

3447

BOOK 006 PAGE 378

TOWN OF DAPHNE, ALABAMA,  
PLAINTIFF

IN THE PROBATE COURT OF

VS

BALDWIN COUNTY, ALABAMA

LUCY DICK WRIGHT, BESSIE WAL-  
LACE, ROSE ALLEN, LILLIE DICK,  
HANNAH CLINTON AND FRANCIS  
KING;  
DEFENDANTS

NOTICE OF APPEAL

Comes now, the Town of Daphne, Alabama, plaintiff in the above styled cause, by and through its attorneys, and prays for and takes an appeal to the Circuit Court of Baldwin County, Alabama, from the order of condemnation entered in said cause on the 5th day of April, 1955, of the lands described in the petition.

Town of Daphne, Alabama, by and through its attorneys, does herewith file in the Probate Court of Baldwin County, Alabama, the Court entering such order of condemnation, this its written notice of said appeal.

This the 22 day of April, 1955.

BEEBE & SWEARINGEN, ATTORNEYS  
FOR TOWN OF DAPHNE, ALABAMA

BY W. A. Bebe

Town of Daphne, Alabama, respectfully demands a jury trial of said cause.

BEEBE & SWEARINGEN, ATTORNEYS  
FOR TOWN OF DAPHNE, ALABAMA

BY W. A. Bebe

James R. Owen, attorney for Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King, defendants in the above styled cause, does hereby acknowledge receipt of copy of the foregoing notice of appeal, and waives any further notice of said appeal.

This the 22<sup>nd</sup> day of April, 1955.

James R. Owen  
Attorney for Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King.

STATE OF ALABAMA, BALDWIN COUNTY

Filed April 22, 1955 M

Recorded Pro. & Min book 6 page 378

W. R. Stewart  
Judge of Probate

TOWN OF DAPHNE

VS

LUCY DICK WRIGHT, et al

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

It is agreed by and between the parties to this cause  
as follows:

1. That the petitioner dismiss its petition for con-  
demnation with the cost to be taxed against the petitioner, the  
Town of Daphne.

2. The property owners waive any and all rights or  
claims that they may have under the laws of the State of Alabama  
for damages and attorneys fees.

Witness this the 12 day of March, 1955.

Beebe & Swearingen

by W. B. Beebe  
Attorney for petitioner

John R. O...  
Attorney for the owners

Clarence E. Moore  
Attorney for the owners



STATE OF ALABAMA  
BALDWIN COUNTY

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA.

TO THE HONORABLE W. R. STUART, JUDGE OF PROBATE OF BALDWIN COUNTY,  
ALABAMA:

Your petitioner, the Town of Daphne, a municipal corporation,  
by Arthur Mancini, its Mayor, duly qualified and authorized hereto,  
respectfully shows unto your Honor as follows:

FIRST That under the laws of the State of Alabama, your  
petitioner, The Town of Daphne, Alabama, is charged with the duty  
of providing real property and lands for the erection of public  
buildings, public works, and other public purposes; that the said  
Town of Daphne proposes to construct a public building, public  
works and public improvements on the lands hereinafter described  
and the said lands are needed and desired by the Town for such  
public purposes; that it is necessary and proper and to the best  
interest of said Town that the Town acquire for said public purposes  
the lands described as follows, to-wit:

Commence at the Northeast corner of regular  
government Section 19, Township 5 South, Range  
2 East, run thence South along the East line of  
said section 265.7 feet, thence West 25 feet to  
the West line of State Highway for a point of  
beginning; thence continuing West 397.4 feet;  
thence South 396 feet; thence East 212.4 feet;  
thence North 55 feet; thence East 185 feet to  
the West line of said State Highway; thence  
North 217 feet along the West line of said  
State Highway; thence West 150 feet; thence  
North 99 feet; thence East 150 feet to the West  
line of said highway; thence North along the  
West line of said highway 25 feet to the point  
of beginning, being a portion of Francis Alex-  
ander Grant, Section 11, Township 5 South, Range  
2 East;

