W. Baldwin
ORDERED by the Court that ~~Robert I. Cullledge~~, W. E. Long and John Beasley, 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 (20) 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 22nd day of May, 1969.

Harry D'Oliver
JUDGE OF PROBATE

BY: _____

FROM
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STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6572

MALBIS PLANTATION, INC.,
A Corporation (Daphne,
Alabama), (Claimant to
Tract No. 17, Project
No. I-10-1(19), Baldwin
County, Alabama); and

BALDWIN COUNTY, ALABAMA,
A Political Subdivision
of the State of Alabama,

RESPONDENTS.

FINAL ORDER OF CONDEMNATION

On the 16th day of June, 1969, came M. W. Baldwin, John Beasley and W. E. Long, 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 17, Project No. I-10-1(19), in the amount of \$268,247.30; broken down as damages \$138,170.00 and for land taken \$130,077.30.

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 fee simple title to 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 18th day of June, 1969.

Sam D'Oliver
JUDGE OF PROBATE

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STATE OF ALABAMA,

PETITIONER,

VS.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6572

MALBIS PLANTATION, INC.,
A Corporation (Daphne,
Alabama), Claimant to
Tract No. 17, Project
No. I-10-1(19), Baldwin
County, Alabama; and

BALDWIN COUNTY, ALABAMA,
A Political Subdivision
of the State of Alabama,

RESPONDENTS.

COMMISSIONS

M.W. Baldwin
TO: ~~Robert I. Gullledge~~, Robertsdale, Alabama; John Beasley,
Fairhope, Alabama; and W. E. Long, Bay Minette, Alabama.

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 22nd day of May, 1969.

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. MALBIS PLANTATION, INC., and Baldwin County, Alabama, 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.

Mark Beasley
John M. Beasley
W. L. Long

Sworn to and subscribed before me
this 16th day of June,
1969.

Harry D'Olive
JUDGE OF PROBATE

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Sheriff claims 130 miles at
 Ten Cents per mile Total \$ 13.00
 TAYLOR WILKINS, Sheriff
 BY H. Brown
 DEPUTY SHERIFF

Received 28 day of May 1969
 and on 30 day of May 1969

I served a copy of the within notice
 on Robert L. Bulledge, John
Bessley
 By service on _____

TAYLOR WILKINS, Sheriff.

By H. Brown D.S.

Bulledge - R. Dale - 60 miles
Bessley - Fairbairn - 70 miles.

Received 26 day of May 1969
 and 27 day of May 1969

I served a copy of the within notice
 on W. E. Long
 By service on _____

TAYLOR WILKINS, Sheriff.

By W. A. Talbert D.S.

13.00
 3.00
 16.00

STATE OF ALABAMA,
PETITIONER,
VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 6572

✓MALBIS PLANTATION, INC.,
A Corporation (Daphne,
Alabama), Claimant to
Tract No. 17, Project
No. I-10-1(19), Baldwin
County, Alabama; and

BALDWIN COUNTY, ALABAMA,
A Political Subdivision
of the State of Alabama,

RESPONDENTS.

TO: ✓MALBIS PLANTATION, INC., A Corporation, Daphne, Alabama; and
BALDWIN COUNTY, ALABAMA, A Political Subdivision of the State
of Alabama.

YOU WILL PLEASE TAKE NOTICE That an application was filed in
this Court by the State of Alabama, a copy of which said appli-
cation is attached hereto, alleging that it desires to have con-
demned fee simple title for a right of way for a public road across
lands belonging to above named Respondents, which said lands are
particularly described in the said application.

And the application prays that a day be appointed for the
hearing thereof and for such further, other and different orders
and decrees as may be necessary and proper for the acquisition by
the Applicant of the fee simple title for the right of way over
and across the above mentioned property.

THIS IS TO NOTIFY YOU that the Probate Court of Baldwin County,
Alabama, has, and by an order this day made and entered, appointed
the 22nd day of May, 1969, at 9:30 A.M. o'clock
as the day and time upon which said application will be heard at
which time you may appear and contest the same, if you choose to do so.

Done this 6th day of May, 1969.

Harry D'Oliver
JUDGE OF PROBATE

BY: _____

STATE OF ALABAMA,
PETITIONER,
VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 6572

MALBIS PLANTATION, INC.,
A Corporation (Daphne,
Alabama), (Claimant to
Tract No. 17, Project
No. I-10-1(19), Baldwin
County, Alabama); and

BALDWIN COUNTY, ALABAMA,
A Political Subdivision
of the State of Alabama,

RESPONDENTS.

REPORT OF THE COMMISSIONERS

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

Come the undersigned, *M. W. Baldwin*
~~Robert I. Gullledge~~, John Beasley,
and W. E. Long, the Commissioners duly appointed to assess the
damages to Parcel No. 17 of Project No. I-10-1(19), to which
the owner and other parties interested in the parcel of land
set forth and described in the original application for condem-
nation of lands filed in this cause, are entitled for the con-
demnation 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 compen-
sation 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. I-10-1(19), Parcel No. 17, \$	268,247.30	(Total Award)
Amount of Damages	138,170.00	
Amount for land taken	130,077.30	

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.

M. J. Sweeney
COMMISSIONER
John M. Beasley
COMMISSIONER
W. C. Long
COMMISSIONER

Sworn to and subscribed before me
this 16th day of June,
1969.

Harry D'Almeida
JUDGE OF PROBATE

BY: _____

BOOK 52 PAGE 149

STATE OF ALABAMA,
PETITIONER,
VS.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 6572

MALBIS PLANTATION, INC.,
A Corporation (Daphne,
Alabama), Claimant to
Tract No. 17, Project
No. I-10-1(19), Baldwin
County, Alabama; and

BALDWIN COUNTY, ALABAMA,
A Political Subdivision
of the State of Alabama,

RESPONDENTS.

