

THE HOUSING AUTHORITY OF THE	X	
CITY OF BAY MINETTE, BALDWIN		
COUNTY, ALABAMA,	X	IN THE CIRCUIT COURT OF
Condemnor,	X	BALDWIN COUNTY, ALABAMA
vs.	X	AT LAW
ALBERTA ASKEW THOMAS,	X	CASE NO. 8981
Condemnee	X	

DECREE

This cause having been appealed, in the manner provided by law, from the Probate Court of Baldwin County, Alabama, came on to be heard, by trial de novo, in this Court on this day; and on this date, came the parties to this cause by their attorneys; and the Court having heard and considered the same, is of the opinion that the petition of The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, the Plaintiff in this cause, for the condemnation of the property described in Paragraph 3 of said petition should be granted and that The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation has the legal right to condemn said property for the purposes and uses stated in said petition.

It is, therefore, ORDERED and ADJUDGED by the Court and it is the judgment of the Court, that The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, has the legal right to condemn the following described property for use as an Urban Renewal Development, to-wit:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North 00° 09' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 00° 09' East 167 feet to a point; thence run East 220 feet; thence run South 167 feet to the North line of said Project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

It is further ORDERED and ADJUDGED by the Court, and it is the judgment of the Court, that the application and petition of The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, in this cause for the condemnation of the land and property hereinabove described shall be, and is hereby granted; and said property and land hereinabove described is hereby condemned for the uses and purposes hereinabove stated, upon the payment into the Court of the compensation and damages assessed by the jury in this cause in the amount of THREE THOUSAND TWO HUNDRED (\$3,200.00) DOLLARS, and the costs of this cause, which is taxed against the Plaintiff, The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation.

And a jury having been demanded for the trial of this cause, the Court did thereupon proceed to have assessed by a jury the damages and compensation to which the Defendant is entitled for the condemnation of the above described lands and property for the uses and purposes hereinabove described.

Thereupon, on this the 16th day of March, 1970, came a jury of good and lawful men, to-wit: Lamar Norell, and eleven others, and having been duly impaneled and sworn according to law, upon their oaths do say: "We the jury find in favor of the landowner, and assess the damages at \$3,200.00.

It is therefore, ORDERED and ADJUDGED by the Court and it is the judgment of the Court, that the Defendant have and recover of the Plaintiff, The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, the sum of THREE THOUSAND TWO HUNDRED (\$3,200.00) DOLLARS, the damages and compensation assessed as aforesaid, together with the costs in this behalf expended, for which execution may issue.

It is further ORDERED and ADJUDGED and it is the judgment of the Court, that when the damages and compensation assessed by the jury, judgment for which is hereinabove entered, is paid into the hands of the Clerk of this Court, or collected by execution or otherwise, the Clerk shall retain said funds in her hands, subject to the terms and provision of Section 26, Title 19, 1940 Alabama Code.

It is further ORDERED and ADJUDGED, and it is the judgment of the Court, that this order and judgment of condemnation upon the payment of the sum ascertained and assessed by the verdict of the jury in this cause into the hands of the Clerk of this Court, and the costs of this cause, shall vest the title to be acquired for the uses and purposes stated in the application of The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, and for no other uses and purposes, as is provided by law.

It is further ordered and adjudged, and it is the judgment of the Court, that the Clerk shall record this judgment and decree in the Office of the Judge of Probate of Baldwin County, Alabama, in the deed records thereof and the costs thereof be taxed as part of the costs of this cause.

Done this the 16th day of March, 1970.

Telfair J. Mashburn
Telfair J. Mashburn, Circuit Judge

FILED

MAR 18 1970

ALICE J. DUCK CLERK
REGISTER

No.

6625

In the matter of

Housing Authority vs. Alberta Askins Thomas

Administrator, Executor, or Guardian. Residence

Attorneys

Docket

Page

Fee Book

Page

DATE	FEES	AMOUNT	DATE	FEES	AMOUNT
	WILL—Orders on Presentation, \$1.00 Affidavit in Petition for Probate, 25c Recording Petition, per 100 words, 15c Issuing Citation, entering Sheriff's Returns, 50c Appointing, Notifying Guardian ad Litem, 50c Issuing Subpoena for Witnesses, 50c Affidavit of Witnesses, 25c Examining Witnesses and Order Probating, \$2.00 Issuing Commission to take Deposition, 50c Filing Interrogatories, 10c Copy of same, per hundred words, 15c Recording Will, per hundred words, 15c Recording Testimony, per hundred words, 15c Certificate, without Seal, 25c Certificate, with Seal, 50c Presiding at Trial of Contested Will, per day, \$2.50			BROUGHT FORWARD, SALE OF PERSONAL PROP.—Petition, 25c Recording same, per 100 words, 15c Granting Order of Sale, 50c Issuing Order of Sale, 25c Order to Publish Notice of Sale, 50c Affidavit to Report, 25c Recording, per 100 words, 15c Appointing Com'r to Divide, and Writ, \$2.00 Appointing and Notifying Guardian ad Litem, 50c	1.00
11-7-69	Rec'd Appeal	1.00		PARTIAL SETTLEMENT—Affi. in Account, 25c Examining, Stating Acc't, and App. Hearing, \$1.00 Order to Publish Notice of Sale, 50c Appointing and Notifying Guardian ad Litem, 50c Examining Vouchers, 10c Administering Affidavits, 25c Making Decree and Order to Record, \$1.50 Recording same, per 100 words, 15c Filing Claims and Giving Receipt, 15c INSOLVENCY—Affidavit in Report, 25c Recording Report and State., per 100 words, 15c Order Appointing Day for Hearing, 25c Order to Publish Notice of same, 25c Order for Citations, 25c Issuing Notice to Creditors, Day of Hearing, 50c Order Sustaining Report, 25c Order for Settlement, 25c Order to Publish Day of Settlement, 25c Issuing Notice of Day of Settlement, 25c Affidavit to Amount of Claims, 25c Appointing, Notifying Guardian ad Litem, 25c	
	LETTERS—Affidavit in Petition, 25c Recording Petition, per hundred words, 15c Granting Letters of Administration, 50c Issuing and Recording same, 50c Granting Letters of Guardianship, 75c Issuing, Filing, and Recording same, 50c Taking App., Filing, Rec. Adm. Bond, \$1.50 Taking App., Filing, Rec. Guard. Bond, \$1.00 Affidavit of Justification, 50c Granting Order of Appraisement, 50c Issuing Order of Appraisement, 25c Recording same, per hundred words, 15c Certified Copy Letters, 50c			SALE OF REAL ESTATE—Affi. in Petition, 25c Recording Petition, per 100 words, 15c Order App. Day of Hearing and Notice, \$1.00 Order to Publish Notice of same, 50c Issuing Citation, entering Sheriff's Return, 50c Appointing and Notifying Guardian ad Litem, 50c Issuing Commission to take Deposition, 50c Filing Interrogatories, per 100 words, 15c Copy of Interrogatories, per 100 words, 15c Appointing Com'r to Divide and Issue Writ, \$2.00 Affidavit in Report of same, 25c Order Approving Division and Report, \$1.00 Recording same, per 100 words, 15c Hearing Application for Dower, Issuing Writ, \$4.00 Exam. Testimony and Granting Order to Sell, \$2.00 Recording Depositions, per 100 words, 15c Recording Relinquishment of Dower, 100 wds., 15c Recording Report, per 100 words, 15c Rec. Payment Purchase Money, per 100 words, 15c Making Order on Report Sale of Land, 75c	
	HOMESTEAD—Rec. Petition for Com. 100 words, 15c Rec. Order for Applicant, per 100 words, 15c Recording Order for Com., per 100 words, 15c Notice to Commissioners, 50c Recording Report of Com., per 100 words, 15c Rec. Order Setting Apart, per 100 words, 15c INVENTORY—Order to App. and Rec., 50c Affidavit to same, 25c Recording same, per 100 words, 15c Recording Decree, per 100 words, 15c			FINAL SETTLEMENT—Affidavit in Acc's, 25c Examining, Stating, and Reporting Account, \$1.00 Order to Publish Notice of same, 50c Appointing and Notifying Guardian ad Litem, 50c Examining Vouchers, 10c Administering Affidavits, 25c Recording same, per 100 words, 15c Decrees in Final Settlement, 50c	1.50
	APPRAISEMENT—Order Approving Rec., 50c Affidavit to same, 25c Recording same, per 100 words, 15c Issuing Order of Appraisement, 25c Recording Warrant, per 100 words, 15c Order to Approve Appraisement, 50c Affidavit to Appraisement, 25c Recording same, per 100 words, 15c Recording Decree, per 100 words, 15c				
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	CARRIED FORWARD:				2.50

Taylor Wilkins, Jr.

1.50

No. _____

The State of Alabama

_____ COUNTY

PROBATE COURT

In the Matter of

PROBATE FEE BILL

Received of

Dollars

in payment of the above.

This _____, 19____

Judge of Probate

Probate Docket _____ Page _____

Fee Book _____ Page _____

Attorneys

DATE		FEES OF SHERIFF		AMOUNT		DATE		FEES OF WITNESSES		AMOUNT	

No. 6625 In the matter of Housing Authority vs Wheta Ashew Thomas

Administrator, Executor, or Guardian. Residence _____

Attorneys Harry J. Winters, Jr. Docket _____ Page _____ Fee Book _____ Page _____