SECOND: That Lucy Dick Wright, who is over the age of  
twenty-one, and whose post office address and place of residence  
is Daphne, Alabama, that Bessie Wallace, who is over the age of  
twenty-one years and whose post office address and place of  
residence is Daphne, Alabama, that Rose Allen, who is over the  
age of twenty-one years and whose post office address and place  
of residence is 956 State Street, Mobile, Alabama, that Lillie  
Dick, who is over the age of twenty-one years and whose post office  
address and place of residence is 956 State Street, Mobile, Alabama,  
Hannah Clinton, who is over the age of twenty-one years and whose

post office address and place of residence is c/o Rose Allen, 956 State Street, Mobile, and Francis King, who is over the age of twenty-one years and whose post office address and place of residence is Mobile, Alabama in care of Rose Allen, 956 State Street, whose name and address is otherwise unknown, are the owners of and are in the peaceable possession and control of the lands described above.

THIRD: That the said Town of Daphne further alleges that it is necessary and proper and to the interest of the Town of Daphne that the Town of Daphne have and own the said lands for <sup>including city hall, fire house, garage, warehouse and city jail</sup> the purpose of erecting a public building, public works and other public purposes and this petitioner <sup>in fee simple interest</sup> desires to have said lands <sup>such</sup> condemned for the erection thereon of public buildings, public works and other public purposes.

PREMISES considered, your petitioner prays this Honorable Court will make an order appointing a day for the hearing of this petition; that due and legal notice of the same be given to the said Lucy Dick Wright, Rose Allen, Lillie Dick, Hannah Clinton, Bessie Wallace and Francis King and that such other, further and general orders and decrees be made in the premises as may be necessary and proper for the acquirement by the petitioner of the property <sup>in fee simple</sup> herein described for the purposes herein stated.

Town of Daphne

by Arthur Mancini  
Mayor

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me FELIX D. BIGBY a Notary Public in and for said State and County, Arthur Mancini, who being by me first duly sworn upon oath, says that he is Mayor of the Town of Daphne, a municipal corporation, duly qualified and authorized; that he has carefully read and understands the facts alleged in the foregoing petition and knows that the facts alleged therein are true, to the best of his information, knowledge and belief.

Arthur Mancini  
Felix D. Bigby

Sworn to and subscribed before me this the 20 day of December, 1954.

Felix D. Bigby  
Notary Public, Baldwin County, Ala.

STATE OF ALABAMA, BALDWIN COUNTY  
Filed Dec. 28, 1954  
Recorded Pro. T. M. ... book 6 page 173  
W. R. Stewart  
Judge of Probate No. 40



On motion of A. V. Guarisco, seconded by A. G. Allegri,  
the following was unanimously adopted:

WHEREAS, the Town of Daphne needs and desires to acquire the following described lands, the same to be used for the purposes of construction of municipal building, works and other municipal purposes, to-wit:

Commence at the Northeast corner of regular government Section 19, Township 5 South, Range 2 East, run thence South along the East line of said section 265.7 feet, thence West 25 feet to the West line of State Highway for a point of beginning; thence continuing West 397.4 feet; thence South 396 feet; thence East 212.4 feet; thence North 55 feet; thence East 185 feet to the West line of said State Highway; thence North 217 feet along the West line of said State Highway; thence West 150 feet; thence North 99 feet; thence East 150 feet to the West line of said highway; thence North along the West line of said highway 25 feet to the point of beginning, being a portion of Francis Alexander Grant, Section 41, Township 5 South, Range 2 East;

AND WHEREAS, it appears that the Town of Daphne has been unable to acquire the same by purchase;

NOW THEREFORE, BE IT RESOLVED that Arthur Manci, as Mayor of the Town of Daphne, is authorized and directed on behalf of and in the name of the Town of Daphne to file condemnation proceedings against the owners of the above described lands under eminent domain statute of the State of Alabama to acquire said lands.