APPLICATION FOR CONDEMNATION

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

Comes now 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 Ala-
bama, 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. I-10-1(19), Baldwin County, Alabama.

(3) That said public highway begins at a point approximately
two miles north of Loxley at the west terminus of I-10-1(19),
Baldwin County, Alabama, and runs thence westwardly to Tensaw
River, Baldwin County, Alabama.

(4) The right of way over the property and lands hereinafter
described as Tract No. 17, and as set out in the right of way

STATE OF ALABAMA, BALDWIN COUNTY

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Recorded

book

page

Judge of Probate

May 2, 1969
Harry D'Olive
Judge of Probate

BOOK 52 PAGE 133

map of Project No. I-10-1(19) on file in the State Highway Department, Montgomery, Alabama, and in the office of the Judge of Probate of Baldwin County, Alabama, Bay Minette, Alabama, has been deemed necessary by the State Highway Director, State of Alabama, in order to facilitate the flow of traffic and promote public safety.

(5) That fee simple title to said tracts of land is necessary for use by Petitioner as a right of way for such public highway, and in which Petitioner seeks to condemn fee simple title, is located wholly within Baldwin County, Alabama, and is described in Exhibit "A", attached hereto, and made a part hereof as if fully set forth herein.

(6) That the fee simple title which Petitioner seeks to condemn for highway purposes is set out and described in the right of way map on Project No. I-10-1(19), which is on file in the State Highway Department, Montgomery, Alabama, and in the office of the Judge of Probate of Baldwin County, at Bay Minette, 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 tracts 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 lands for the right of way, as set out in the right of way map on Project No. I-10-1 (19), over the lands as set out in Exhibit "A" (for Tract No. 17) of this application, all for the uses and purposes of a public highway for the State of Alabama.

MACDONALD GALLION
ATTORNEY GENERAL,
STATE OF ALABAMA.

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

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STATE OF ALABAMA

BALDWIN COUNTY

Before me, Linda L. Byrd, personally appeared Kenneth Cooper, 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 30th day of April, 1969.

Linda L. Byrd
NOTARY PUBLIC,
BALDWIN COUNTY, ALABAMA

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 22nd day of May, 1969, at 9:30 A. 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 6th day of May, 1969.

Harry D. Oliver
PROBATE JUDGE

BY: _____

EXHIBIT "A"

Tract No. 17

and as shown by the right of way map of Project No. I-10-1(19) as recorded in the Office of the Judge of Probate of Baldwin County:

Tract No. 17-1:

Commencing at the northwest corner of Section 32, Township 4 South, Range 2 East; thence S 1° 34' 23"W, a distance of 1425.90 feet to the point of beginning; thence N 81° 32' 36"E, a distance of 517.77 feet; thence S 68° 27' 24"E, a distance of 280.00 feet; thence N 81° 32' 36"E, a distance of 1021.78 feet; thence N 89° 52' 38"E, a distance of 897.26 feet to a point; thence N 0° 38' 12"E, a distance of 70.32 feet; thence N 71° 13' 29"E, a distance of 115.19 feet; thence S 68° 27' 24"E, a distance of 60 feet; thence N 81° 32' 36"E, a distance of 20 feet; thence N 51° 32' 26"E, a distance of 100 feet; thence N 75° 59' 06"E, a distance of 309.86 feet; thence N 86° 49' 13"E, a distance of 761.16 feet; thence N 73° 48' 52"E, a distance of 446.14 feet; to a point that is 250 feet left of and at right angles to the centerline station 506+00; thence N 81° 32' 36"E, a distance of 4914.56 feet; thence S 0° 30' 24"E, a distance of 252.43 feet to the centerline of Project I-10-1(19) at station 554+79.65; thence continue S 0° 30' 24"E, a distance of 281.71 feet; thence S 80° 18' 18"W, a distance of 971.64 feet; thence N 68° 27' 24"W, a distance of 80 feet; thence S 81° 32' 36"W, a distance of 2555.50 feet; thence N 0° 51' 07"E, a distance of 263.47 feet, to the centerline of Project No. I-10-1(19) at station 518+87.12; thence continue N 0° 51' 07"E, a distance of 92.78 feet; thence S 89° 25' 33"W, a distance of 416.21 feet; thence S 0° 51' 07"W, a distance of 150.62 feet to the centerline of Project No. I-10-1(19) at station 514+65.39; thence continue S 0° 51' 07"W, a distance of 266.44 feet; thence S 89° 52' 38"W, a distance of 1320.81 feet; thence S 0° 45' 59"W, a distance of 203.17 feet; thence S 82° 10' 48"W, a distance of 182.89 feet to a point; thence S 81° 32' 36"W, a distance of 3705.18 feet to a point; thence N 68° 27' 24"W, a distance of 180.00 feet to a point on the west property line; thence N 1° 34' 23"E, a distance of 182.79 feet to the centerline of Project No. I-10-1(19) at station 460+70.76; thence continue N 1° 34' 23"E, a distance of 396.05 feet to the point of beginning.

Said tract of land lying in section 32 and 33, Township 4 South, Range 2 East, Baldwin County, Alabama and containing 104.67 acres, more or less.

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As a part of the consideration hereinabove stated there is also bargained, sold, conveyed and relinquished to the grantee all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified as Project No. I-10-1(19), County of Baldwin, and all of the grantor's remaining real property consisting of all parcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which parcels either adjoin the real property conveyed by this instrument or are connected thereto by other parcels owned by the grantor.