DATE	FEES	AMOUNT	DATE	FEES	AMOUNT
	WILL--Orders on Presentation, \$1.00 Affidavit in Petition for Probate, 25c Recording Petition, per 100 words, 15c Issuing Citation, entering Sheriff's Returns, 50c Appointing, Notifying Guardian ad Litem. 50c Issuing Subpoena for Witnesses, 50c Affidavit of Witnesses, 25c Examining Witnesses and Order Probating, \$2.00 Issuing Commission to take Deposition, 50c Filing Interrogatories, 10c Copy of same, per hundred words, 15c Recording Will, per hundred words, 15c Recording Testimony, per hundred words, 15c Certificate, without Seal, 25c Certificate, with Seal, 50c Presiding at Trial of Contested Will, per day, \$2.50			BROUGHT FORWARD, <u>1925</u> SALE OF PERSONAL PROP.--Petition, 25c Recording same, per 100 words, 15c Granting Order of Sale, 50c Issuing Order of Sale, 25c Order to Publish Notice of Sale, 50c Affidavit to Report, 25c Recording, per 100 words, 15c Appointing Com'r to Divide, and Writ, \$2.00 Appointing and Notifying Guardian ad Litem, 50c	
8-27-69	Recd. Pet. / Exhibits	8 50		PARTIAL SETTLEMENT--Affi. in Account, 25c Examining, Stating Acc't, and App. Hearing, \$1.00 Order to Publish Notice of Sale, 50c Appointing and Notifying Guardian ad Litem, 50c Examining Vouchers, 10c Administering Affidavits, 25c Making Decree and Order to Record, \$1.50 Recording same, per 100 words, 15c Filing Claims and Giving Receipt, 15c INSOLVENCY--Affidavit in Report, 25c Recording Report and State., per 100 words, 15c Order Appointing Day for Hearing, 25c Order to Publish Notice of same, 25c Order for Citations, 25c Issuing Notice to Creditors, Day of Hearing, 50c Order Sustaining Report, 25c Order for Settlement, 25c Order to Publish Day of Settlement, 25c Issuing Notice of Day of Settlement, 25c Affidavit to Amount of Claims, 25c	
9-11-69	" Order set day	75		Appointing, Notifying Guardian ad Litem, 25c	
9-29-69	" Order Grant Pet. - - Com. to Commissioners Recd. Order of Comm.	2 25 2 00 75		SALE OF REAL ESTATE--Affi. in Petition, 25c Recording Petition, per 100 words, 15c Order App. Day of Hearing and Notice, \$1.00 Order to Publish Notice of same, 50c Issuing Citation, entering Sheriff's Return, 50c Appointing and Notifying Guardian ad Litem, 50c Issuing Commission to take Deposition, 50c Filing Interrogatories, per 100 words, 15c Copy of Interrogatories, per 100 words, 15c Appointing Com'r to Divide and Issue Writ, \$2.00 Affidavit in Report of same, 25c Order Approving Division and Report, \$1.00 Recording same, per 100 words, 15c Hearing Application for Dower, Issuing Writ, \$4.00 Exam. Testimony and Granting Order to Sell, \$2.00 Recording Depositions, per 100 words, 15c Recording Relinquishment of Dower, 100 wds., 15c Recording Report, per 100 words, 15c Rec. Payment Purchase Money, per 100 words, 15c Making Order on Report Sale of Land, 75c	
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10-2-69	Recd. Petition of Comm.	1 00			
10-9-69	" Rec. of Comm.	1 50			
	" Decree	2 50			
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	CARRIED FORWARD:				

*Paid 10-21-69
Housing Authority
2635.65
Harry Winters, Jr.*

*Cr. #
2976 -
2978 -
2977 -
2979.*

*W. E. Long
B. K. Mills
W. H. Johnson*

640

2635.65

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

Condemnor,

vs.

ALBERTA ASKEW THOMAS,

Condemnee,

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 6625

PETITION OF CONDEMNATION

Now comes The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, as Petitioner, and files this, its application in the Probate Court of Baldwin County, Alabama, for an Order of Condemnation to acquire and obtain the fee simple title to the lands hereinafter described and as a basis for the relief sought, respectfully shows unto the Court as follows:

1. Your Petitioner is a duly constituted Housing Authority organized, existing, and acting under the provision of Chapter 2 of Title 25, Code of Alabama of 1940, and is authorized thereby and under and by virtue of Act No. 491 of the General Acts of Alabama 1949, and Chapter 1 of Title 19, Code of Alabama of 1940, and by the Constitution of Alabama to institute and prosecute this proceedings and to acquire the lands hereinafter described for the purposes stated.

2. At a special meeting of The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, duly and regularly held on February 26, 1969, a resolution was duly and legally held adopted by the Commissioners of said Authority finding and determined that the acquisition of the hereinafter described lands, and other lands, is in the public interest and necessary for public use for the uses and purposes set out in and authorized by Act No. 491 of the General Acts of Alabama of 1949, and by the provisions of Title 42, U.S.C.A. Sections 1401-1435, and 1441-1460 as amended, in connection with the carrying out of an urban renewal or redevelopment project known as the Neighborhood Development Program, Project #A-1 according to a redevelopment plan previously duly and legally

adopted and approved by your Petitioner and by the governing body of the City of Bay Minette, Baldwin County, Alabama, as by law required. A true and correct copy of said resolution is attached hereto marked Exhibit "A" with leave herein prayed to refer to the same as often as may be necessary.

3. That the parcels of land necessary for public use and the uses and purposes as set forth herein and is authorized as herein set forth above which the Petitioner seeks to condemn are set out and described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North $00^{\circ} 09'$ East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North $00^{\circ} 09'$ East 167 feet to a point; thence run East 220 feet; thence run South 167 feet to the North line of said project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

4. That Petitioner further shows that diligent search has been made of the records of Baldwin County, Alabama, and diligent inquiry made to ascertain the names, ages, and places of residence of the parties owning or claiming some right, title or interest in the said lands, and according to the best of Petitioner's information, knowledge, and belief, the said lands are owned or some right, title or interest is claimed by the persons and parties as are named as Defendants in this cause and set forth in Paragraph 3 above, and described herein, and that all of said parties and persons named as owners, lienholders and claimants are over the age of twenty-one years and are under no legal disability unless and except as stated under each separate parcel described herein and that each of said Defendants own or claim said property, or some right, title or interest therein.

5. That Petitioner further shows that it has made bona fide efforts to agree with the parties owning or claiming some right, title or interest in each of said tracts of land described in said Paragraph 3 above, described herein as to the fair and reasonable market value of said property and compensation to be allowed and paid to them for their interests in said lands to be condemned hereby, and that it has failed to come to any such agreement with all of said parties, or that the title to such tract or parcel of land was such that it could not be acquired by direct purchase, and that your Petitioner has heretofore taken all steps necessary and all proceedings required by law necessary to initiate these proceedings.

6. Your Petitioner alleges that it seeks to condemn the fee simple title to said lands hereinabove described by acquiring all the right, title and interest in and to said property hereinabove described now owned by the persons or parties herein made Defendants, together with any other parties or party herein made Defendants, together with any other party or parties claiming to hold any right, title, or interest therein or to hold any lien against said property hereinabove described for the purpose of carrying out an urban renewal or redevelopment project known as the Neighborhood Development Program, Project #A-1, and which said lands when condemned will be devoted to the uses and purposes authorized by the statutes and acts hereinabove set out for which purposes your Petitioner has already acquired title or options to purchase other property in the immediate vicinity necessary to complete this project, and that the tracts of land described herein cannot be acquired as set forth above, and that said tracts are necessary to complete this project, and the Housing Authority of the City of Bay Minette, Baldwin County, Alabama, did heretofore, at the meeting held on February 26, 1969 aforesaid adopted a resolution authorizing the acquisition of the tracts referred to

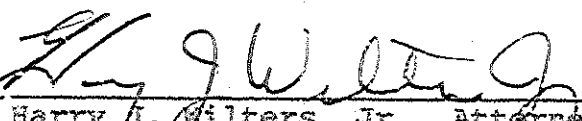
above by condemnation proceedings and its Executive Director has instructed and authorized Harry J. Wilters, Jr., as Attorney for the Housing Authority of the City of Bay Minette, Alabama to institute and prosecute such proceedings for the condemnation of said tracts or any part thereof included in said project area where said Authority is unable to acquire the same by purchase or for title reasons. A copy of the resolution, properly certified thereto by the Secretary of The Housing Authority of the City of Bay Minette marked Exhibit "B" and made a part hereof with leave to refer to as often as may be necessary, and your Petitioner acknowledges itself as security for the costs of these proceedings.

THE PREMISES CONSIDERED, Petitioner prays that this Court will make and enter an order appointing a day for the hearing of this Petition, and that the Court give notice to the above Defendants who are residents of the State of Alabama by personal service, and to all other defendants in such form and manner as is required by law, and that the Court will appoint a guardian ad litem to represent the interest of any minor Defendants, and that upon final hearing of this Petition that this Court will order and enter a decree that the hearing of this Petition, that this Court will order and enter a decree that the Petitioner is entitled to acquire the fee simple title to the lands herein for the purpose as set forth herein and will appoint Commissioners to ascertain and report the fair and reasonable market value and compensation to be allowed the Defendants as their interest may appear for such taking and that upon payment into Court of the fair and reasonable market value and compensation for such lands as assessed by the Commissioners, a judgment or decree be rendered vesting the fee simple title to the said lands free and clear of all liens and encumbrances, in The

Housing Authority of the City of Bay Minette, Alabama, a Corporation,
and will make and enter in this cause all such other and further
orders and decrees as may be necessary or proper in the premises.

THE HOUSING AUTHORITY OF THE CITY OF
BAY MINETTE, a Corporation


BY:


Harry J. Wilters, Jr., Attorney
for The Housing Authority of the
City of Bay Minette, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared
Harry J. Wilters, Jr., who, being by me first duly sworn, deposes
and says that he is attorney for the applicant, The Housing Authority
of the City of Bay Minette, Alabama, and has the authority to make
this affidavit and to institute and prosecute the foregoing appli-
cation for the condemnation of the lands, rights and interests
therein described; that he has knowledge of the statements therein
contained and that to the best of his knowledge, information and
belief, such statements are true and correct as therein alleged.


Harry J. Wilters, Jr., Attorney for
The Housing Authority of the City of
Bay Minette, Alabama,

Sworn to and subscribed before me, this the 27th day
of August, 1969.


Notary Public,

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

X

Condemnor,

X

vs.

X

ALBERTA ASKEW THOMAS,

X

Condemnee,

X

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. ~~6425~~ 8981

PETITION OF CONDEMNATION

Now comes The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, as Petitioner, and files this, its application in the Probate Court of Baldwin County, Alabama, for an Order of Condemnation to acquire and obtain the fee simple title to the lands hereinafter described and as a basis for the relief sought, respectfully shows unto the Court as follows:

1. Your Petitioner is a duly constituted Housing Authority organized, existing, and acting under the provision of Chapter 2 of Title 25, Code of Alabama of 1940, and is authorized thereby and under and by virtue of Act No. 491 of the General Acts of Alabama 1949, and Chapter 1 of Title 19, Code of Alabama of 1940, and by the Constitution of Alabama to institute and prosecute this proceedings and to acquire the lands hereinafter described for the purposes stated.