STATE OF ALABAMA

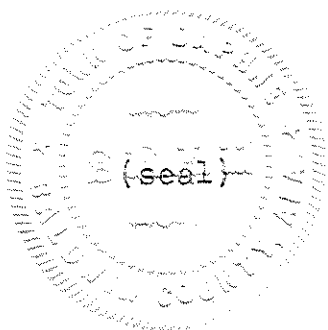
BALDWIN COUNTY

TOWN OF DAPHNE

I, Felix D. Bigby, clerk of the Town of Daphne, hereby certify that the foregoing is a true, correct and literal copy of a resolution duly adopted by the Town Council of the Town of Daphne at its regular meeting of December 6, 1954, and entered on the minutes of the said meeting.

This the 25th day of January, 1955.

  
Clerk, Felix D. Bigby



TOWN OF DAPHNE, ALABAMA | IN THE PROBATE COURT OF  
 VS |

LUCY DICK WRIGHT, BESSIE | BALDWIN COUNTY, ALABAMA,  
 WALLACE, ROSE ALLEN, LILLIE |  
 DICK, HANNAH CLINTON AND |  
 FRANCIS KING; |

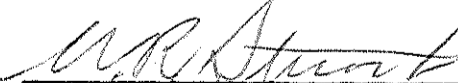
In the matter of the application to condemn land for construction of public buildings, public works and public improvement;

This day came the Town of Daphne, a municipal corporation, by Arthur Manci, its mayor, duly qualified and authorized thereto, and filed its application to have condemned for the purpose of constructing public buildings, public works and public improvements those lands belonging to Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King, to-wit:

Commence at the Northeast corner of regular government Section 19, Township 5 South, Range 2 East, run thence South along the East line of said section 265.7 feet, thence West 25 feet to the West line of State Highway for a point of beginning; thence continuing West 397.4 feet; thence South 396 feet; thence East 212.4 feet; thence North 55 feet; thence East 185 feet to the West line of said State Highway; thence North 217 feet along the West line of said State Highway; thence West 150 feet; thence North 99 feet; thence East 150 feet to the West line of said highway; thence North along the West line of said highway 25 feet to the point of beginning, being a portion of Francis Alexander Grant, Section 41, Township 5 South, Range 2 East;


And in said petition the Town of Daphne alleges that it is necessary and proper and to the interest of the Town of Daphne that the town have and own the said lands for the purpose of constructing public buildings, public works and public improvements and the petitioner desires to have said lands condemned for public purposes for the use of said Town; and praying that this Honorable Court will make and enter an order appointing a day for the hearing of this petition; that due and legal notice of the same be given to Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King, and that such other, further and general orders and decrees be made in the premises as may be necessary and proper for the acquirement by the petitioner of the property herein described for the purposes herein stated.

It is therefore ordered by the Court that the 20<sup>th</sup> day of JANUARY, 1956, <sup>at 10:30 A.M.</sup> be and the same is appointed for hearing said application, and it is further ordered that notice be given to said owners of said lands in the manner and for the time required by law.

  
 Judge of Probate

STATE OF ALABAMA, BALDWIN COUNTY

Recorded Pro. Min. book 6 page L76

  
 Judge of Probate

STATE OF ALABAMA  
BALDWIN COUNTY

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA

TO: ~~Lacey Dick Wright and Bessie Wallace, Daphne, Alabama;~~  
~~Rose Allen and Killie Dick, 956 State Street, Mobile,~~  
~~Alabama; Hannah Clinton and Francis King, c/o Rose~~  
~~Allen, 956 State Street, Mobile, Alabama;~~

You will take notice that on the 28<sup>th</sup> day of December, 1954, petition was filed in this court by the Town of Daphne, a municipal corporation, by Arthur Mancini, its mayor, setting forth that it desires to have condemned for the purpose of constructing public buildings, public works and public improvements, certain lands which are specifically set forth and described in said petition as follows, to-wit:

Commence at the Northeast corner of regular government Section 19, Township 5 South, Range 2 East, run thence South along the East line of said Section 265.7 feet, thence West 25 feet to the West line of State Highway for a point of beginning; thence continuing West 397.4 feet; thence South 396 feet; thence East 212.4 feet; thence North 55 feet; thence East 185 feet to the West line of said State Highway; thence North 217 feet along the West line of said State Highway; thence West 150 feet; thence North 99 feet; thence East 150 feet to the West line of said highway; thence North along the West line of said highway 25 feet to the point of beginning, being a portion of Francis Alexander Grant, Section 41, Township 5 South, Range 2 East;

And the said petitioner prays this court appoint a day for the hearing of said petition and for such orders and decrees as may be necessary and proper for the acquirement by the said petitioner of the property herein described for the purposes herein stated.

You will please take notice that the court has appointed the 20<sup>th</sup> day of JANUARY, 1955 <sup>AT 10: A.M.</sup> as a suitable day upon which to hear said petition, at which time you may appear and contest the same if you choose to do so.

Done at my office this the 28<sup>th</sup> day of December, 1954.

M. R. Stewart  
Judge of Probate



Received in Sheriff's Office  
this 28 day of Dec 1851  
TAYLOR WILKINS, Sheriff

1875 258

EXECUTED  
This 4th day of Jan, 1905

by serving a copy of the within on

*Rose Allen & Willie Dick*

W. H. HOLCOMBE, Sheriff

By *S. W. Minter* D. S.

EXECUTED  
This 4th day of Jan, 1905

by serving a copy of the within on

*Hannah Calverton & Thomas King*

W. H. HOLCOMBE, Sheriff

By *S. W. Minter* D. S.

*[Handwritten signature]*

STATE OF ALABAMA

IN THE PROBATE COURT OF

BALDWIN COUNTY

BALDWIN COUNTY, ALABAMA,

TO: Lucy Dick Wright and Bessie Wallace, Daphne, Alabama;  
~~Rose Allen and Lillie Dick, 955 State Street, Mobile,~~  
~~Alabama; Hannah Clinton and Francis King, c/o Rose~~  
~~Allen, 955 State Street, Mobile, Alabama;~~

You will take notice that on the 28<sup>th</sup> day of Dec., 1954, petition was filed in this court by the Town of Daphne, a municipal corporation by Arthur Mancini, its mayor, setting forth that it desires to have condemned for the purpose of constructing public buildings, public works and public improvements, certain lands which are specifically set forth and described in said petition as follows, to-wit:

Commence at the Northeast corner of regular government Section 19, Township 5 South, Range 2 East, run thence South along the East line of said Section 265.7 feet, thence West 25 feet to the West line of State Highway for a point of beginning; thence continuing West 397.4 feet; thence South 396 feet; thence East 212.4 feet; thence North 55 feet; thence East 185 feet to the West line of said State Highway; thence North 217 feet along the West line of said State Highway; thence West 150 feet; thence North 99 feet; thence East 150 feet to the West line of said highway; thence North along the West line of said highway 25 feet to the point of beginning, being a portion of Francis Alexander Grant, Section 41, Township 5 South, Range 2 East;

And the said petitioner prays this court appoint a day for the hearing of said petition and for such orders and decrees as may be necessary and proper for the acquirement by the said petitioner of the property herein described for the purposes herein stated.

You will please take notice that the court has appointed the 20<sup>th</sup> day of JANUARY, 1955, <sup>AT 10:AM.</sup> as a suitable day upon which to hear said petition, at which time you may appear and contest the same if you choose to do so.

Done at my office this the 28<sup>th</sup> day of Dec., 1954.

M. R. Stewart  
Judge of Probate

Received 28 day of Dec 1954  
and on 3 day of Jan 1955

I served a copy of the within  
on Lucy Dick Wright  
Bessie Wallace

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By Edleigh Steadham, S.

28 day of Dec 1954

*[Handwritten signature]*

EDLEIGH STEADHAM

# THE BALDWIN TIMES

## BALDWIN COUNTY

Alabama's Best Country's Best Newspaper

BAY MINETTE, ALABAMA

### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
BALDWIN COUNTY.