Tract No. 17-2:

Commencing at the Northwest corner of Section 33, Township 4 South, Range 2 East; thence S $0^{\circ}-51'-07''$ W, a distance of, 1311.59 feet to the point of beginning; thence N $89^{\circ}-25'-33''$ E, a distance of, 92.19 feet; thence S $78^{\circ}-50'-57''$ W, a distance of, 94.22 feet; thence N $0^{\circ}-51'-07''$ E, a distance of, 17.30 feet to the point of beginning.

Said tract of land lying in Section 33, Township 4 South, Range 2 East, Baldwin County, Alabama and containing 0.184 acre more or less.

As a part of the consideration hereinabove stated there is also bargained, sold, conveyed and relinquished to the grantee all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified as Project No. I-10-1(19), County of Baldwin, and all of the grantor's remaining real property consisting of all parcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which parcels either adjoin the real property conveyed by this instrument or are connected thereto by other parcels owned by the grantor.

Tract No. 17-3:

Beginning at Northwest corner of Section 35, Township 4 South, Range 2 East; thence S $89^{\circ}-48'-20''$ E, a distance of, 440.52 feet; thence S $66^{\circ}-24'-31''$ W, a distance of, 232.67 feet; thence S $33^{\circ}-18'-33.5''$ W, a distance of, 167.54 feet; thence S $0^{\circ}-12'-36''$ W, a distance of, 483.95 feet; thence S $30^{\circ}-12'-36''$ W, a distance of, 170.00 feet; thence N $89^{\circ}-47'-27''$ W, a distance of, 150.00 feet; thence N $29^{\circ}-47'-24''$ W, a distance of, 170.00 feet; thence N $0^{\circ}-12'-36''$ E, a distance of, 479.53 feet; thence N $33^{\circ}-51'-17.5''$ W, a distance of, 165.68 feet; thence N $67^{\circ}-55'-11''$ W, a distance of, 373.56 feet; thence N $86^{\circ}-03'-44''$ W, a distance of, 455.47 feet; thence S $83^{\circ}-30'-22''$ W, a distance of, 1159.63 feet; thence S $81^{\circ}-49'-34''$ W, a distance of, 2025.05 feet; thence S $81^{\circ}-32'-36''$ W, a distance of, 1017.93 feet; thence N $0^{\circ}-26'-24''$ W, a distance of, 252.47 feet to the center line of Project No. I-10-1(19) at Station 568+17.28; thence continue N $0^{\circ}-26'-24''$ W, a distance of, 333.27 feet; thence N $81^{\circ}-32'-36''$ E, a distance of, 836.24 feet; thence N $84^{\circ}-08'-45''$ E, a distance of, 1101.14 feet; thence N $77^{\circ}-24'-50''$ E, a distance of, 1027.70 feet; thence N $76^{\circ}-54'-26''$ E, a distance of, 486.48 feet; thence N $86^{\circ}-01'-10''$ E, a distance of, 1127.46 feet; thence N $63^{\circ}-39'-11''$ E, a distance of, 437.02 feet; thence N $31^{\circ}-55'-53.5''$ E, a distance of, 170.17 feet; thence N $0^{\circ}-12'-36''$ E, a distance of, 530.72 feet; thence N $30^{\circ}-12'-36''$ E, a distance of, 290.00 feet; thence S $89^{\circ}-47'-24''$ E, a distance of, 150.00 feet; thence S $0^{\circ}-12'-36''$ W, a distance of, 160.00 feet; thence S $29^{\circ}-47'-24''$ E, a distance of, 130.00 feet; thence S $0^{\circ}-12'-36''$ W, a distance of, 255.21 feet; thence N $89^{\circ}-48'-24''$ W, a distance of, 116.15 feet; thence S $0^{\circ}-12'-36''$ W, a distance of, 1326.72 feet to the point of beginning.

Said tract of land lying in Section 26, 27, 34 and 35, Township 4 South, Range 2 East, Baldwin County, Alabama and containing 90.31 acres more or less.

This conveyance is made for the purpose of a controlled access facility and adjacent service road or roads and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights appurtenant to grantor's remaining property in and to said controlled access facility, provided however, that there is hereby reserved along a line (described as beginning at a point which is 250 feet Northwest of and at right angles to the center line of Project No. I-10-1(19) at Station 568+52.49; thence N $0^{\circ}-26'-24''$ W, a distance of, 80.80 feet; thence N $81^{\circ}-32'-36''$ E, a distance of, 836.24 feet; thence N $84^{\circ}-08'-45''$ E, a distance of, 1101.14 feet; thence N $77^{\circ}-24'-50''$ E, a distance of, 1027.70 feet; thence N $76^{\circ}-54'-26''$ E, a distance of, 486.48 feet; thence N $86^{\circ}-01'-10''$ E, a distance of, 1127.46 feet; thence N $63^{\circ}-39'-11''$ E, a distance of, 437.02 feet; thence N $31^{\circ}-55'-53.5''$ E, a distance of, 170.17 feet; thence N $0^{\circ}-12'-36''$ E, a distance of, 530.72 feet; thence N $30^{\circ}-12'-36''$ E, a distance of, 290.00 feet; thence S $0^{\circ}-12'-36''$ W, a distance of, 160.00 feet; thence S $30^{\circ}-12'-36''$ W, a distance of, 130.00 feet; thence S $0^{\circ}-12'-36''$ W, a distance of, 100.00 feet to the end of line.

Also:

A line described as beginning at a point which is 75 feet Northwesterly of and at right angles to the center line of Alabama Highway 181 at Station 44+72.85; thence S 89°-47'-24"E, a distance of, 150.00 feet; thence S 0°-12'-36"W, a distance of, 160.00 feet; thence S 29°-47'-24"E, a distance of, 130.00 feet; thence S 0°-12'-36"W, a distance of, 100.00 feet to the end of line.