2. At a special meeting of The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, duly and regularly held on February 26, 1969, a resolution was duly and legally held adopted by the Commissioners of said Authority finding and determined that the acquisition of the hereinafter described lands, and other lands, is in the public interest and necessary for public use for the uses and purposes set out in and authorized by Act No. 491 of the General Acts of Alabama of 1949, and by the provisions of Title 42, U.S.C.A. Sections 1401-1435, and 1441-1460 as amended, in connection with the carrying out of an urban renewal or redevelopment project known as the Neighborhood Development Program, Project #A-1 according to a redevelopment plan previously duly and legally

has been made of the records of Baldwin County, Alabama, and diligent inquiry made to ascertain the names, ages, and places of residence of the parties owning or claiming some right, title or interest in the said lands, and according to the best of Petitioner's information, knowledge, and belief, the said lands are owned or some right, title or interest is claimed by the persons and parties as are named as defendants in this cause and set forth in Paragraph 3 above, and described herein, and that all of said parties and persons named as owners, lienholders and claimants are over the age of twenty-one years and are under no legal disability unless and except as stated under each separate parcel described herein and that each of said defendants own or claim said property, or some right, title or interest therein.

4. That Petitioner further shows that diligent search

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North 00° 09' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 00° 09' East 167 feet to a point, thence run East 220 feet, thence run South 167 feet to the North line of said project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

set out and described as follows:

herein set forth above which the Petitioner seeks to condemn are the uses and purposes as set forth herein and is authorized as

3. That the parcels of land necessary for public use and

same as often as may be necessary.

hereto marked Exhibit "A" with leave herein prayed to refer to the required. A true and correct copy of said resolution is attached of the City of Bay Minette, Baldwin County, Alabama, as by law adopted and approved by your Petitioner and by the governing body

5. That Petitioner further shows that it has made bona

fide efforts to agree with the parties owning or claiming some right, title or interest in each of said tracts of land described in said Paragraph 3 above, described herein as to the fair and reasonable market value of said property and compensation to be allowed and paid to them for their interests in said lands to be condemned hereby, and that it has failed to come to any such agreement with all of said parties, or that the title to such tract or parcel of land was such that it could not be acquired by direct purchase, and that your Petitioner has heretofore taken all steps necessary and all proceedings required by law necessary to initiate these proceedings.

6. Your Petitioner alleges that it seeks to condemn the fee simple title to said lands herinaabove described by acquiring all the right, title and interest in and to said property herinaabove described now owned by the persons or parties herein made Defendants, together with any other parties or party herein made Defendants, together with any other party or parties claiming to hold any right, title, or interest therein or to hold any lien against said property herinaabove described for the purpose of carrying out an urban renewal or redevelopment project known as the Neighborhood Development Program, Project #A-1, and which said lands when condemned will be devoted to the uses and purposes authorized by the statutes and acts herinaabove set out for which purposes your Petitioner has already acquired title or options to purchase other property in the immediate vicinity necessary to complete this project, and that the tracts of land described herein cannot be acquired as set forth above, and that said tracts are necessary to complete this project, and the Housing Authority of the City of Bay Minette, Baldwin County, Alabama, did heretofore, at the meeting held on February 26, 1969 aforesaid adopted a resolution authorizing the acquisition of the tracts referred to

above by condemnation proceedings and its Executive Director has instructed and authorized Harry J. Willers, Jr., as Attorney for the Housing Authority of the City of Bay Minette, Alabama to institute and prosecute such proceedings for the condemnation of said tracts or any part thereof included in said project area where said Authority is unable to acquire the same by purchase or for title reasons. A copy of the resolution, properly certified thereto by the Secretary of the Housing Authority of the City of Bay Minette marked Exhibit "B" and made a part hereof with leave to refer to as often as may be necessary, and your Petitioner acknowledges itself as security for the costs of these proceedings.

THE PREMISES CONSIDERED, Petitioner prays that this Court will make and enter an order appointing a day for the hearing of this Petition, and that the Court give notice to the above Defendants who are residents of the State of Alabama by personal service, and to all other defendants in such form and manner as is required by law, and that the Court will appoint a guardian ad litem to represent the interest of any minor Defendants, and that upon final hearing of this Petition that this Court will order and enter a decree that the hearing of this Petition, that this Court will order and enter a decree that the Petitioner is entitled to acquire the fee simple title to the lands herein for the purpose as set forth herein and will appoint Commissioners to ascertain and report the fair and reasonable market value and compensation to be allowed the Defendants as their interest may appear for such taking and that upon payment into Court of the fair and reasonable market value and compensation for such lands as assessed by the Commissioners, a judgment or decree be rendered vesting the fee simple title to the said lands free and clear of all liens and encumbrances, in the

Housing Authority of the City of Bay Minette, Alabama, a Corporation,
and will make and enter in this cause all such other and further
orders and decrees as may be necessary or proper in the premises.

THE HOUSING AUTHORITY OF THE CITY OF
BAY MINETTE, a Corporation

BY: [Signature]
Harry J. Wilters, Jr., Attorney
for The Housing Authority of the
City of Bay Minette, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared
Harry J. Wilters, Jr., who, being by me first duly sworn, deposes
and says that he is attorney for the applicant, The Housing Authority
of the City of Bay Minette, Alabama, and has the authority to make
this affidavit and to institute and prosecute the foregoing appli-
cation for the condemnation of the lands, rights and interests
therein described; that he has knowledge of the statements therein
contained and that to the best of his knowledge, information and
belief, such statements are true and correct as therein alleged.

[Signature]
Harry J. Wilters, Jr., Attorney for
The Housing Authority of the City of
Bay Minette, Alabama,

Sworn to and subscribed before me, this the 27th day
of August, 1969.
0

[Signature]
Notary Public,

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

Condemnor,

vs.

ALBERTA ASKEW THOMAS,

Condemnee,

X

X

X

X

X

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6625

PETITION OF CONDEMNATION

Now comes The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, as Petitioner, and files this, its application in the Probate Court of Baldwin County, Alabama, for an Order of Condemnation to acquire and obtain the fee simple title to the lands hereinafter described and as a basis for the relief sought, respectfully shows unto the Court as follows:

1. Your Petitioner is a duly constituted Housing Authority organized, existing, and acting under the provision of Chapter 2 of Title 25, Code of Alabama of 1940, and is authorized thereby and under and by virtue of Act No. 491 of the General Acts of Alabama 1949, and Chapter 1 of Title 19, Code of Alabama of 1940, and by the Constitution of Alabama to institute and prosecute this proceedings and to acquire the lands hereinafter described for the purposes stated.

2. At a special meeting of The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, duly and regularly held on February 26, 1969, a resolution was duly and legally held adopted by the Commissioners of said Authority finding and determined that the acquisition of the hereinafter described lands, and other lands, is in the public interest and necessary for public use for the uses and purposes set out in and authorized by Act No. 491 of the General Acts of Alabama of 1949, and by the provisions of Title 42, U.S.C.A. Sections 1401-1435, and 1441-1460 as amended, in connection with the carrying out of an urban renewal or redevelopment project known as the Neighborhood Development Program, Project #A-I according to a redevelopment plan previously duly and legally

adopted and approved by your Petitioner and by the governing body of the City of Bay Minette, Baldwin County, Alabama, as by law required. A true and correct copy of said resolution is attached hereto marked Exhibit "A" with leave herein prayed to refer to the same as often as may be necessary.

3. That the parcels of land necessary for public use and the uses and purposes as set forth herein and is authorized as herein set forth above which the Petitioner seeks to condemn are set out and described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North 00° 09' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 00° 09' East 167 feet to a point; thence run East 220 feet; thence run South 167 feet to the North line of said project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

4. That Petitioner further shows that diligent search has been made of the records of Baldwin County, Alabama, and diligent inquiry made to ascertain the names, ages, and places of residence of the parties owning or claiming some right, title or interest in the said lands, and according to the best of Petitioner's information, knowledge, and belief, the said lands are owned or some right, title or interest is claimed by the persons and parties as are named as Defendants in this cause and set forth in Paragraph 3 above, and described herein, and that all of said parties and persons named as owners, lienholders and claimants are over the age of twenty-one years and are under no legal disability unless and except as stated under each separate parcel described herein and that each of said Defendants own or claim said property, or some right, title or interest therein.

5. That Petitioner further shows that it has made bona fide efforts to agree with the parties owning or claiming some right, title or interest in each of said tracts of land described in said Paragraph 3 above, described herein as to the fair and reasonable market value of said property and compensation to be allowed and paid to them for their interests in said lands to be condemned hereby, and that it has failed to come to any such agreement with all of said parties, or that the title to such tract or parcel of land was such that it could not be acquired by direct purchase, and that Your Petitioner has heretofore taken all steps necessary and all proceedings required by law necessary to initiate these proceedings.

6. Your Petitioner alleges that it seeks to condemn the fee simple title to said lands heretofore described by acquiring all the right, title and interest in and to said property hereinabove described now owned by the persons or parties herein made Defendants, together with any other parties or party herein made Defendants, together with any other party or parties claiming to hold any right, title, or interest therein or to hold any lien against said property heretofore described for the purpose of carrying out an urban renewal or redevelopment project known as the Neighborhood Development Program, Project #A-1, and which said lands when condemned will be devoted to the uses and purposes authorized by the statutes and acts heretofore set out for which purposes Your Petitioner has already acquired title or options to purchase other property in the immediate vicinity necessary to complete this project, and that the tracts of land described herein cannot be acquired as set forth above, and that said tracts are necessary to complete this project, and the Housing Authority of the City of Bay Minette, Baldwin County, Alabama, did heretofore, at the meeting held on February 26, 1969 aforesaid adopted a resolution authorizing the acquisition of the tracts referred to


above by condemnation proceedings and its Executive Director has instructed and authorized Harry J. Wilters, Jr., as Attorney for the Housing Authority of the City of Bay Minette, Alabama to institute and prosecute such proceedings for the condemnation of said tracts or any part thereof included in said project area where said Authority is unable to acquire the same by purchase or for title reasons. A copy of the resolution, properly certified thereto by the Secretary of The Housing Authority of the City of Bay Minette marked Exhibit "B" and made a part hereof with leave to refer to as often as may be necessary, and your Petitioner acknowledges itself as security for the costs of these proceedings.