E. R. Monizette, Jr., being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Town of Daphne

#### COST STATEMENT

400 WORDS @ 5 cents \$ 20 00  
I hereby certify this it correct, due and unpaid (paid).

E. R. Monizette, Jr.  
Editor Publisher

was published in said newspaper for 3 consecutive weeks in the following issues:

- Date of 1st publication Dec. 30, 1954 Vol. 65 No. 50
- Date of 2nd publication Jan. 6, 1955 Vol. 65 No. 51
- Date of 3rd publication Jan. 13, 1955 Vol. 65 No. 52
- Date of 4th publication \_\_\_\_\_, 195   Vol. \_\_\_\_\_ No. \_\_\_\_\_

Subscribed and sworn before the undersigned this 14 day of Jan, 1955

Dorothy Martin  
Notary Public, Baldwin County.

E. R. Monizette, Jr.  
Editor Publisher

IN PROBATE COURT OF  
BALDWIN COUNTY,  
ALABAMA

STATE OF ALABAMA  
BALDWIN COUNTY

TO: Lucy Dick Wright and Bes-  
sie Wallace, Daphne, Ala-  
bama; Rose Allen and Lillie  
Dick, 956 State Street, Mo-  
bile, Alabama; Hannah Clin-  
ton and Francis King, c/o  
Rose Allen, 956 State Street,  
Mobile, Alabama;

You will take notice that on  
the 28th day of December, 1954,  
petition was filed in this court by  
the Town of Daphne, a municipal  
corporation, by Arthur Manci,  
its mayor, setting forth that it  
desires to have condemned for  
the purpose of constructing pub-  
lic buildings, public works and  
public improvements, certain  
lands which are specifically set  
forth and described in said peti-  
tion as follows, to-wit:

Commence at the Northeast  
corner of regular government  
Section 19, Township 5 South,  
Range 2 East, run thence South  
along the East line of said Sec-  
tion 265.7 feet, thence West 25  
feet to the West line of State  
Highway for a point of begin-  
ning; thence continuing West  
397.4 feet; thence South 396  
feet; thence East 212.4 feet;  
thence North 55 feet; thence  
East 185 feet to the West line  
of said State Highway; thence  
North 217 feet along the West  
line of said State Highway;  
thence West 150 feet; thence  
North 99 feet; thence East 150  
feet to the West line of said  
highway; thence North along  
the West line of said highway  
25 feet to the point of begin-  
ning, being a portion of Fran-  
cis Alexander Grant, Section  
41, Township 5 South, Range  
2 East;

And the said petitioner prays  
This court appoint a day for the  
hearing of said petition and for  
such orders and decrees as may  
be necessary and proper for the  
acquirement by the said petiti-  
oner of the property herein describ-  
ed for the purpose herein stated.

You will please take notice that  
the court has appointed the 20th  
day of January, 1955, at 10 A. M.  
as a suitable day upon which to  
hear said petition, at which time  
you may appear and contest the  
same if you choose to do so.

Done at my office this the 28th  
day of December, 1954.

W. R. STUART,  
Judge of Probate.

TOWN OF DAPHNE, ALABAMA,  
VS.  
LUCY DICK WRIGHT, ET AL,

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA  
NO. 3447

Now comes Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King, the owners of the lands sought to be condemned herein, and moves the court to dismiss the petition to condemn the said lands, and as grounds therefor assigns the following:

1. The said Town of Daphne, Alabama, has not filed security for costs in this matter as required by Section 3, Title 19 of the 1940 Code of Alabama.

*[Handwritten signature]*  
*[Handwritten signature]*

Attorneys for Owners.