Also:

A line described as beginning at a point which is 160.00 feet Southeasterly of and at right angles to the center line of Alabama Highway 181 at Station 21+00; thence S 0°-12'-36"W, a distance of, 200.00 feet; thence S 30°-12'-36"W, a distance of, 170.00 feet; thence N 89°-47'-24"W, a distance of, 150.00 feet; thence N 29°-47'-24"W, a distance of, 170.00 feet; thence N 0°-12'-36"E, a distance of, 200 feet to the end of line...) the right of ingress to and egress from such remaining property to and from said service road or roads which will be accessible to the controlled access facility only at such points as may be established by public authority.

Tract No. 17-4:

Beginning at the Northeast corner of Section 35, Township 4 South, Range 2 East; thence S 1°-34'-54"W, a distance of, 69.43 feet to the center line of the left lane of Project No. I-10-1(19) at Station 675+51.71; thence continue S 1°-34'-54"W, a distance of, 296.57 feet to the center line of the right lane at Station 675+88.10; thence continue S 1°-34'-54"W, a distance of, 173.26 feet; thence N 77°-17'-29"W, a distance of, 1446.93 feet; thence Northwesterly along a curve to the left which has a radius of 16,979.73 feet, an arc distance of 1249.21 feet; thence S 89°-48'-20"E, a distance of, 985.57 feet to the center line of the right lane at Station 658+74.27; thence continue S 89°-48'-20"E, a distance of, 313.00 feet; thence N 0°-10'-33.5"E, a distance of, 146.46 feet to the center line of the left lane at Station 661+81.15; thence continue N 0°-10'-33.5"E, a distance of, 171.96 feet; thence Southeasterly along a curve to the right which has a radius of 31,288.62 feet an arc distance of 1374.70 feet; thence S 1°-34'-54"W, a distance of, 102.57 feet to the point of beginning.

Said tract of land lying in Section 26 and 35, Township 4 South, Range 2 East, Baldwin County, Alabama and containing 22.30 acres more or less.

As a part of the consideration hereinabove stated there is also bargained, sold, conveyed and relinquished to the grantee all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified as Project No. I-10-1(19) County of Baldwin, and all of the grantor's remaining real property consisting of all parcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which parcels either adjoin the real property conveyed by this instrument or are connected thereto by other parcels owned by the grantor.

17-B1

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 270 feet Southeasterly of and at right angles to the center line of Project No. I-10-1(19) at Station 473+82; thence N 81°-32'-36"E, a distance of, 25.71 feet; thence S 5°-02'-36"W, a distance of, 200 feet; thence S 81°-32'-36"W, a distance of, 51.42 feet; thence N 5°-02'-36"E, a distance of, 200 feet; thence N 81°-32'-36"E, a distance of, 25.71 feet to the point of beginning.

Said strip of land lying in Section 32, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-B2

Easement For Drainage: The herein described property, a tract of land, to be used for the purpose of a drainage ditch, more particularly described as:

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17-E2 (Contd)

Beginning at a point that is 270 feet Southeasterly of and at right angles to the center line of Project No. I-10-1(19) at Station 479 + 85; thence N 81°-32'-36" E, a distance of 157.46 feet; thence S 19°-47'-36" W, a distance of 227.04 feet; thence S 81°-32'-36" W, a distance of 50 feet; thence N 8°-27'-24" W, a distance of 200 feet to the point of beginning.

Said tract of land lying in Section 32, Township 4 South, Range 2 East, and containing 0.476 acre more or less.

17-E3

Easement for Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as: Beginning at a point which is 270 feet Southeasterly of and at right angles to the center line of Project No. I-10-1(19) at Station 482 + 73; thence N 81°-32'-36" E, a distance of 28.38 feet; thence S 19°-47'-30" W, a distance of 200 feet; thence S 81°-32'-36" W, a distance of 56.76 feet; thence N 19°-47'-30" E, a distance of 200 feet; thence N 81°-32'-36" E, a distance of 28.38 feet to the point of beginning.

Said tract of land lying in Section 32, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E4

Easement for Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as: Beginning at a point which is 260 feet Southeasterly of and at right angles to the center line of Project No. I-10-1(19) at Station 522 + 04; thence N 81°-32'-36" E, a distance of 25 feet; thence S 8°-27'-24" E, a distance of 200 feet; thence S 81°-32'-36" W, a distance of 50 feet; thence N 8°-27'-24" W, a distance of 200 feet to point; thence N 81° 32' 36"E, a distance of 25 feet to the point of beginning.

Said strip of land lying in Section 33, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E5

Easement for Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as: Beginning at a point which is 260 feet Southeasterly of and at right angles to the center line of Project No. I-10-1(19) at Station 531 + 11; thence N 81°-32'-36" E, a distance of 25.02 feet; thence S 10°-56'-24" E, a distance of 200 feet; thence S 81°-32'-36" W, a distance of 50.04 feet; thence N 10°-56'-24" W, a distance of 200 feet; thence N 81°-32'-36" E, a distance of 25.02 feet to the point of beginning.

Said strip of land lying in Section 33, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E6

Easement for Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as: Beginning at a point which is 250 feet Northwesterly of and at right angles to the center line of Project No. I-10-1(19) at Station 534 + 07; thence S 81°-32'-36" W, a distance of 28.87 feet; thence N 51°-32'-36" E, a distance of 200 feet; thence N 81°-32'-36" E, a distance of 57.74 feet; thence S 51°-32'-36" W, a distance of 200 feet; thence S 81°-32'-36" W, a distance of 28.87 feet to the point of beginning.