THE PREMISES CONSIDERED, Petitioner prays that this Court will make and enter an order appointing a day for the hearing of this Petition, and that the Court give notice to the above Defendants who are residents of the State of Alabama by personal service, and to all other defendants in such form and manner as is required by law, and that the Court will appoint a guardian ad litem to represent the interest of any minor Defendants, and that upon final hearing of this Petition that this Court will order and enter a decree that the hearing of this Petition, that this Court will order and enter a decree that the Petitioner is entitled to acquire the fee simple title to the lands herein for the purpose as set forth herein and will appoint Commissioners to ascertain and report the fair and reasonable market value and compensation to be allowed the Defendants as their interest may appear for such taking and that upon payment into Court of the fair and reasonable market value and compensation for such lands as assessed by the Commissioners, a judgment or decree be rendered vesting the fee simple title to the said lands free and clear of all liens and encumbrances, in The

Housing Authority of the City of Bay Minette, Alabama, a Corporation,
and will make and enter in this cause all such other and further
orders and decrees as may be necessary or proper in the premises.

THE HOUSING AUTHORITY OF THE CITY OF
BAY MINETTE, a Corporation

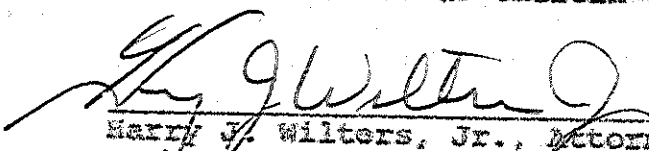
BY:


Harry J. Wilters, Jr., Attorney
for The Housing Authority of the
City of Bay Minette, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared
Harry J. Wilters, Jr., who, being by me first duly sworn, deposes
and says that he is attorney for the applicant, The Housing Authority
of the City of Bay Minette, Alabama, and has the authority to make
this affidavit and to institute and prosecute the foregoing appli-
cation for the condemnation of the lands, rights and interests
therein described; that he has knowledge of the statements therein
contained and that to the best of his knowledge, information and
belief, such statements are true and correct as therein alleged.


Harry J. Wilters, Jr., Attorney for
The Housing Authority of the City of
Bay Minette, Alabama,

Sworn to and subscribed before me, this the 27th day
of August, 1969.


Notary Public.

14-1 according to a redevelopment plan provisionally and legally
 ment project known as the Neighborhood Development Program, Project
 in connection with the carrying out of an urban renewal or develop-
 of Title 42, U.S.C.A. Sections 1461-1465, and 1461-1466 as amended,
 491 of the General Acts of Alabama of 1949, and by the provisions
 use for the uses and purposes set out in and authorized by Act No.
 other lands, is in the public interest and necessary for public
 ined that the acquisition of the hereinafter described lands, and
 adopted by the Commissioners of said Authority finding and deter-
 held on February 26, 1969, a resolution was duly and legally held
 City of Bay Minette, Baldwin County, Alabama, duly and regularly

2. At a special meeting of the Housing Authority of the

purposes stated.

proceedings and to acquire the lands hereinafter described for the
 and by the Constitution of Alabama to institute and prosecute this
 Alabama 1949, and Chapter 1 of Title 19, Code of Alabama of 1940,
 and under and by virtue of Act No. 491 of the General Acts of

2 of Title 25, Code of Alabama of 1940, and is authorized thereby
 only organized, existing, and acting under the provision of Chapter
 1. Your Petitioner is a duly constituted Housing Auth-

follows:

basis for the relief sought, respectfully shows unto the Court as
 the fee simple title to the lands hereinafter described and as a
 County, Alabama, for an order of condemnation to acquire and obtain
 and files this, its application in the Probate Court of Baldwin
 Minette, Baldwin County, Alabama, a body corporation, as Petitioner,

Now comes The Housing Authority of the City of Bay

PETITION OF CONDEMNATION

THE HOUSING AUTHORITY OF THE	X	Condempnee,	X
CITY OF BAY MINETTE, BALDWIN			
COUNTY, ALABAMA,	X	ALBERTA ASKEW THOMAS,	X
IN THE PROBATE COURT OF	X	CASE NO. 6625	X
BALDWIN COUNTY, ALABAMA			
	X	VS.	X
Condempnor,			

adopted and approved by your Petitioner and by the governing body of the City of Bay Minette, Baldwin County, Alabama, as by law required. A true and correct copy of said resolution is attached hereto marked Exhibit "A" with leave herein prayed to refer to the same as often as may be necessary.

3. That the parcels of land necessary for public use and the uses and purposes as set forth herein and is authorized as herein set forth above which the Petitioner seeks to condemn are set out and described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North 00° 09' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 00° 09' East 167 feet to a point, thence run East 220 feet; thence run South 167 feet to the North line of said project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

4. That Petitioner further shows that diligent search has been made of the records of Baldwin County, Alabama, and diligent inquiry made to ascertain the names, ages, and places of residence of the parties owning or claiming some right, title or interest in the said lands, and according to the best of Petitioner's information, knowledge, and belief, the said lands are owned or some right, title or interest is claimed by the persons and parties as are named as Defendants in this cause and set forth in Paragraph 3 above, and described herein, and that all of said parties and persons named as owners, lienholders and claimants are over the age of twenty-one years and are under no legal disability unless and except as stated under each separate parcel described herein and that each of said Defendants own or claim said property, or some right, title or interest therein.

5. That Petitioner further shows that it has made bona fide efforts to agree with the parties owning or claiming some right, title or interest in each of said tracts of land described in said Paragraph 3 above, described herein as to the fair and reasonable market value of said property and compensation to be allowed and paid to them for their interests in said lands to be condemned hereby, and that it has failed to come to any such agreement with all of said parties, or that the title to such tract or parcel of land was such that it could not be acquired by direct purchase, and that your Petitioner has heretofore taken all steps necessary and all proceedings required by law necessary to initiate these proceedings.

6. Your Petitioner alleges that it seeks to condemn the fee simple title to said lands hereinabove described by acquiring all the right, title and interest in and to said property hereinabove described now owned by the persons or parties herein made Defendants, together with any other parties or party herein made Defendants, together with any other party or parties claiming to hold any right, title, or interest therein or to hold any lien against said property hereinabove described for the purpose of carrying out an urban renewal or redevelopment project known as the Neighborhood Development Program, Project #A-1, and which said lands when condemned will be devoted to the uses and purposes authorized by the statutes and acts hereinabove set out for which purposes your Petitioner has already acquired title or options to purchase other property in the immediate vicinity necessary to complete this project, and that the tracts of land described herein cannot be acquired as set forth above, and that said tracts are necessary to complete this project, and the Housing Authority of the City of Bay Minette, Baldwin County, Alabama, did heretofore, at the meeting held on February 26, 1969 aforesaid adopted a resolution authorizing the acquisition of the tracts referred to

above by condemnation proceedings and its Executive Director has instructed and authorized Harry J. Wilters, Jr., as Attorney for the Housing Authority of the City of Bay Minette, Alabama to institute and prosecute such proceedings for the condemnation of said tracts or any part thereof included in said project area where said Authority is unable to acquire the same by purchase or for title reasons. A copy of the resolution, properly certified thereto by the Secretary of The Housing Authority of the City of Bay Minette marked Exhibit "B" and made a part hereof with leave to refer to as often as may be necessary, and your Petitioner acknowledges itself as security for the costs of these proceedings.

THE PREMISES CONSIDERED, Petitioner prays that this Court will make and enter an order appointing a day for the hearing of this Petition, and that the Court give notice to the above Defendants who are residents of the State of Alabama by personal service, and to all other defendants in such form and manner as is required by law, and that the Court will appoint a guardian ad litem to represent the interest of any minor Defendants, and that upon final hearing of this Petition that this Court will order and enter a decree that the hearing of this Petition, that this Court will order and enter a decree that the Petitioner is entitled to acquire the fee simple title to the lands herein for the purpose as set forth herein and will appoint Commissioners to ascertain and report the fair and reasonable market value and compensation to be allowed the Defendants as their interest may appear for such taking and that upon payment into Court of the fair and reasonable market value and compensation for such lands as assessed by the Commissioners, a judgment or decree be rendered vesting the fee simple title to the said lands free and clear of all liens and encumbrances, in The

Housing Authority of the City of Bay Minette, Alabama, a Corporation,
and will make and enter in this cause all such other and further
orders and decrees as may be necessary or proper in the premises.

THE HOUSING AUTHORITY OF THE CITY OF
BAY MINETTE, a Corporation

BY: *Harry J. Wilters, Jr.*
Harry J. Wilters, Jr., Attorney
for The Housing Authority of the
City of Bay Minette, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared
Harry J. Wilters, Jr., who, being by me first duly sworn, deposes
and says that he is attorney for the applicant, The Housing Authority
of the City of Bay Minette, Alabama, and has the authority to make
this affidavit and to institute and prosecute the foregoing appli-
cation for the condemnation of the lands, rights and interests
therein described; that he has knowledge of the statements therein
contained and that to the best of his knowledge, information and
belief, such statements are true and correct as therein alleged.

Harry J. Wilters, Jr.
Harry J. Wilters, Jr., Attorney for
The Housing Authority of the City of
Bay Minette, Alabama,

Sworn to and subscribed before me, this the 27th day
of August, 1969.

Perkins
Notary Public,

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

Condemnor,

vs.

ALBERTA ASKEW THOMAS,

Condemnee.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6625

NOTICE

TO: ALBERTA ASKEW THOMAS

YOU WILL PLEASE TAKE NOTICE that an application was filed in this Court by The Housing Authority of the City of Bay Minette, Alabama, alleging that it desires to have condemned certain parcels of land set out and described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglassville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North 00° 09' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 00° 09' East 167 feet to a point; thence run East 220 feet; thence run South 167 feet to the North line of said Project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

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.

THIS IS TO NOTIFY YOU that the Probate Court of Baldwin County, Alabama, has, appointed the 11th day of Sept., 1969, at 9:30 A.M. 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 27th day of August, 1969.

Harry D. Oline
Probate Judge, Baldwin County, Alabama

220 X 167'

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

IN THE PROBATE COURT OF

Petitioner,

BALDWIN COUNTY, ALABAMA

vs.

CASE NO. 6625

ALBERTA ASKEW THOMAS,

Condemnee.

COMMISSION TO COMMISSIONERS

TO:

H. E. Long, B. K. Mills

and

H. E. Robbins ✓

WHEREAS, The Housing Authority of the City of Bay Minette, Alabama, has filed in the Probate Court of Baldwin County, Alabama, its Petition seeking to condemn, for public use, certain lands claimed to be owned by the Condemnee, Alberta Askew Thomas, which is described as follows, to-wit:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North 00° 09' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 00° 09' East 167 feet to a point; thence run East 220 feet; thence run South 167 feet to the North line of said Project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

WHEREAS, said Probate Court of Baldwin County, Alabama, by its order and decree made on the 11th day of September, 1969, has granted said Petition and has appointed you Commissioners to assess the damages and compensation to which said alleged owners of each of said tracts of land described hereto are entitled, on account of the condemnation of said lands for the purposes as set out in said Petition, which damages and compensation so awarded each owner shall be subject to all outstanding valid claims, liens, and leases.

