

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

Condemnor,

Vs.,

PRINCE GRIFFIN, as Executor
of the Estate of H.M. Parsons,
Dec., ANNIE P. MOORER, VADA
P. POTTS, GOLDA P. GRIFFIN,
JAMES G. McCARTHA and IRMA
McCARTHA,

Condemnees.

IN THE PROBATE COURT OF


BALDWIN COUNTY, ALABAMA

CASE NUMBER: 6795

DECREE OR ORDER ON APPEAL

Notice of appeal in the above styled cause of action
having been presented to the court, and the same being
understood by the court, the appeal above prayed for is
granted to the Circuit Court of Baldwin County, Alabama.

DATED this 13th day of February, 1970.



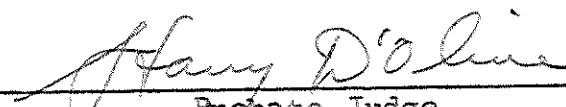
Probate Judge.

NOTICE OF APPEAL, DECREE THEREON
AND SERVICE ON PARTIES

To: The Housing Authority of the City of Bay Minette, Baldwin
County, Alabama:

You are hereby notified that the above notice of appeal
was filed in the Office of the Probate Judge, Baldwin County,
Alabama, on the 13th day of February, 1970.

WITNESS my hand on this the 13th day of February, 1970.




Probate Judge.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to serve the foregoing notice of
appeal upon The Housing Authority of the City of Bay Minette,
Baldwin County, Alabama, and make due return to this court of
such service.

DATED the 13th day of February, 1970.



Probate Judge

CERTIFICATE

I, Stephen A. McMillan, the duly appointed, qualified
and acting Secretary of The Housing Authority of
the City of Bay Minette, Alabama, do hereby certify that the
attached extract from the minutes of the Special
meeting of the Commissioners of said Authority,
held on October 15, 1969, is a true and correct copy of the
original minutes of said meeting on file and of record insofar as said
original minutes relate to the matters set forth in said attached extract,
and I do further certify that the copy of the Resolution appearing in said
attached extract is a true and correct copy of the Resolution adopted at said
meeting and on file and of record.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said
Authority this 13th day of January, 1970.

Stephen A. McMillan
Secretary

(SEAL)

STATE OF ALABAMA

BALDWIN COUNTY

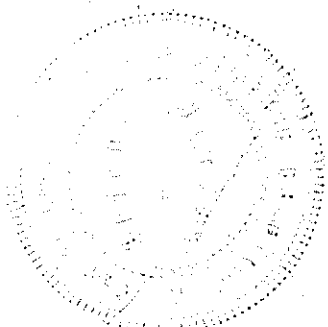
Personally appeared before me the undersigned authority, Stephen A. McMillan, who after first being duly sworn deposes and says that Exhibit "A" attached to the Application of Condemnation is a true and correct copy of the Minutes of The Housing Authority of the City of Bay Minette, Alabama, held on October 15, 1969, pertaining to that special meeting granting the authority, by the Directors, to acquire land as therein written.

Stephen A. McMillan
Stephen A. McMillan

Sworn to and subscribed before me on this the 13th day of

January, 1970.

Anneth Bradford
Notary Public, Baldwin County, Alabama



THE HOUSING AUTHORITY OF THE
CITY OF RAY MINETTE, BALDWIN
COUNTY, ALABAMA, X

Condemnor X

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6795

vs.
PRINCE GRIFFIN, as Executor of the Estate
of H.M. Parsons, Dec.; ANNIE P. MOORER;
VADA P. POTTS; GOLDA P. FRIEDHOFF; NETTLE
P. WILLIAMS; MARGARET P. GRIFFIN; JAMES
G. McCARTHA; IRMA E. McCARTHA; McGHEE TEMPLE
CHURCH OF GOD IN CHRIST, INC., a Corp.;
C.H. GAHAN; JOHNNY TAYLOR, IDA McCALL,
BESSIE PLEASANT, ALLEN MASON and A. T.
McGHEE, Trustees of McGhee Temple Church
of God in Christ, Inc., a Corp.; MAMIE
KELLY, and AUBREY SMITH, ~~Baldwin~~
County Alabama

Condemnees. X

ORDER SETTING DAY TO HEAR AND CONSIDER PETITION FOR
CONDEMNATION OF LAND

This day came The Housing Authority of the City of
Ray Minette, by and through Harry J. Wilters, Jr., Attorney, and
filed its application, in writing, seeking to condemn or acquire
certain rights and interest therein described and alleged to be
owned by Prince Griffin, as Executor of the Estate of H.M. Parsons,
Dec.; Annie P. Moorers; Vada P. Potts; Golda P. Friedhoff;
Nettie P. Williams; Margaret P. Griffin; James G. McCartha;
Irma E. McCartha; McGhee Temple Church of God in Christ, Inc.,
a Corp.; C. H. Gahan; Johnny Taylor, Ida McCall, Bessie
Pleasant, Allen Mason and A. T. McGhee, Trustees of McGhee
Temple Church of God in Christ, Inc., a Corp.; Mamie Kelley
and Aubrey Smith. It appearing to the Court that said application com-
plies with the Statutes of the State of Alabama, in such cases
made and provided, and that the applicant is entitled to file
such application in this Court:

It is, therefore, CONSIDERED, ORDERED and DECREED by
the Court that this Court has and does take jurisdiction of the
said application and that the 27th day of January, 1970,
at 9:30 A M. be and is hereby appointed as a day for hear-
ing thereof.

It is further ORDERED by the Court that notice of said
application and of the day appointed for the hearing thereof be
given all residents of the State of Alabama
by citation to be personally served on them at least ten (10)
days prior to the 27th day of January, 1970.