Said strip of land lying in Section 33, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

BOOK 52 PAGE 140

17-E7

Easement for Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 231.04 feet Northwesterly of and at right angles to the center line of Project No I-10-1(19) at Station 581 + 17; thence S $84^{\circ}-08'-45''$ W, a distance of 27.47 feet; thence N $30^{\circ}-21'-15''$ W, a distance of 200 feet; thence N $84^{\circ}-08'-45''$ E, a distance of 54.94 feet; thence S $30^{\circ}-21'-15''$ E, a distance of 200 feet; thence S $84^{\circ}-08'-45''$ W, a distance of 27.47 feet to the point of beginning.

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E8

Easement for Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 323.92 feet Northwesterly of and at right angles to the center line of Project No. I-10-1(19) at Station 596 + 03.34; thence S $77^{\circ}-24'-50''$ W, a distance of 27.96 feet; thence N $14^{\circ}-01'-40''$ E, a distance of 200 feet; thence N $77^{\circ}-24'-50''$ E, a distance of 55.92 feet; thence S $14^{\circ}-01'-40''$ W, a distance of 200 feet; thence S $77^{\circ}-24'-50''$ W, a distance of 27.96 feet to the point of beginning.

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E9

Easement for Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 332.06 feet Northwesterly of and at right angles to the center line of Project No. I-10-1(19) at Station 597 + 52.27; thence S $77^{\circ}-24'-50''$ W, a distance of 26.16 feet; thence N $4^{\circ}-31'-40''$ E, a distance of 200 feet; thence N $77^{\circ}-24'-50''$ E, a distance of 52.32 feet; thence S $4^{\circ}-31'-40''$ W, a distance of 200 feet; thence S $77^{\circ}-24'-50''$ W, a distance of 26.16 feet to the point of beginning.

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E10

Easement for Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 356.51 feet Northwesterly of and at right angles to the center line of the left lane of Project No. I-10-1(19) at Station 602+59.27; thence S $76^{\circ}-54'-26''$ W, a distance of 25.93 feet; thence N $2^{\circ}-14'-29''$ E, a distance of 200 feet; thence N $76^{\circ}-54'-26''$ E, a distance of 51.86 feet; thence S $2^{\circ}-14'-29''$ W, a distance of 200 feet; thence S $76^{\circ}-54'-26''$ W, a distance of 25.93 feet to the point of beginning.

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E11

Easement for Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as: Beginning at a point which is 170 feet Southwesterly of and at right angles to the center line of the right lane of Project No. I-10-1(19) at Station 655+87; thence S $79^{\circ}-12'-23''$ E, a distance of 26.36 feet; thence S $7^{\circ}-42'-23''$ E, a distance of 200 feet; thence N $79^{\circ}-12'-23''$ W, a distance of 52.72 feet; thence N $7^{\circ}-42'-23''$ W, a distance of 200 feet; thence S $79^{\circ}-12'-23''$ E a distance of 26.36 feet to the point of beginning.

BOOK 52 PAGE 141

STATE OF ALABAMA,	§	IN THE CIRCUIT COURT OF
PETITIONER,	§	BALDWIN COUNTY, ALABAMA
VS.	§	CASE NO. 8790
MALBIS PLANTATION, IN-	§	
CORPORATED, and TRACT	§	
NO. 17 of PROJECT NO.	§	
I-10-1 (19),	§	
RESPONDENTS.		

FINAL JUDGMENT

This cause coming on to be heard by the Court from 8 September, 1969, to 10 September, 1969, now comes the parties and their respective attorneys of record, and it appearing to the Court from the stipulation of the parties made and entered in- to on 8 September, 1969, and filed in this cause, that on the 30th day of April, 1969, the State of Alabama entered into possession of the lands hereinafter described for the uses and purposes therein averred and that all acts and proceedings re- quired to be done or held had been performed, and that this cause is for trial only on and as to the valuation issue, i.e., the just compensation, if any, to be paid by the Petitioner, the State of Alabama, to the Respondent, Malbis Plantation, Inc., a Corporation, for the lands or interest in lands sought to be ac- quired in this proceeding, and that an order of condemnation should be entered condemning title to the lands hereinafter de- scribed for the uses and purposes set forth in the application for condemnation, which is now on file in this Court.

And now comes a jury of twelve good and lawful men, to-wit, George F. Smythe and eleven others, and the issue of the amount of damages and compensation, if any, to which Respondent land- owner is entitled having been submitted to them, did return a

verdict in words and figures as follows, to-wit:

"We the jury find in favor of the
landowners, and assess the damages
at \$110,000.00 plus interest."

/S/ G. Frank Smyth
Foreman

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

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

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 of limited access 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 sums hereinafter ordered and decreed to be paid.

2. That the Respondent landowners, Malbis Plantation, Inc., a Corporation, is entitled to damages in this cause, which said sum is hereby fixed at \$110,000.00, together with interest on the said sum at the rate of six (6%) per cent per annum, commencing on 30 April, 1969, to the date on which the Respondent landowners is paid the said damages and interest by the Petitioner,

the State of Alabama; and that upon the payment of said amount by the State of Alabama to the said landowners, the condemnation of the lands hereinabove described shall be, and become effective to pass fee simple title to the said lands to the State of Alabama.

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

DATED this 10th day of September, 1969.