NOW THEREFORE, these presents authorize and commission you to perform your duties as such Commissioners in the manner provided by law.

You are hereby directed, by this Commission, to be sworn as jurors are sworn under the laws of the State of Alabama, and you are further directed to file a certificate along with your award that neither of you have ever been consulted, advised or approached by any person with reference to the value of said lands described in said Petition referred to herein, 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.

You are further commissioned and directed, by these presents, to assess the damages and compensation to which the owners are entitled by reason of the taking and condemnation of said land as set forth in said Petition, and you may view the lands, and must receive all legal evidence offered by any parties touching the amount of damages the said owner will sustain the amount of compensation to be awarded to the said owner, in fixing the amount to be awarded the owner for lands taken for this use.

You are further directed, within twenty days from the date of this Commission, to make and file in this Court a report, in writing, of the amount of damages and compensation ascertained and assessed by you for the said owner of said tracts of land.

Done this the 29th day of September, 1969.



Probate Judge, Baldwin County, Alabama

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

IN THE PROBATE COURT OF

Petitioner,

BALDWIN COUNTY, ALABAMA

vs.

CASE NO. 6625

ALBERTA ASKEW THOMAS,

Condemnee.

COMMISSION TO COMMISSIONERS

TO:

and

H. C. Long, B. R. Mills ✓
H. W. Robbins

WHEREAS, The Housing Authority of the City of Bay Minette, Alabama, has filed in the Probate Court of Baldwin County, Alabama, its Petition seeking to condemn, for public use, certain lands claimed to be owned by the Condemnee, Alberta Askew Thomas, which is described as follows, to-wit:

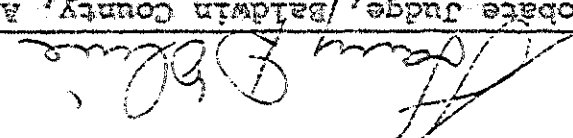
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WHEREAS, said Probate Court of Baldwin County, Alabama, by its order and decree made on the 11th day of September, 1969, has granted said Petition and has appointed you Commissioners to assess the damages and compensation to which said alleged owners of each of said tracts of land described hereto are entitled, on account of the condemnation of said lands for the purposes as set out in said Petition, which damages and compensation so awarded each owner shall be subject to all outstanding valid claims, liens, and leases.

NOW THEREFORE, these presents authorize and commission you to perform your duties as such Commissioners in the manner provided by law.

You are hereby directed, by this Commission, to be sworn as jurors are sworn under the laws of the State of Alabama, and you are further directed to file a certificate along with your award that neither of you have ever been consulted, advised or approached by any person with reference to the value of said lands described in said petition referred to herein, 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.

You are further commissioned and directed, by these presents, to assess the damages and compensation to which the owners are entitled by reason of the taking and condemnation of said land as set forth in said petition, and you may view the lands, and must receive all legal evidence offered by any parties touching the amount of damages the said owner will sustain the amount of compensation to be awarded to the said owner, in fixing the amount to be awarded the owner for lands taken for this use. You are further directed, within twenty days from the date of this Commission, to make and file in this Court a report, in writing, of the amount of damages and compensation ascertained and assessed by you for the said owner of said tracts of land. Done this the 29th day of September, 1969.


Probate Judge, Baldwin County, Alabama

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

IN THE PROBATE COURT OF

Petitioner,

BALDWIN COUNTY, ALABAMA

vs.

CASE NO. 6625

ALBERTA ASKEW THOMAS,

Condemnee.

COMMISSION TO COMMISSIONERS

TO:

H. L. Long

B. K. Mills

and

H. D. Robbins

WHEREAS, The Housing Authority of the City of Bay Minette, Alabama, has filed in the Probate Court of Baldwin County, Alabama, its Petition seeking to condemn, for public use, certain lands claimed to be owned by the Condemnee, Alberta Askew Thomas, which is described as follows, to-wit:

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WHEREAS, said Probate Court of Baldwin County, Alabama, by its order and decree made on the 11th day of September, 1969, has granted said Petition and has appointed you Commissioners to assess the damages and compensation to which said alleged owners of each of said tracts of land described hereto are entitled, on account of the condemnation of said lands for the purposes as set out in said Petition, which damages and compensation so awarded each owner shall be subject to all outstanding valid claims, liens, and leases.

NOW THEREFORE, these presents authorize and commission you to perform your duties as such Commissioners in the manner provided by law.

You are hereby directed, by this Commission, to be sworn as jurors are sworn under the laws of the State of Alabama, and you are further directed to file a certificate along with your award that neither of you have ever been consulted, advised or approached by any person with reference to the value of said lands described in said Petition referred to herein, 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.

You are further commissioned and directed, by these presents, to assess the damages and compensation to which the owners are entitled by reason of the taking and condemnation of said land as set forth in said Petition, and you may view the lands, and must receive all legal evidence offered by any parties touching the amount of damages the said owner will sustain the amount of compensation to be awarded to the said owner, in fixing the amount to be awarded the owner for lands taken for this use.

You are further directed, within twenty days from the date of this Commission, to make and file in this Court a report, in writing, of the amount of damages and compensation ascertained and assessed by you for the said owner of said tracts of land.

Done this the 29th day of September, 1969.

Hans D'Olive
Probate Judge, Baldwin County, Alabama

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

Petitioner,

vs.

ALBERTA ASKEW THOMAS,

Condemnee.

X

X

X

X

X

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6625

COMMISSION TO COMMISSIONERS

TO:

H. E. Lous.

B. K. Miller

and

H. D. Robbins

WHEREAS, The Housing Authority of the City of Bay Minette, Alabama, has filed in the Probate Court of Baldwin County, Alabama, its Petition seeking to condemn, for public use, certain lands claimed to be owned by the Condemnee, Alberta Askew Thomas, which is described as follows, to-wit:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North 00° 09' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 00° 09' East 167 feet to a point; thence run East 220 feet; thence run South 167 feet to the North line of said Project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

WHEREAS, said Probate Court of Baldwin County, Alabama, by its order and decree made on the 11th day of September, 1969, has granted said Petition and has appointed you Commissioners to assess the damages and compensation to which said alleged owners of each of said tracts of land described hereto are entitled, on account of the condemnation of said lands for the purposes as set out in said Petition, which damages and compensation so awarded each owner shall be subject to all outstanding valid claims, liens, and leases.

*Given to Sheriff
9-30-69*

NOW THEREFORE, these presents authorize and commission you to perform your duties as such Commissioners in the manner provided by law.

You are hereby directed, by this Commission, to be sworn as jurors are sworn under the laws of the State of Alabama, and you are further directed to file a certificate along with your award that neither of you have ever been consulted, advised or approached by any person with reference to the value of said lands described in said Petition referred to herein, 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.

You are further commissioned and directed, by these presents, to assess the damages and compensation to which the owners are entitled by reason of the taking and condemnation of said land as set forth in said Petition, and you may view the lands, and must receive all legal evidence offered by any parties touching the amount of damages the said owner will sustain the amount of compensation to be awarded to the said owner, in fixing the amount to be awarded the owner for lands taken for this use.

You are further directed, within twenty days from the date of this Commission, to make and file in this Court a report, in writing, of the amount of damages and compensation ascertained and assessed by you for the said owner of said tracts of land.

Done this the 29th day of September, 1969.



Probate Judge, Baldwin County, Alabama

THE HOUSING AUTHORITY OF THE CITY OF BAY MINNETTE, BALDWIN COUNTY, ALABAMA, VS. ALBERTA ASKEW THOMAS, Condemnee, Condemnor, AT LAW

IN THE CIRCUIT COURT OF CASE NO. 8981

DECREED

This cause having been appealed, in the manner provided by law, from the Probate Court of Baldwin County, Alabama, came on to be heard, by trial de novo, in this Court on this day; and on this date, came the parties to this cause by their attorneys; and the Court having heard and considered the same, is of the opinion that the petition of The Housing Authority of the City of Bay Minnette, Baldwin County, Alabama, a body corporation, the Plaintiff in this cause, for the condemnation of the property described in Paragraph 3 of said petition should be granted and that the Housing Authority of the City of Bay Minnette, Baldwin County, Alabama, a body corporation has the legal right to condemn said property for the purposes and uses stated in said petition.

It is, therefore, ORDERED and ADJUDGED by the Court and it is the judgment of the Court, that the Housing Authority of the City of Bay Minnette, Baldwin County, Alabama, a body corporation, has the legal right to condemn the following described property for use as an Urban Renewal Development, to-wit:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North 00° 09' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 00° 09' East 167 feet to a point; thence run East 220 feet; thence run South 167 feet to the North line of said Project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

It is further ORDERED and ADJUDGED by the Court, and it is the judgment of the Court, that the application and petition of The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, in this cause for the condemnation of the land and property hereinabove described shall be, and is hereby granted; and said property and land hereinabove described is hereby condemned for the uses and purposes hereinabove stated, upon the payment into the Court of the compensation and damages assessed by the jury in this cause in the amount of THREE THOUSAND TWO HUNDRED (\$3,200.00) DOLLARS, and the costs of this cause, which is taxed against the Plaintiff, The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation.

And a jury having been demanded for the trial of this cause, the Court did thereupon proceed to have assessed by a jury the damages and compensation to which the Defendant is entitled for the condemnation of the above described lands and property for the uses and purposes hereinabove described.

Thereupon, on this the 16th day of March, 1970, came a jury of good and lawful men, to-wit: Lamar Norrell, and eleven others, and having been duly impaneled and sworn according to law, upon their oaths do say: "We the jury find in favor of the landowner, and assess the damages at \$3,200.00."

It is therefore, ORDERED and ADJUDGED by the Court and it is the judgment of the Court, that the Defendant have and recover of the Plaintiff, The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, the sum of THREE THOUSAND TWO HUNDRED (\$3,200.00) DOLLARS, the damages and compensation assessed as aforesaid, together with the costs in this behalf expended, for which execution may issue.

It is further ORDERED and ADJUDGED and it is the judgment of the Court, that when the damages and compensation assessed by the jury, judgment for which is hereinabove entered, is paid into the hands of the Clerk of this Court, or collected by execution or otherwise, the Clerk shall retain said funds in her hands, subject to the terms and provision of Section 26, Title 19, 1940 Alabama Code.