STATE OF ALABAMA, BALDWIN COUNTY  
Filed Jan. 24, 1955 M  
Recorded Pro. & Min book 6 page 177  
W. R. Stuart  
Judge of Probate *[initials]*

TOWN OF DAPHNE, ALABAMA,  
VS.  
LUCY DICK WRIGHT, ET AL,

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA  
NO. 3447

DEMURRER

Now comes Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King, the owners of the lands sought to be condemned herein, by their attorneys, and demur to the petition to condemn the lands and as grounds for said demurrer assigns the following separately and severally:

1. The said petition does not set forth sufficient facts to show that it is necessary to condemn the said lands described therein for the uses or purposes set out in the said petition.
2. The said petition does not set forth sufficient facts to show that it is necessary to condemn all of the said lands described therein for the uses or purposes set out in the said petition.
3. The said petition does not state with certainty the uses or purposes for which the land is to be taken as required by Section 3, Title 19 of the 1940 Code of Alabama.
4. The said petition does not state with certainty the interest or easement to be acquired in the said lands as required by Section 3, Title 19 of the 1940 Code of Alabama.

*James R. O...*  
*H. Thomas S. P...*

Attorneys for Landowners.

STATE OF ALABAMA, BALDWIN COUNTY  
Filed Jan. 25, 1955  
Recorded Pro. & Misc. book 6 page 178  
W. R. Stewart  
Judge of Probate

DEMURRER

TOWN OF DAPHNE, ALABAMA,

VS.

LUCY DICK WRIGHT, ET AL,

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA

NO. 3447

STATE OF ALABAMA

BALDWIN COUNTY

The undersigned, Town of Daphne as principal and Arthur Mancini as surety, hereby acknowledge themselves as security for costs in that certain eminent domain proceeding of the Town of Daphne against Rose Dick and others, pending in the Probate Court of Baldwin County, Alabama, and agree and bind themselves and each of them to pay any and all cost that may be taxed in said cause against the Town of Daphne.

Town of Daphne

By Arthur Mancini, Mayor  
Principal

Arthur Mancini  
Surety

Taken and approved this the 25<sup>th</sup> day of JANUARY,

1955.

W.R. Stewart  
Judge of Probate

STATE OF ALABAMA, BALDWIN COUNTY

Filed Jan 25, 1955 M

Recorded Pro. & Min. book 6 page 179

W.R. Stewart  
Judge of Probate HO



TOWN OF DAPHNE, ALABAMA

VS

LUCY DICK WRIGHT, et al

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA.

In the matter of the petition to condemn certain lands for the erection of public buildings, public works, including a city hall, fire house, garage, warehouse, city jail and other public purposes;

This being the day appointed by the court for hearing the application heretofore filed in this court praying that this court condemn certain land described in said application for the purposes set forth therein, now come the parties by their attorneys of record, the court proceeds to hear said application, together with all legal evidence touching the same; and it appearing to the court that more than ten days notice has been given to the defendants in this cause as required by law, and that the allegations of said petition are true, and that the said Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King are the owners of said land and that it is necessary that the said land be condemned for the purposes mentioned in said application, and the same being considered by this court, the court is of the opinion that the petition should be granted; it is therefore ordered, adjudged and decreed by the court that the petition be and the same is hereby granted.

And it appearing to the court that W. P. Baldwin and A. F. Smith J. E. Gooden, are three citizens of the county possessing the qualifications of jurors, and who are disinterested, and that the said above named citizens are proper and competent persons to act as Commissioners to view the land described in said application, and after hearing all evidence offered to assess the damages and compensation to which the said Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King are entitled, they are hereby appointed commissioners for the purposes aforesaid. And the said Commissioners will report their doings to this court.

W. R. Stuart  
Judge of Probate

STATE OF ALABAMA, BALDWIN COUNTY

Recorded Pro. & Min book 6 page 180

W. R. Stuart  
Judge of Probate 45

766

TOWN OF DAPHNE, ALABAMA | IN THE PROBATE COURT OF  
VS |  
LUCY DICK WRIGHT et al | BALDWIN COUNTY, ALABAMA.