J. H. G. Madison
CIRCUIT JUDGE
28th Judicial Circuit

Filed 9-10-69
Cliff D. Duck
Clerk

EXHIBIT "A"

Tract No. 17

and as shown by the right of way map of Project No. I-10-1(19) as recorded in the office of the Judge of Probate of Baldwin County:

Tract No. 17-1:

Commencing at the northwest corner of Section 32, Township 4 South, Range 2 East; thence S 1°-34'-23"W, a distance of 1425.90 feet to the point of beginning; thence N 81°-32'-36"E, a distance of 517.77 feet; thence S 68°-27'-24"E, a distance of 380.00 feet; thence N 81°-32'-36"E, a distance of 1021.78 feet; thence N 89°-52'-38"E, a distance of 897.26 feet to point; thence N 0°-38'-12"E, a distance of 70.32 feet; thence N 71°-13'-29" E, a distance of 115.19 feet; thence S 68°-27'-24" E, a distance of 60 feet; thence N 81°-32'-36" E, a distance of 20 feet; thence N 51°-32'-26" E, a distance of 100 feet; thence N 75°-59'-06" E, a distance of 309.86 feet; thence N 86°-49'-13" E, a distance of 761.16 feet; thence N 73°-48'-52" E, a distance of 446.14 feet; to a point that is 250 feet left of and at right angles to the centerline station 506+00; thence 81°32'36" E, a distance of 4914.56 feet; thence S 0°-30'-24" E, a distance of 252.43 feet to the centerline of Project I-10-1(19) at station 554+79.65; thence continue S 0°-30'-24" E, a distance of 381.71 feet; thence S 80°-18'-18" W, a distance of 971.64 feet; thence N 68°-27'-24" W, a distance of 80 feet; thence S 81°-32'-36" W, a distance of 2555.50 feet; thence N 0°-51'-07" E, a distance of 263.47 feet, to the centerline of project no. I-10-1(19) at station 518+87.12; thence continue N 0°-51'-07" E, a distance of 92.78 feet; thence S 89°-25'-33" W, a distance of 416.21 feet; thence S 0°-51'-07" W, a distance of 150.62 feet to the centerline of project no. I-10-1(19) at station 514+65.39; thence continue S 0°51'07" W, a distance of 266.44 feet; thence S 89°52'38" W, a distance of 1320.81 feet; thence S 0°45'59" W, a distance of 203.17 feet; thence S 81°32'36" W, a distance of 3888 feet, more or less, to a point that is 270 feet southeasterly of and at right angles to centerline station 461+94.82; thence northwesterly a distance of 180 feet, more or less, to a point on the west property line, said point being 180 feet, southeasterly of and at right angles to centerline station 460+38.92; thence N 1°34'23" E, a distance of 182.79 feet to the centerline of project no. I-10-1(19) at station 460+70.76; thence continue N 1°34'23" E, a distance of 396.05 feet to the point of beginning.

Said tract of land lying in Section 32 and 33, Township 4 South, Range 2 East, Baldwin County, Alabama and containing 104.67 acres, more or less.

As a part of the consideration hereinabove stated there is also bargained, sold, conveyed and relinquished to the grantee all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified as Project No. I-10-1(19), County of Baldwin, and all of the grantor's remaining real property consisting of all parcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which parcels either adjoin the real property conveyed by this instrument or are connected thereto by other parcels owned by the grantor.

Tract No. 17-2:

Commencing at the Northwest corner of Section 33, Township 4 South, Range 2 East; thence S 0°-51'-07" W, a distance of 1311.59 feet to the point of beginning; thence N 89°-25'-33" E, a distance of 92.19 feet; thence S 78°-50'-57" W, a distance of 94.22 feet; thence N 0°-51'-07" E, a distance of 17.30 feet to the point of beginning.

Said tract of land lying in Section 33, Township 4 South, Range 2 East, Baldwin County, Alabama and containing 0.184 acre more or less.

As a part of the consideration hereinabove stated, there is also bargained, sold, conveyed and relinquished to the grantee all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified as Project No. I-10-1(19), County of Baldwin, and all of the grantor's remaining real property consisting of all parcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which parcels either adjoin the real property conveyed by this instrument or are connected thereto by other parcels owned by the grantor.

Tract No. 17-3:

Beginning at Northwest corner of Section 35, Township 4 South, Range 2 East; thence S 89°-48'-20" E, a distance of 440.52 feet; thence S 66°-24'-31" W, a distance of 232.67 feet; thence S 33°-18'-33.5" W, a distance of 167.54 feet; thence S 0°-12'-36" W, a distance of 483.95 feet; thence S 30°-12'-36" W, a distance of 170.00 feet; thence N 89°-47'-27" W, a distance of 150.00 feet; thence N 29°-47'-24" W, a distance of 170.00 feet; thence N 0°-12'-36" E, a distance of 479.53 feet; thence N 33°-51'-17.5" W, a distance of 165.68 feet; thence N 67°-55'-11" W, a distance of 373.56 feet; thence N 86°-03'-44" W, a distance of 455.47 feet; thence S 83°-30'-22" W, a distance of 1159.63 feet; thence S 81°-49'-34" W, a distance of 2025.05 feet; thence S 81°-32'-36" W, a distance of 1017.93 feet; thence N 0°-26'-24" W, a distance of 252.47 feet to the centerline of Project No. I-10-1(19) at Station 568+17.28; thence continue N 0°-26'-24" W, a distance of 333.27 feet; thence N 81°-32'-36" E, a distance of 836.24 feet; thence N 84°-08'-45" E, a distance of 1101.14 feet; thence N 77°-24'-50" E, a distance of 1027.70 feet; thence N 76°-54'-26" E, a distance of 486.48 feet; thence N 86°-01'-10" E, a distance of 1127.46 feet; thence N 63°-39'-11" E, a distance of 437.02 feet; thence N 31°-55'-53.5" E, a distance of 170.17 feet; thence N 0°+12'-36" E, a distance of 530.72 feet; thence N 30°-12'-36" E, a distance of 290.00 feet; thence S 89°+47'-24" E, a distance of 150.00 feet; thence S 0°-12'-36" W, a distance of 160.00 feet; thence S 29°-47'-24" E, a distance of 130.00 feet; thence S 0°-12'-36" W, a distance of 255.21 feet; thence N 89°-48'-24" W, a distance of 116.15 feet; thence S 0°-12'-36" W, a distance of 1326.72 feet to the point of beginning.