It is further ORDERED and ADJUDGED, and it is the judgment of the Court, that this order and judgment of condemnation upon the payment of the sum ascertained and assessed by the verdict of the jury in this cause into the hands of the Clerk of this Court, and the costs of this cause, shall vest the title to be acquired for the uses and purposes stated in the application of The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, and for no other uses and purposes, as is provided by law.

It is further ordered and adjudged, and it is the judgment of the Court, that the Clerk shall record this judgment and decree in the Office of the Judge of Probate of Baldwin County, Alabama, in the deed records thereof and the costs thereof be taxed as part of the costs of this cause.

Done this the 16th day of March, 1970.

/s/ Telfair J. Mashburn
Telfair J. Mashburn, Circuit Judge

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in above stated cause, which said decrees are on file and enrolled in my office.

WITNESS MY HAND AND SEAL THIS THE 16th day of Mar, 1970

STATE OF ALABAMA,
BALDWIN COUNTY,
I certify that this instrument was filed on

MAR 18 1970 330P

and that no tax was collected. Recorded in deed
Book 40
Page 879-811
By Henry Deline Judge of Probate

VOL 0 PAGE 697

0 PAGE 668

Received 7 day of Nov 1969

and on 10 day of Nov 1969

I served a copy of the within Notice
on The Housing Authority of the
City of Bay Minette

By service on S. W. McMillan

TAYLOR WILKINS, Sheriff

By W. A. Talbert D. S.

8981

NOTICE OF APPEAL

THE HOUSING AUTHORITY OF THE)
CITY OF BAY MINETTE, BALDWIN)
COUNTY, ALABAMA,)
Petitioner,) IN THE PROBATE COURT OF
VS.) BALDWIN COUNTY, ALABAMA
ALBERTA ASKEW THOMAS,) NO. 6625
Respondent.)

Now comes the respondent in the above styled cause and prays for and takes an appeal to the Circuit Court of Baldwin County, Alabama, from the final order and decree of condemnation rendered by the Probate Court of Baldwin County, Alabama, in the above styled cause on the 9th day of Oct., 1969, insofar as the said final order and decree of condemnation relates to the lands described in the petition and to Alberta Askew Thomas and as to the amount of damages or compensation awarded to Alberta Askew Thomas of the lands described in the original petition filed in this cause and as described in the final order or decree of condemnation rendered in this cause as referred to above, which land is described as follows, to-wit:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville; thence run West along the South line of Section 16, 660 feet, more or less, to the Southwest corner of said Lot 16; run thence North 0° 9' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 0° 9' East 167 feet to a point; thence run East 220 feet; thence run South 167 feet to the North line of said project; thence run West 220 feet along the North line of said Housing Project to the point of beginning.

Alberta Askew Thomas, the respondent, does herewith file in the Probate Court of Baldwin County, Alabama, the court rendering the final decree of condemnation, this, her written notice of appeal to the Circuit Court of Baldwin County, Alabama.

DATED the 7th day of November, 1969.


James R. Owen
Attorney for Respondent

The respondent demands a trial
by jury of this cause.

0 PAGE 889

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

X

Condemnor,

X

vs.

X

ALBERTA ASKEW THOMAS,

X

Condemnee,

X

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6625

PETITION OF CONDEMNATION

Now comes The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body corporation, as Petitioner, and files this, its application in the Probate Court of Baldwin County, Alabama, for an Order of Condemnation to acquire and obtain the fee simple title to the lands hereinafter described and as a basis for the relief sought, respectfully shows unto the Court as follows:

1. Your Petitioner is a duly constituted Housing Authority organized, existing, and acting under the provision of Chapter 2 of Title 25, Code of Alabama of 1940, and is authorized thereby and under and by virtue of Act No. 491 of the General Acts of Alabama 1949, and Chapter 1 of Title 19, Code of Alabama of 1940, and by the Constitution of Alabama to institute and prosecute this proceedings and to acquire the lands hereinafter described for the purposes stated.

2. At a special meeting of The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, duly and regularly held on February 26, 1969, a resolution was duly and legally held adopted by the Commissioners of said Authority finding and determined that the acquisition of the hereinafter described lands, and other lands, is in the public interest and necessary for public use for the uses and purposes set out in and authorized by Act No. 491 of the General Acts of Alabama of 1949, and by the provisions of Title 42, U.S.C.A. Sections 1401-1435, and 1441-1460 as amended, in connection with the carrying out of an urban renewal or redevelopment project known as the Neighborhood Development Program, Project #A-1 according to a redevelopment plan previously duly and legally

adopted and approved by your Petitioner and by the governing body of the City of Bay Minette, Baldwin County, Alabama, as by law required. A true and correct copy of said resolution is attached hereto marked Exhibit "A" with leave herein prayed to refer to the same as often as may be necessary.

3. That the parcels of land necessary for public use and the uses and purposes as set forth herein and is authorized as herein set forth above which the Petitioner seeks to condemn are set out and described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglassville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North 00° 09' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 00° 09' East 167 feet to a point; thence run East 220 feet; thence run South 167 feet to the North line of said project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

4. That Petitioner further shows that diligent search has been made of the records of Baldwin County, Alabama, and diligent inquiry made to ascertain the names, ages, and places of residence of the parties owning or claiming some right, title or interest in the said lands, and according to the best of Petitioner's information, knowledge, and belief, the said lands are owned or some right, title or interest is claimed by the persons and parties as are named as Defendants in this cause and set forth in Paragraph 3 above, and described herein, and that all of said parties and persons named as owners, lienholders and claimants are over the age of twenty-one years and are under no legal disability unless and except as stated under each separate parcel described herein and that each of said Defendants own or claim said property, or some right, title or interest therein.

5. That Petitioner further shows that it has made bona fide efforts to agree with the parties owning or claiming some right, title or interest in each of said tracts of land described in said Paragraph 3 above, described herein as to the fair and reasonable market value of said property and compensation to be allowed and paid to them for their interests in said lands to be condemned hereby, and that it has failed to come to any such agreement with all of said parties, or that the title to such tract or parcel of land was such that it could not be acquired by direct purchase, and that your Petitioner has heretofore taken all steps necessary and all proceedings required by law necessary to initiate these proceedings.

6. Your Petitioner alleges that it seeks to condemn the fee simple title to said lands hereinabove described by acquiring all the right, title and interest in and to said property hereinabove described now owned by the persons or parties herein made Defendants, together with any other parties or party herein made Defendants, together with any other party or parties claiming to hold any right, title, or interest therein or to hold any lien against said property hereinabove described for the purpose of carrying out an urban renewal or redevelopment project known as the Neighborhood Development Program, Project #A-1, and which said lands when condemned will be devoted to the uses and purposes authorized by the statutes and acts hereinabove set out for which purposes your Petitioner has already acquired title or options to purchase other property in the immediate vicinity necessary to complete this project, and that the tracts of land described herein cannot be acquired as set forth above, and that said tracts are necessary to complete this project, and the Housing Authority of the City of Bay Minette, Baldwin County, Alabama, did heretofore, at the meeting held on February 26, 1969 aforesaid adopted a resolution authorizing the acquisition of the tracts referred to

above by condemnation proceedings and its Executive Director has instructed and authorized Harry J. Wilters, Jr., as Attorney for the Housing Authority of the City of Bay Minette, Alabama to institute and prosecute such proceedings for the condemnation of said tracts or any part thereof included in said project area where said Authority is unable to acquire the same by purchase or for title reasons. A copy of the resolution, properly certified thereto by the Secretary of The Housing Authority of the City of Bay Minette marked Exhibit "B" and made a part hereof with leave to refer to as often as may be necessary, and your Petitioner acknowledges itself as security for the costs of these proceedings.

THE PREMISES CONSIDERED, Petitioner prays that this Court will make and enter an order appointing a day for the hearing of this Petition, and that the Court give notice to the above Defendants who are residents of the State of Alabama by personal service, and to all other defendants in such form and manner as is required by law, and that the Court will appoint a guardian ad litem to represent the interest of any minor Defendants, and that upon final hearing of this Petition that this Court will order and enter a decree that the hearing of this Petition, that this Court will order and enter a decree that the Petitioner is entitled to acquire the fee simple title to the lands herein for the purpose as set forth herein and will appoint Commissioners to ascertain and report the fair and reasonable market value and compensation to be allowed the Defendants as their interest may appear for such taking and that upon payment into Court of the fair and reasonable market value and compensation for such lands as assessed by the Commissioners, a judgment or decree be rendered vesting the fee simple title to the said lands free and clear of all liens and encumbrances, in The

Housing Authority of the City of Bay Minette, Alabama, a Corporation,
and will make and enter in this cause all such other and further
orders and decrees as may be necessary or proper in the premises.

THE HOUSING AUTHORITY OF THE CITY OF
BAY MINETTE, a Corporation

BY:

Harry J. Wilters, Jr.
Harry J. Wilters, Jr., Attorney
for The Housing Authority of the
City of Bay Minette, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared
Harry J. Wilters, Jr., who, being by me first duly sworn, deposes
and says that he is attorney for the applicant, The Housing Authority
of the City of Bay Minette, Alabama, and has the authority to make
this affidavit and to institute and prosecute the foregoing appli-
cation for the condemnation of the lands, rights and interests
therein described; that he has knowledge of the statements therein
contained and that to the best of his knowledge, information and
belief, such statements are true and correct as therein alleged.

Harry J. Wilters, Jr.
Harry J. Wilters, Jr., Attorney for
The Housing Authority of the City of
Bay Minette, Alabama,

Sworn to and subscribed before me, this the 27th day
of August, 1969.

Amelia G. Perkins
Notary Public,

EXHIBIT "A"

EXTRACTS FROM THE MINUTES OF A SPECIAL
MEETING OF THE COMMISSIONERS
OF THE HOUSING AUTHORITY OF THE CITY OF
BAY MINETTE, ALABAMA
HELD ON FEBRUARY 26, 1969

The Commissioners of The Housing Authority of the
City of Bay Minette, Alabama met in

Special session at the office of the Authority

in the City of Bay Minette, Alabama

, at 4:45 o'clock p. m., on February 26,

1969.