TO THE SHERIFF OF BALDWIN COUNTY, ALABAMA:

You are hereby commanded to notify J.E. Gooden,

W.P. Baldwin and A.F. Smith

that, by order of the Probate Court of Baldwin County, Alabama, made and entered on the 20<sup>th</sup> day of JANUARY, 1965, they were appointed commissioners to ascertain and report to this court, in writing, within twenty days from this date the amount of damages and compensation which Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King are entitled to on the application of the Town of Daphne, Alabama, for an order of condemnation of the following described land situated in Baldwin County, Alabama, to-wit:

Commence at the Northeast corner of regular government Section 19, Township 5 South, Range 2 East, run thence South along the East line of said Section 265.7 feet, thence West 25 feet to the West line of State Highway for a point of beginning; thence continuing West 397.4 feet; thence South 396 feet; thence East 212.4 feet; thence North 55 feet; thence East 185 feet to the West line of said State Highway; thence North 217 feet along the West line of said State Highway; thence West 150 feet; thence North 99 feet; thence East 150 feet to the West line of said highway; thence North along the West line of said highway 25 feet to the point of beginning, being a portion of Francis Alexander Grant, Section 41, Township 5 South, Range 2 East;


Now these are therefore the commissioners, the said

J.E. Gooden, W.P. Baldwin

and A.F. Smith, so that they may enter upon the discharge of their duties as such commissioners as soon as they shall be directed as prescribed by the statutes in such cases made and provided.

You will execute this notice within five days from the date hereof and make due return of the action thereon.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said court on this the 4<sup>th</sup> day of February, 1955.

  
\_\_\_\_\_  
Judge of Probate

*[Faint, illegible handwritten notes or signatures in the left margin]*

2-9-55

Received 5 day of Feb 1955  
and on 9 day of Feb 1955

I served a copy of the \_\_\_\_\_

to J. E. Hodson  
W. P. Baldwin  
By service on A. J. Smith

TAYLOR WILKINS, Sheriff

Edleigh Stuebner, S.

the copy of this writ shall be served on the defendant in the manner provided by law.

to the sheriff of the county of \_\_\_\_\_ at \_\_\_\_\_

for the purpose of \_\_\_\_\_

in the case of \_\_\_\_\_ No. \_\_\_\_\_

*[Faint, illegible text]*

TOWN OF DAPHNE, ALABAMA

IN THE PROBATE COURT OF

VS

LUCY DICK WRIGHT et al

BALDWIN COUNTY, ALABAMA.

TO THE HONORABLE W. R. STUART, JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA:

The undersigned J. E. Goodwin,  
W. R. Baldwin and A. Smith,

who were heretofore appointed by said court as Commissioners to assess the damages and compensation to which Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King are entitled to on the application of Town of Daphne, Alabama, for an order of condemnation of the following described land situated in Baldwin County, Alabama, to-wit:

Commence at the Northeast corner of regular government Section 19, Township 5 South, Range 2 East, run thence South along the East line of said section 265.7 feet, thence West 25 feet to the West line of State Highway for a point of beginning; thence continuing West 397.4 feet; thence South 396 feet; thence East 212.4 feet; thence North 55 feet; thence East 185 feet to the West line of said State Highway; thence North 217 feet along the West line of said State Highway; thence West 150 feet; thence North 99 feet; thence East 150 feet to the West line of said highway; thence North along the West line of said highway 25 feet to the point of beginning, being a portion of Francis Alexander Grant, Section 41, Township 5 South, Range 2 East;

respectfully report that pursuant to said commission we viewed said parcel of land after having been duly sworn as jurors are sworn, and thereafter we proceeded to assess the damages and compensation to which the said Lucy Dick Wright, Bessie Wallace, Rose Allen Lillie Dick, Hannah Clinton and Francis King are entitled by reason of the taking of the parcel above described as belonging to them, and they, each of them separately, assessed the damages and compensation to be as follows: to Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King, the owners of the above described parcel of land we do hereby assess the damages and compensation at the sum of \$18,310<sup>00</sup>.

We further certify that neither of us have been consulted, advised or approached by any person in reference to the sale of

land 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.

IN WITNESS WHEREOF, we have hereunto set our hands this the 11<sup>th</sup> day of February, 1955.