Said tract of land lying in Section 26, 27, 34, and 35, Township 4 South, Range 2 East, Baldwin County, Alabama and containing 90.31 acres more or less.

This conveyance is made for the purpose of a controlled access facility and adjacent service road or roads and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights appurtenant to grantor's remaining property in and to said controlled access facility, provided however, that there is hereby reserved along a line (described as beginning at a point which is 250 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 568+52.49; thence N 0°-26'-24" W, a distance of 80.80 feet; thence N 81°-32'-36" E, a distance of 836.24 feet; thence N 84°-08'-45" E, a distance of 1101.14 feet; thence N 77°-24'-50" E, a distance of 1027.70 feet; thence N 76°-54'-26" E, a distance of 486.48 feet; thence N 86°-01'-10" E, a distance of 1127.46 feet; thence N 63°-39'-11" E, a distance of 437.02 feet; thence N 31° 55'-53.5" E, a distance of 170.17 feet; thence N 0°-12'-36" E, a distance of 530.72 feet; thence N 30°-12'-36" E, a distance of 290.00 feet; thence S 0°-12'-36" W, a distance of 160.00 feet; thence S 30°-12'-36" W, a distance of 130.00 feet; thence S 0°-12'-36" W, a distance of 100.00 feet to the end of line.

Also:

A line described as beginning at a point which is 75 feet Northwesterly of and at right angles to the center line of Alabama Highway 181 at Station 44+72.85; thence S 89°-47'-24" E, a distance of 150.00 feet; thence S 0°-12'-36" W, a distance of 160.00 feet; thence S 29°-47'-24" E, a distance of 130.00 feet; thence S 0°-12'-36" W, a distance of 100.00 feet to the end of line.

Also:

A line described as beginning at a point which is 160.00 feet Southeasterly of and at right angles to the centerline of Alabama Highway 181 at Station 21+00; thence S 0°-12'-36" W, a distance of 200.00 feet; thence S 30°-12'-36" W, a distance of 170.00 feet; thence N 89°-47'-24" W, a distance of 150.00 feet; thence N 29°-47'-24" W, a distance of 170.00 feet; thence N 0°-12'-36" E, a distance of 200 feet to the end of line...) the right of ingress to and egress from such remaining property to and from said service road or roads which will be accessible to the controlled access facility only at such points as may be established by public authority.

Tract No. 17-4:

Beginning at the Northeast corner of Section 35, Township 4 South, Range 2 East; thence S 1°-34'-54" W, a distance of 69.43 feet to the centerline of the left lane of Project No. I-10-1(19) at Station 675+51.71; thence continue S 1°-34'-54" W, a distance of 296.57 feet to the centerline of the right lane at Station 675+88.10; thence continue S 1°-34'-54" W, a distance of 173.26 feet; thence N 77°-17'-29" W, a distance of 1446.93 feet; thence Northwesterly along a curve to the left which has a radius of 16,979.73 feet, an arc distance of 1249.21 feet; thence S 89°-48'-20" E, a distance of 985.57 feet to the center line of the right lane at Station 658+74.27; thence continue S 89°-48'-20" E, a distance of 313.00 feet; thence N 0°+10'-33.5" E, a distance of 146.46 feet to the centerline of the left lane at Station 661+81.15; thence continue N 0°-10'-33.5" E, a distance of 171.96 feet; thence Southeasterly along a curve to the right which has a radius of 31,288.62 feet, an arc distance of 1374.70 feet; thence S 1°-34'-54" W, a distance of 102.57 feet to the point of beginning.

Said tract of land lying in Section 26 and 35, Township 4 South, Range 2 East, Baldwin County, Alabama and containing 22.30 acres more or less.

As a part of the consideration hereinabove stated, there is also bargained, sold, conveyed and relinquished to the grantee all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified as Project No. I-10-1(19), County of Baldwin, and all of the grantor's remaining real property consisting of all parcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which parcels either adjoin the real property conveyed by this instrument or are connected thereto by other parcels owned by the grantor.

17-E1

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 270 feet Southeasterly of and at right angles to the center line of Project No. I-10-1(19) at Station 473+82; thence N 81°-32'-36" E, a distance of 25.71 feet; thence S 5°-02'-36" W, a distance of 200 feet; thence S 81°-32'-36" W, a distance of 51.42 feet; thence N 5°-02'-36" E, a distance of 200 feet; thence N 81°-32'-36" E, a distance of 25.71 feet to the point of beginning.

Said strip of land lying in Section 32, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E2

Easement For Drainage: The herein described property, a tract of land, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point that is 270 feet Southeasterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 479+85; thence N 81°-32'-36" E, a distance of 157.46 feet; thence S 19°-47'-36" W, a distance of 227.04 feet; thence S 81°-32'-36" W, a distance of 50 feet; thence N 8°-27'-24" W, a distance of 200 feet to the point of beginning.

Said tract of land lying in Section 32, Township 4 South, Range 2 East, and containing 0.476 acre more or less.

17-E3

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 270 feet Southeasterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 482+73; thence N 81°-32'-36" E, a distance of 28.38 feet; thence S 19°-47'-30" W, a distance of 200 feet; thence S 81°-32'-36" W, a distance of 56.76 feet; thence N 19°-47'-30" E, a dis-

tance of 200 feet; thence N 81° -32'-36" E, a distance of 28.38 feet to the point of beginning.

Said tract of land lying in Section 32, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E4

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 260 feet Southeasterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 522+04; thence N 81°-32'-36" E, a distance of 25 feet; thence S 8°-27'-24" E, a distance of 200 feet; thence S 81°-32'-36" W, a distance of 50 feet; thence N 8°-27'-24" W, a distance of 200 feet to point; thence N 81° 32' 36" E, a distance of 25 feet to the point of beginning.