The meeting was called to order by the Chairman and, upon roll call,
those present and absent were as follows:

Present: J. H. Faulkner, Chairman
Harlan Page
W. F. Thomas
Emile Nassar
Oswald Boykin

Absent: None

BOOK 53 PAGE 320

The NOTICE OF SPECIAL MEETING with the CERTIFICATE AS TO SERVICE OF NOTICE OF SPECIAL MEETING attached thereto, and the WAIVER OF NOTICE OF AND CONSENT TO SPECIAL MEETING, as signed by the Commissioners of said Authority, were read and ordered spread upon the minutes of this special meeting and filed for record.

NOTICE OF SPECIAL MEETING

TO: J. H. Faulkner
Emile Nassar
W. F. Thomas
Harlan Page
Oswald Boykin

You are hereby notified that a Special Meeting of the Commissioners of The Housing Authority of the City of Bay Minette, Alabama has been called for 4:30 p.m. on Wednesday, February 26, 1962 at the office of the Authority for the following purposes:

1. To concur in prices to be offered for property in Douglasville;
2. To execute a Contract for Architectural Services with Dietz, Prince & Fischrupp Architects;
3. To transact any and all other business which may legally come before the meeting.

Dated this 21st day of February, 1962.

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA

BY: /s/ J. H. Faulkner
Chairman

BOOK 53 PAGE 621

CERTIFICATE AS TO SERVICE OF NOTICE
OF SPECIAL MEETING

I, Huston Carter, the duly appointed, qualified and acting
Secretary of The Housing Authority of the City of
Bay Minette, Alabama do hereby certify
that on February 26, 1969, I served in the manner provided in the
By-Laws of said Authority, upon each of the Commissioners
thereof, a true and correct copy of the foregoing NOTICE OF SPECIAL MEETING.
Witness my signature this 26th day of February, 1969.

/s/ Huston Carter
Secretary

WAIVER OF NOTICE OF AND CONSENT TO SPECIAL MEETING

We, the undersigned Commissioners of The Housing Authority
of the City of Bay Minette, Alabama do
hereby accept service of the foregoing NOTICE OF SPECIAL MEETING waiving
any and all irregularities in such service and in said NOTICE, and we do
hereby consent and agree that said Commissioners shall meet
at the time and place named in said NOTICE and for the purposes therein
stated.

/s/ Harlan A. Paze Jr.

/s/ J. H. Faulkner

/s/ Emile J. Nassar

/s/ Oswald Boykin

/s/ W. F. Thomas

The following resolution was introduced by Commissioner Boykin

_____, read in full and considered:

Be it resolved that the Commission of the Housing Authority of the City of Bay Minette, Alabama finds, determines and declares that the acquisition of the lands listed on the attached real estate appraisal tabulation and identified by parcel numbers which may be further identified by the land ownership map of the Urban Renewal Plan, is in the public interest and the acquisition is necessary for public use and for the uses and purposes set out in and authorized by the Code of Alabama of 1940 as amended, recompiled 1958 and as amended and by the provisions of Title 42, U.S.C.A. Sections 1401-1435, and 1441-1460 as amended and other sections as made and provided, in connection with the execution of the Urban Renewal Program known as Neighborhood Development Program, Project Number Alabama A-1, according to the plan previously duly and legally adopted and approved by the Commissioners of the Housing Authority at a special meeting on October 16, 1968 and by the governing body of the City of Bay Minette, Alabama in regular session on October 15, 1968 and that the Executive Director is hereby authorized to acquire these properties, except parcels numbered 3-3 and 3-4, at the price listed on the form as the IPA's recommended price or at any lower price concurred in by the Regional Office of the Department of Housing and Urban Development by whatever means he deems appropriate in order to carry out the orderly execution of the Urban Renewal Plan.

Commissioner Boykin moved that the fore-

going resolution be adopted as introduced and read, which motion was

seconded by Commissioner Nassar, and upon roll call the

"Ayes" and "Nays" were as follows:

AYES

NAYS

J. H. Faulkner
Harlan Page
W. F. Thomas
Emile Nassar
Oswald Boykin

None

The Chairman thereupon declared said motion carried and said resolution adopted.

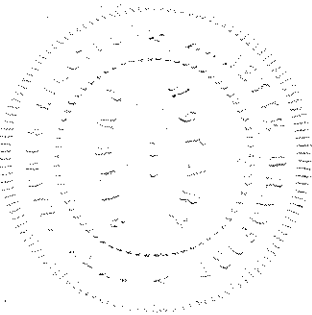
STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me the undersigned authority, Huston Carter, who after first being duly sworn deposes and says that Exhibit "A" attached to the Application of Condemnation is a true and correct copy of the Minutes of The Housing Authority of the City of Bay Minette, Alabama, held on February 26, 1969, pertaining to that special meeting granting the authority, by the Directors, to acquire land as therein written.

Huston Carter
Huston Carter,

Sworn to and subscribed before me on this the 12th day of August, 1969.



Annette Bradford
Notary Public,

BOOK 58-221

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

Condemnor,

vs.

ALBERTA ASKEW THOMAS,

Condemnee.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 6625

ORDER SETTING DATE FOR HEARING

This day came The Housing Authority of the City of Bay Minette, Alabama, and filed in this Court its Petition, in writing, to have condemned, for certain purposes therein stated, certain lands belonging to Alberta Askew Thomas, a description of said property being specifically set forth in said Petition.

It is, therefore, ORDERED, ADJUDGED and DECREED, by the Court, that the 11th day of Sept., 1969, at 9:30 A.M. be appointed a day to hear said Petition, and that notice of the same, and of the day set to hear the same, be given at least ten days before the day set, by personal service upon Alberta Askew Thomas, who resides in Bay Minette, Baldwin County, Alabama, by the Sheriff of Baldwin County, Alabama.

Done this 27th day of August, 1969.

Harry D. Oline
Probate Judge, Baldwin County, Alabama

14¹⁷
THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

Condemnor,

vs.

ALBERTA ASKEW THOMAS,

Condemnee.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6625

NOTICE

TO: ALBERTA ASKEW THOMAS

YOU WILL PLEASE TAKE NOTICE that an application was filed in this Court by The Housing Authority of the City of Bay Minette, Alabama, alleging that it desires to have condemned certain parcels of land set out and described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglassville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North 00° 09' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 00° 09' East 167 feet to a point; thence run East 220 feet; thence run South 167 feet to the North line of said Project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

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.

THIS IS TO NOTIFY YOU that the Probate Court of Baldwin County, Alabama, has, appointed the 11th day of Sept, 1969, at 9:30 A. M. 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 27th day of August, 1969.

(VOL

0 PAGE 681

Amy D'Olive
Probate Judge, Baldwin County, Alabama

7030
15
2
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1
17

BY W. A. Wilk
TAYLOR WILKINS, Sheriff
Sheriff claims 4 miles at 40 Ten Cents per mile Total \$ 1.60
BY W. A. Wilk
TAYLOR WILKINS, Sheriff

By service on _____
I served a copy of the within _____
on Alberta Adams Thomas
and on _____ day of Aug 1969
Received 27 day of Aug 1969

THE HOUSING AUTHORITY OF THE	X	
CITY OF BAY MINETTE, BALDWIN		
COUNTY, ALABAMA,	X	IN THE PROBATE COURT OF
Condemnor,	X	BALDWIN COUNTY, ALABAMA
vs.	X	CASE NO. 6625
ALBERTA ASKEW THOMAS,	X	
Condemnee.	X	

ORDER GRANTING PETITION AND
APPOINTING COMMISSIONERS

This being the day appointed for hearing the Petition of The Housing Authority of the City of Bay Minette to condemn certain property described in said petition, for the uses and purposes therein stated.

And it appearing to the satisfaction of the Court that: Alberta Askew Thomas has had notice of the filing of said petition and of the appointment of this day as a day for hearing the same by citation personally served upon her by the Sheriff of Baldwin County, Alabama, on the 29th day of August, 1969, being at least ten days prior to this day, and further that she did appear at said hearing with her attorney, John Earl Chason.

And the Court having proceeded to hear said Petition, and the evidence submitted in support of same; and it appearing to the satisfaction of the Court from the legal and competent evidence offered by the Petitioner that the averments of said Petition are true and correct.

And it further appearing to the satisfaction of the Court that the tract of land described in said Petition is owned by the person alleged to be the owner thereof, and that such tracts of land are subject to liens, and leases as shown in said Petition, and that the interest sought to be acquired by the Petitioner is an easement over, on and across said tract of land as described in said Petition, and which land when

condemned will be devoted to such uses and purposes, and that it is necessary that said lands be condemned for the purposes and uses set forth in said Petition, and it further appearing to the Court that no objections have been filed to the granting of said Petition, it is, therefore, ORDERED, ADJUDGED, and DECREED, by the Court, that said Petition be, and the same is, hereby granted.

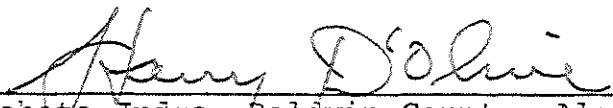
And it further appearing to the satisfaction of the Court that H. E. Long, B. K. Miles and H. H. Robbins are citizens of Baldwin County, Alabama, and possess the qualifications of jurors, and are disinterested and have no interest whatever in this proceeding, and said three persons in all respects competent and qualified to serve as Commissioners to assess and appraise the damages and compensation to which the owner, lienholders, and lessees of said land are entitled.

It is, therefore, ORDERED, ADJUDGED and DECREED, by the Court, that the said H. E. Long, B. K. Miles and H. H. Robbins be, and they are hereby, appointed Commissioners to assess and appraise the damages and compensation to which the owners or each tract of land described in said Petition are entitled, which amount of damages and compensation so awarded each owner shall be subject to all outstanding valid claims, liens and leases, and that said persons so appointed Commissioners have notice of their appointment as such Commissioners by written commission issued to them and served upon them by the Sheriff of Baldwin County, Alabama, and that they be sworn as jurors are sworn under the laws of the State of Alabama; and it is further ORDERED by the Court that such Commission so issued shall show a description of each

FROM
53
100-328

of said tracts of land described in said Petition, and sought to be condemned; and it is further ORDERED, by the Court, that said Commissioners proceed with the assessment of said damages and compensation in the manner prescribed by law, and that they report their findings in writting under oath to this Court for confirmation.

Done this 11th day of September, 1969.



