

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 Poline
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.

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 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. 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

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 Cope
DULY APPOINTED SPECIAL ASSISTANT
ATTORNEY GENERAL FOR THE
STATE OF ALABAMA.

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.M. 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.

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, 483.96 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 center line 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 center line 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 $89^{\circ}-47'-24''$ 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, 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 $0^{\circ}-12'-36''$ W, a distance of, 200.00 feet; thence S $30^{\circ}-12'-36''$ W, a distance of, 170.00 feet; thence N $89^{\circ}-47'-24''$ 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, 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 $1^{\circ}-34'-54''$ 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 $1^{\circ}-34'-54''$ W, a distance of, 296.57 feet to the center line of the right lane at Station 675+88.10; thence continue S $1^{\circ}-34'-54''$ W, a distance of, 173.26 feet; thence N $77^{\circ}-17'-29''$ 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 $89^{\circ}-48'-20''$ E, a distance of, 985.57 feet to the center line of the right lane at Station 658+74.27; thence continue S $89^{\circ}-48'-20''$ E, a distance of, 313.00 feet; thence N $0^{\circ}-10'-33.5''$ E, a distance of, 146.46 feet to the center line of the left lane at Station 661+81.15; thence continue N $0^{\circ}-10'-33.5''$ 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 $1^{\circ}-34'-54''$ 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 $81^{\circ}-32'-36''$ E, a distance of, 25.71 feet; thence S $5^{\circ}-02'-36''$ W, a distance of, 200 feet; thence S $81^{\circ}-32'-36''$ W, a distance of, 51.42 feet; thence N $5^{\circ}-02'-36''$ E, a distance of, 200 feet; thence N $81^{\circ}-32'-36''$ 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:

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 $81^{\circ}-32'-36''$ E, a distance of 157.46 feet; thence S $19^{\circ}-47'-36''$ W, a distance of 227.04 feet; thence S $81^{\circ}-32'-36''$ W, a distance of 50 feet; thence N $8^{\circ}-27'-24''$ 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 $81^{\circ}-32'-36''$ E, a distance of 28.38 feet; thence S $19^{\circ}-47'-30''$ W, a distance of 200 feet; thence S $81^{\circ}-32'-36''$ W, a distance of 56.76 feet; thence N $19^{\circ}-47'-30''$ E, a distance of 200 feet; thence N $81^{\circ}-32'-36''$ 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 $81^{\circ}-32'-36''$ E, a distance of 25 feet; thence S $8^{\circ}-27'-24''$ E, a distance of 200 feet; thence S $81^{\circ}-32'-36''$ W, a distance of 50 feet; thence N $8^{\circ}-27'-24''$ W, a distance of 200 feet to point; thence N $81^{\circ} 32' 36''$ 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 $81^{\circ}-32'-36''$ E, a distance of 25.02 feet; thence S $10^{\circ}-56'-24''$ E, a distance of 200 feet; thence S $81^{\circ}-32'-36''$ W, a distance of 50.04 feet; thence N $10^{\circ}-56'-24''$ W, a distance of 200 feet; thence N $81^{\circ}-32'-36''$ 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 $81^{\circ}-32'-36''$ W, a distance of 28.87 feet; thence N $51^{\circ}-32'-36''$ E, a distance of 200 feet; thence N $81^{\circ}-32'-36''$ E, a distance of 57.74 feet; thence S $51^{\circ}-32'-36''$ W, a distance of 200 feet; thence S $81^{\circ}-32'-36''$ 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 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.

17-E11 (Contd)

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 center line 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 Southwesterly of and at right angles to the center line 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 center line 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.

Received 6 day of May 1969
and on 7 day of May 1969
I served a copy of the within Notice
on Baldwin County

By service on John Hadley

TAYLOR WILKINS, Sheriff

By W A Talbot D.S.

17-E11 (Contd)

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 center line 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 South-easterly of and at right angles to the center line 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.

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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 center line 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.

FILED

JUL 8 1969

CLERK
REGISTER

STATE OF ALABAMA,

PETITIONER,

VS.

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.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6572

8790

NOTICE OF APPEAL

Comes now the State of Alabama, acting by Kenneth Cooper,
Duly Appointed Special Assistant Attorney General, State of
Alabama, Petitioner in above entitled 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 18th day of June, 1969, which said Condemnation was against
Tract No. 17 of State Highway Project No. I-10-1(19).

The State of Alabama does herewith file in the Probate
Court of Baldwin County, Alabama, the Court rendering such
FINAL ORDER OF CONDEMNATION, this its written NOTICE OF APPEAL.

DONE this 30 day of June, 1969.

MACDONALD GALLION
Attorney General,
State of Alabama

BY:

Kenneth Cooper
Duly Appointed Special
Assistant Attorney General
State of Alabama

Appellant, State of Alabama, hereby demands a trial by jury
in this cause.

STATE OF ALABAMA, BALDWIN COUNTY

Filed June 30, 1969

Recorded Harry D. O'Leary

Judge of Probate

Kenneth Cooper
Duly Appointed Special
Assistant Attorney General
State of Alabama

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

Kenneth Cooper
Duly Appointed Special
Assistant Attorney General
State of Alabama

* * * * *

TO: Malbis Plantation, Inc., A Corporation and Baldwin County, Alabama.

You are hereby notified that the above NOTICE OF APPEAL was filed in this office of Judge of Probate, Baldwin County, Alabama, on the 30th day of June, 1969.

Harry D. Oliver
Judge of Probate Court,
Baldwin County, Alabama.