Said strip of land lying in Section 33, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E5

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 260 feet Southeasterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 531+11; thence N 81°-32'-36" E, a distance of 25.02 feet; thence S 10°-56'-24" E, a distance of 200 feet; thence S 81°-32'-36" W, a distance of 50.04 feet; thence N 10°-56'-24" W, a distance of 200 feet; thence N 81°-32'-36" E, a distance of 25.02 feet to the point of beginning.

Said strip of land lying in Section 33, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E6

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 250 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 534+07; thence S 81°-32'-36" W, a distance of 28.87 feet; thence N 51°-32'-36" E, a distance of 200 feet; thence N 81°-32'-36" E, a distance of 57.74 feet; thence S 51°-32'-36" W, a distance of 200 feet; thence S 81°-32'-36" W, a distance of 28.87 feet to the point of beginning.

Said strip of land lying in Section 33, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E7

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 231.04 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 581+17; thence S 84°-08'-45" W, a distance of 27.47 feet; thence N 30°-21'-15" W, a distance of 200 feet; thence N 84°-08'-45" E, a distance of 54.94 feet; thence S 30°-21'-15" E, a distance of 200 feet; thence S 84°-08'-45" W, a distance of 27.47 feet to the point of beginning.

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E8

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 323.92 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 596+03.34; thence S 77°-24'-50" W, a distance of 27.96 feet; thence N 14°-01'-40" E, a distance of 200 feet; thence N 77°-24'-50" E, a distance of 55.92 feet; thence S 14°-01'-40" W, a distance of 200 feet; thence S 77°-24'-50" W, a distance of 27.96 feet to the point of beginning.

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E9

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 332.06 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 597+52.27; thence S 77°-24'-50" W, a distance of 26.16 feet; thence N 4°-31'-40" E, a distance of 200 feet; thence N 77°-24'-50" E, a distance of 52.32 feet; thence S 4°-31'-40" W, a distance of 200 feet; thence S 77°-24'-50" W, a distance of 26.16 feet to the point of beginning.

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E10

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 356.51 feet Northwesterly of and at right angles to the centerline of the left lane of Project No. I-10-1(19) at Station 602+59.27; thence S 76°-54'-26" W, a dis-

tance of 25.93 feet; thence N 2°-14'-29" E, a distance of 200 feet; thence N 76°-54'-26" E, a distance of 51.86 feet; thence S 2°-14'-29" W, a distance of 200 feet; thence S 76°-54'-26" W, a distance of 25.93 feet to the point of beginning.

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E11

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 170 feet Southwesterly of and at right angles to the centerline of the right lane of Project No. I-10-1(19) at Station 655+87; thence S 79°-12'-23" E, a distance of 26.36 feet; thence S 7°-42'-23" E, a distance of 200 feet; thence N 79°-12'-23" W, a distance of 52.72 feet; thence N 7°-42'-23" W, a distance of 200 feet; thence S 79°-12'-23" E, a distance of 26.36 feet to the point of beginning.

Said strip of land lying in Section 35, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

17-E12

Easement For Drainage: The herein described property, a strip of land 50 feet in width and 200 feet in length, to be used for the purpose of a drainage ditch, more particularly described as:

Beginning at a point which is 170 feet Southwesterly of and at right angles to the centerline of the right lane of Project No. I-10-1(19) at Station 675+46; thence S 77°-17'-29" E, a distance of 30.52 feet; thence S 47°-42'-31" W, a distance of 200 feet; thence N 77°-17'-29" W, a distance of 61.04 feet; thence N 47°-42'-31" E, a distance of 200 feet; thence S 77°-17'-29" E, a distance of 30.52 feet to the point of beginning.

Said strip of land lying in Section 35, Township 4 South, Range 2 East, and containing 0.230 acre more or less.

Tract No. 17-TE1

Easement For Construction: The herein described property, a tract of land to be used for the purpose of temporary construction, beginning at a point which is 221 feet Southeasterly of and at right angles to the centerline of the right lane of Project No. I-10-1(19) at Station 610+00; thence S 86°-03'-44" E, a distance of 150.00 feet; thence S 3°-56'-16" W, a distance of 60 feet, more or less to the North boundary of a tract of land now owned by A. Tampary, et. al.; thence N 89°-48'-20" W, along said North boundary a distance of 150.32 feet; thence N 3°-56'-16" E, a distance of 70 feet, more or less to the point of beginning.

Said tract of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.224 acre more or less.

It is hereby agreed that upon completion of the above-mentioned project, all rights granted herein to the said parcels of land covered by easement for construction lying outside the right of way shall cease and terminate and revert to the grantor.

17-TE2

Easement For Construction: The herein described property, a tract of land to be used for the purpose of Detour Road, more particularly described as:

Beginning at a point which is 75 feet Northwesterly of and at right angles to the centerline of Alabama 181 at Station 15+92.78; thence N 29°-47'-24" W, a distance of 370.00 feet; thence N 0°-12'-36" E, a distance of 606.46 feet; thence S 67°-55'-11" E, a distance of 7.76 feet; thence S 33°-51'-17.5" E, a distance of 165.68 feet; thence S 0°-12'-36" W, a distance of 479.53 feet; thence S 29°-47'-24" E, a distance of 170.00 feet; thence S 0°-12'-36" W, a distance of 160.00 feet to the point of beginning.

Said tract of land lying in Section 34, Township 4 South, Range 2 East, and containing 1.74 acres more or less.

It is hereby agreed that upon completion of the above-mentioned project, all rights granted herein to the said parcels of land covered by easement for construction lying outside the right of way shall cease and terminate and revert to the grantor.