Probate Judge, Baldwin County, Alabama

FILED
58
SEP 29

THE HOUSING AUTHORITY OF THE
 CITY OF BAY MINETTE, BALDWIN
 COUNTY, ALABAMA, X IN THE PROBATE COURT OF

 Petitioner, X BALDWIN COUNTY, ALABAMA

 vs. X CASE NO. 6625

 ALBERTA ASKEW THOMAS, X

 Condemnee. X

COMMISSION TO COMMISSIONERS

TO: H. L. Long, B. K. Mills
 and H. D. Robbins

WHEREAS, The Housing Authority of the City of Bay Minette,
 Alabama, has filed in the Probate Court of Baldwin County, Alabama,
 its Petition seeking to condemn, for public use, certain lands
 claimed to be owned by the Condemnee, Alberta Askew Thomas, which
 is described as follows, to-wit:

Commencing at the Southeast corner of the South-
 east Quarter of the Southwest Quarter of the
 Southwest Quarter, Section 16, Township 2 South,
 Range 3 East, which point is also the Southeast
 corner of Lot 16, Russell's Addition to Douglas-
 ville (an unrecorded plat), thence run West along
 the South line of Section 16, 660 feet, more or
 less to the Southwest corner of said Lot 16,
 thence North 00° 09' East 500 feet, more or less,
 to the point of beginning (Northwest corner of
 Public Housing Project), thence continue North
 00° 09' East 167 feet to a point; thence run
 East 220 feet; thence run South 167 feet to the
 North line of said Project, thence run West 220
 feet along the North line of said Housing Project
 to the point of beginning.

WHEREAS, said Probate Court of Baldwin County, Alabama,
 by its order and decree made on the 11th day of September, 1969,
 has granted said Petition and has appointed you Commissioners to
 assess the damages and compensation to which said alleged owners
 of each of said tracts of land described hereto are entitled, on
 account of the condemnation of said lands for the purposes as set
 out in said Petition, which damages and compensation so awarded
 each owner shall be subject to all outstanding valid claims,
 liens, and leases.

NOW THEREFORE, these presents authorize and commission you to perform your duties as such Commissioners in the manner provided by law.

You are hereby directed, by this Commission, to be sworn as jurors are sworn under the laws of the State of Alabama, and you are further directed to file a certificate along with your award that neither of you have ever been consulted, advised or approached by any person with reference to the value of said lands described in said Petition referred to herein, 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.

You are further commissioned and directed, by these presents, to assess the damages and compensation to which the owners are entitled by reason of the taking and condemnation of said land as set forth in said Petition, and you may view the lands, and must receive all legal evidence offered by any parties touching the amount of damages the said owner will sustain the amount of compensation to be awarded to the said owner, in fixing the amount to be awarded the owner for lands taken for this use.

You are further directed, within twenty days from the date of this Commission, to make and file in this Court a report, in writing, of the amount of damages and compensation ascertained and assessed by you for the said owner of said tracts of land.

Done this the 29th day of September, 1969.


Probate Judge, Baldwin County, Alabama

RECEIVED SPECIAL DELIVERY DIVISION

Received 30 day of Sept 1969
and on 30 day of Sept 1969

I served a copy of the within

on W.E. Long, B.K. Mills
W.H. Dobkins

By service on

TAYLOR WILKINS, Sheriff

By W. O. Talbot D.S.

STATE OF ALABAMA

BALDWIN COUNTY

OATH OF COMMISSIONERS

We, and each of us, do solemnly swear that we will well and truly try all issues submitted to us in the cause now pending in the Probate Court of Baldwin County, Alabama, between The Housing Authority of the City of Bay Minette, Alabama, Petitioners, and Alberta Askew Thomas, Condemnee, the issue submitted to us being the amount of damages and compensation to which the said Alberta Askew Thomas, as owner, and other interested parties are entitled for the condemnation of certain lands for public use as set out in the original petition.

So help us, God.

W. L. Long

B. K. Mills

William H. Webb

Sworn to and subscribed before me on this the 8th day of October, 1969.

Harry D. Olive
Probate Judge, Baldwin County, Alabama

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, BALDWIN
COUNTY, ALABAMA,

Condemnor,

VS.

ALBERTA ASKEW THOMAS,

Condemnee.

)

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)

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)

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6625

CERTIFICATE OF COMMISSIONERS

The undersigned Commissioners do hereby file in the Probate Court of Baldwin County, Alabama, with the foregoing report, this written certificate, and do hereby state and certify that none of the undersigned Commissioners have ever been consulted with, advised with or approached by any person in reference to the value of the said lands involved in the proceedings by The Housing Authority of the City of Bay Minette, Alabama, versus Alberta Askew Thomas, and that neither of them have ever been consulted with, advised with, or approached by any person with reference to the said proceedings to condemn the said lands prior to the assessment of damages and that they knew nothing of the same prior to their appointment, and that they have no interest of any kind in said proceedings to condemn the said lands.

W. L. Long

B. K. Mills

William L. White

Sworn to and subscribed before me on this the 8th day of

October

, 1969.

Harry D'Oliver
Probate Judge, Baldwin County, Alabama

THE HOUSING AUTHORITY OF THE)	
CITY OF BAY MINETTE, BALDWIN)	
COUNTY, ALABAMA,)	IN THE PROBATE COURT OF
Condemnor,)	BALDWIN COUNTY, ALABAMA
VS.)	CASE NO. 6625
ALBERTA ASKEW THOMAS,)	
Condemnee.)	

REPORT OF THE COMMISSIONERS

TO: THE HONORABLE HARRY D'OLIVE, JUDGE OF THE PROBATE COURT OF SAID COUNTY:

The undersigned Commissioners who were heretofore appointed by the Court to assess the damages and compensation to which Alberta Askew Thomas is entitled to by reason of the condemnation of certain lands by The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, for public use in its Neighborhood Development Program Project #A-1, do hereby report as follows:

That after being sworn as required by law; that after viewing the lands and after receiving all the evidence offered by any of the parties touching the amount of damages and compensation to which the owner of same will sustain, and thereby assessing the amount of damages and compensation to which the owner of the said land described in the petition in this cause is entitled, they do report the damages and compensation as follows:

The amount of damages awarded to the said Alberta Askew Thomas, as owner of the lands described in the said petition being \$ 2,505.00.

The above award is subject to any liens which might be of record in the office of the Judge of Probate of Baldwin County, Alabama.

The undersigned do further state that in making such assessments, they have proceeded in strict conformity of the Commission heretofore issued to and served upon them as such Commissioners

and the undersigned do further file with this report and award a certificate showing that the undersigned Commissioners have no interest in the said proceeding.

Done this 8th day of October, 1969.

W. L. Fong

B. K. Mills

William A. Rapp

Sworn to and subscribed before me on this the 8th day
of October, 1969.

Harry Dohine
Probate Judge, Baldwin County, Alabama

BOOK 53 PAGE 225

THE HOUSING AUTHORITY OF THE	X	IN THE PROBATE COURT OF
CITY OF BAY MINETTE, BALDWIN		
COUNTY, ALABAMA,	X	BALDWIN COUNTY, ALABAMA
Condemnor,	X	CASE NO. 6625
vs.	X	
ALBERTA ASKEW THOMAS,	X	
Condemnee.	X	

DECREE OF CONDEMNATION BY PROBATE COURT

This cause coming on to be heard on the report of W. E. Long, Billy K. Mills and Wm. H. Dobbins, Commissioners in this cause, and Petition having been filed in this Court to condemn, for public use in Neighborhood Development Program Project #A-1, certain lands owned by Alberta Askew Thomas, and the Court having heretofore made an order granting said Petition, and said order having been made only after due and legal notice of filing of said Petition, and the appointment of a day for hearing the same have been given to all owners, lienholders, claimants, lessees and mortgagees and other persons alleged to have any interest in the lands described in this Petition, and the said order having been made only after proof by legal and competent evidence of the averments of the said petition,

And the Court having in its order made on the 11th day of September, 1969, appointed W. E. Long, Billy K. Mills and Wm. H. Dobbins, as Commissioners to assess and appraise the damages and compensation to which the owners of the said lands are entitled, and the said Commissioners having filed in this Court their report showing that after having first been sworn as jurors are required to be sworn, they proceeded to assess the damages and compensation to which the owners of the tracts of land described in the said report and the original Petition, in this cause, for public use, and as described in the said Petition, and that after they have viewed the said lands and had received all evidence offered touching

on the amount of damages and compensation to which the said owners are entitled;

And it further appearing from the said report that the amount of damages and compensation awarded to Alberta Askew Thomas, on account of the lands described in the original petition and the said report of the Commissioners, being required by The Housing Authority of the City of Bay Minette, Alabama, for the purposes described in the petition, was \$2,505.00;

And it further appearing to the satisfaction of the Court that Petitioner is entitled to have all of the lands described in the said petition condemned for the purposes described in the said petition, in this cause, and that Petitioner is entitled to have the said lands condemned as stated in the Petition in this cause;

And it appearing to the satisfaction of the Court that Petitioner has already paid into Court the amount of money awarded by the said Commissioners to the said owners, which said awards are subject to all outstanding valid claims, liens, leases and mortgages, for the condemnation of the lands described in the said report of said Commissioners and described in the original petition in this cause, and has also paid all the Court Costs in this cause;

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the lands described herein, namely:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter, Section 16, Township 2 South, Range 3 East, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville (an unrecorded plat), thence run West along the South line of Section 16, 660 feet, more or less to the Southwest corner of said Lot 16, thence North 00° 09' East 500 feet, more or less, to the point of beginning (Northwest corner of Public Housing Project), thence continue North 00° 09' East 167 feet to a point; thence run East 220 feet; thence run South 167 feet to the North line of said Project, thence run West 220 feet along the North line of said Housing Project to the point of beginning.

BOOK 53 PAGE 692

and in the petition filed herein be, and the same are hereby condemned for public use and Neighborhood Development Program, Project #A-1, and such other purposes as are set out in the original petition filed herein, and that the Petitioner shall have the right to immediate possession and right of entry in and to the said lands and to subject said lands for uses and purposes as set forth in the original petition herein and such lands are condemned for the uses and purposes originally stated in the original petition and against all parties having an interest therein, and who are made party Respondents in this proceeding and are hereby especially condemned against the interests of Alberta Askew Thomas.

It is further ORDERED, ADJUDGED and DECREED by the Court that all papers in this proceeding be recorded.

Done this 9th day of October, 1969.



Probate Judge, Baldwin County, Alabama

Parcel 2

The Housing Authority of
the City of Bay Minette,
Baldwin County, Ala.

IN THE CIRCUIT COURT OF

VS:

BALDWIN COUNTY, ALABAMA

Alberta Askew Thomas

AT LAW, CASE NO. 2981

"We the jury find in favor of the landowners, and assess the damages at
\$3200.00."

Tomar Norrell
Foreman.