J. E. Gosson  
W. P. Baldwin  
A. F. Smith

Sworn to and subscribed before me this the 15 day of Feb, 1955.

W. R. Stuart  
Judge of Probate, Baldwin County, Ala.

STATE OF ALADAMA, BALDWIN COUNTY

Recorded Pro. M. in book 6 page 181

W. R. Stuart  
Judge of Probate 182

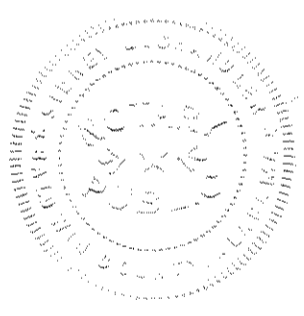
STATE OF ALABAMA  
BALDWIN COUNTY

We and each of us do solemnly swear that none of us have been consulted, advised with, or approached by any person in reference to the value of the lands, 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, and that we possess the qualifications of jurors.

J. E. Goodwin  
A. F. Smith  
R. Baldwin

Sworn to and subscribed before me this the 15th day of February, 1955.

Sidney L. Chandler  
Judge of Probate, Baldwin Co., Ala.  
NOTARY PUBLIC.



STATE OF ALABAMA, BALDWIN COUNTY  
Filed Feb. 15, 1955 M  
Recorded Pro & Min book 6 page 183  
W. R. Stuart  
Judge of Probate WRS

BALDWIN COUNTY, ALABAMA	)	IN THE PROBATE COURT OF
VS.	)	
LUCY DICK WRIGHT, et al	)	BALDWIN COUNTY, ALABAMA.

This cause coming on to be heard and it appearing to the court that the commissioners heretofore appointed on the 20th day of January, 1955, in this cause to assess the damages and compensation which Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King should receive for the condemnation of the lands described in the said petition as owned by them, or in which they have an interest, and the commissioners having reported to this court their assessment of the compensation and damages which they should receive as follows: To Lucy Dick Wright, Bessie Wallace, Rose Allen, Lillie Dick, Hannah Clinton and Francis King, the sum of \$18,310.00, the owners of the following described land:

Commence at the Northeast corner of regular government Section 19, Township 5 South, Range 2 East, run thence South along the East line of said section 265.7 feet, thence West 25 feet to the West line of State Highway for a point of beginning; thence continuing West 397.4 feet; thence South 396 feet; thence East 212.4 feet; thence North 55 feet; thence East 185 feet to the West line of said State Highway; thence North 217 feet along the West line of said State Highway; thence West 150 feet; thence North 99 feet; thence East 150 feet to the West line of said highway; thence North along the West line of said highway 25 feet to the point of beginning, being a portion of Francis Alexander Grant, Section 41, Township 5 South, Range 2 East;

It is therefore ordered, adjudged and decreed by the court that the report of said commissioners be recorded and that the condemnation of the above property be effective on payment of damages and compensation assessed by the commissioners or deposit thereof in this court and that upon the happening of either of these events the condemnation/<sup>is</sup> hereby approved and confirmed and the lands above described are hereby condemned for the use of the Town of Daphne for the erection of public buildings, public works, including a city hall, fire house, garage, warehouse, city jail and other public purposes as prayed for in its petition filed in this court on December 28, 1954 by virtue of which the Town of Daphne,

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Alabama and its successors may erect and perpetually maintain public buildings, public works, including a city hall, fire house, garage, warehouse, city jail and other public purposes on said lands and each parcel thereof as hereinabove described without further liability to the said named owners thereof. Nothing in this order shall be construed to mean that the Town of Daphne has any rights in and to any of the above described property and this condemnation shall not be effective until the payment of damages and compensation assessed by the said commissioners or deposit thereof in this court.

Done this the 5<sup>th</sup> day of April, 1955.

*W. R. Street*  
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JUDGE OF PROBATE

STATE OF ALABAMA, BALDWIN COUNTY

Recorded *P. T. Min* book 6 page 184

*W. R. Street*  
\_\_\_\_\_  
Judge of Probate