

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

X

Condemnor,

X

VS.

X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

ALBERTA ASKEW THOMAS, and
BALDWIN COUNTY BANK,

X

CASE NO. 8982

X

Condemnees,

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:

Lot 8, of Block 1 of Douglasville Subdivision as per plat which is recorded in Misc. Book 1 page 334, Baldwin County, Alabama Probate Records LESS: Beginning at the Southwest corner of Lot 8, Block 1, Douglasville as per Misc. Book 1, page 334, Baldwin County, Alabama Probate Records thence East 65 feet to a point; thence North 65 feet to a point; thence West 65 feet to a point; thence South 65 feet to the point of beginning.

BOOK 401 PAGE 882

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 THIRTEEN THOUSAND DOLLARS (\$13,000.00), 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 Morell, 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 land-owner, and assess the damages at \$13,000.00.

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 THIRTEEN THOUSAND DOLLARS (\$13,000.00), 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 provisions 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 decree is on file and enrolled in my office.
WITNESS MY HAND AND SEAL THIS THE 16 day of Mar, 1970

STATE OF ALABAMA,
BALDWIN COUNTY

I certify that this instrument was filed on

MAR 18 1970

and that no tax was collected. Recorded in

Book 401 Sherry Deline
Page 882-841 Judge of Probate

By _____

VOL

0 PAGE 727

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 heretofore 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 provisions of Section 26, Title 19, 1940 Alabama Code.

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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, the deed records thereof and the costs thereof be taxed as part of the costs of this cause.

Done this 14th day of March, 1970.

Telfair J. Mashburn, Circuit Judge
Telfair J. Mashburn

Allice I. 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 decree is on file and enrolled in my office.

WITNES MY HAND AND SEAL THIS 14th day of March, 1970.

Allice I. Duck, Register of the Circuit Court of Baldwin County, Alabama.

STATE OF ALABAMA
BALDWIN COUNTY

I certify that this instrument was filed on MAR 18 1970 3:34 PM

and that no tax was collected. Recorded in Book 11 Page 111

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W. L. W. & P. B. W.

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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