Given under my hand this 15th day of January,
1970.

Harry D'Olive
Probate Judge, Baldwin County, Ala.

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

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

vs. Condemnor.

CASE NO. 6795

PRINCE GRIFFIN, as Executor of the Estate
of H.M. Parsons, Dec.; ANNIE P. MOORER;
VADA P. POTTS; GOLDA P. FRIEDHOFF; NETTIE
P. WILLIAMS; MARGARET P. GRIFFIN; JAMES
G. MCCARTHA; IRMA E. MCCARTHA; MCGHEE TEMPLE
CHURCH OF GOD IN CHRIST, INC., a Corp.
C.H. GAHAN; JOHNNY TAYLOR, IDA MCCALL,
BESSIE PLEASANT, ALLEN MASON and A. T.
MCGHEE, Trustees of McGhee Temple Church
of God in Christ, Inc., a Corp.; MAMIE
KELLY, and AUBREY SMITH, Baldwin County,

Condemnees.

NOTICE

TO

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:

A parcel of land lying in the North half of Section 21, Township
2 South, Range 3 East, described as follows: Beginning at a point
on the North right-of-way line of the New Hurricane Road, which
point is 140 feet East of the Southeast corner of Lot 8, Block 1,
as shown on a plat of Douglasville, recorded in Map Book 1, page
334 in the office of the Judge of Probate of Baldwin County, Alabama,
from said point of beginning, run thence North 152.20 feet to a
point on the South line of the Old Hurricane Road, thence run East
along the said South line 177 feet to a point, thence run South
143.47 feet to a point on the North line of New Hurricane Road,
thence West along the said North line 177 feet to the point or
place 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 acquis-
ition by the Applicant.

THIS IS TO NOTIFY YOU that the Probate Court of
Baldwin County, Alabama, has appointed the 27th day of January
19 70 at 9:30 A. M. as the day and time upon which said
application will be heard. at which time and place, you may
appear and contest the same, if you choose to do so.

Done this 15th day of January, 1970.

Harry D. Olive
Probate Judge, Baldwin County, Ala.

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

Condemnor, X

vs. X

PRINCE GRIFFIN, as Executor of the
Estate of H.M. Parsons, Dec.; ANNIE
P. MOORER; VADA P. POTTS; GOLDA P.
GRIFFIN; JAMES G. McCARTHA; IRMA E.
McCARTHA; MCGHEE TEMPLE CHURCH OF
GOD IN CHRIST, INC., a Corp.; C.H.
GAHAN; JOHNNY TAYLOR, IDA McCALL,
BESSIE PLEASANT, ALEN MASON and X
A.T. MCGHEE, Trustees of McGhee
Temple Church of God in Christ, Inc.
a Corp; MAMIE KELLY, and AUBREY
SMITH, BALDWIN COUNTY, ALABAMA, X

Condemnees

ORDER GRANTING PETITION AND
APPOINTING COMMISSIONERS

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6795

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

And it appearing to the satisfaction of the Court that
the above named Condemnees, and each one of them
have had notice of the filing of said petition and of the appointment
of this day as a day for hearing of the same as required by law, and
that at least ten days have passed since said notice, and further
that C. LeNoir Thompson, Attorney at Law, appeared for Condemnees,
and some of which appeared in person at said hearing.

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 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 tracts of land described in said Petition are owned by the persons alleged to be the owners thereof, and that such tracts of land are subject to liens, and leases as averred and shown in said Petition, and that the interest sought to be acquired by the Petitioner is for public use, and which lands, 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 W. E. Long, B. K. Mills and Donald Cain 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, are competent and qualifie to serve as Commissioners to assess and appraise the damages and compensation to which the owners, lienholders, and lessees of said lands are entitled.

It is, therefore, ORDERED, ADJUDGED and DECREED, by the Court, that the said W. E. Long, B. K. Mills and Donald Cain, be, and they are hereby, appointed Commissioners to assess and appraise the damages and compensation to which the owners of each tract of land described in said Petition are entitled, which amount of damages and compensation so awarded each owner and that said persons so appointed Commissioners have notice of their appointment as such Commissioner 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 tract of land and the owners, lienholders, lessees, and mortgagees to each 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 as prescribed by law, and that they report their findings, in writing, under oath, to this Court for confirmation.

Done this 27th day of January, 19 70.

Harry D'Olive
Probate Judge, Baldwin County, Ala.

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

X

X

Condemnor,

X

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

vs.

X

PRINCE GRIFFIN, as Executor of the
Estate of H.M. Parsons, Dec.; ANNIE
P. MOORER; VADA P. POTTS; GOLDA P.
GRIFFIN; JAMES G. McCARTHA; IRMA E.

CASE NO. 6795

McCARTHA; McGHEE TIMPLE CHURCH OF
GOD IN CHRIST, INC., a Corp.; C. M.
GAFAM; JOHNNY TAYLOR, IDA McCALL,
BESSIE PLEASANT, ALLEN MASON and
A.T. McGHEE, Trustees of McGhee Temple,
Church of God in Christ, Inc., a Corp.

MAMMIE KELLY, AUBREY COMMISSION TO COMMISSIONERS
SMITH, and BALDWIN COUNTY, ALA.

TO:

W. E. Long

B. K. Mills

and

Donald Cain

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 above named
and described as follows:

A parcel of land lying in the North half of
Section 21, Township 2 South, Range 3 East,
described as follows: Beginning at a point
on the North right-of-way line of the New
Hurricane Road, which point is 140 feet East
of the Southeast corner of Lot 8, Block 1 as
shown on a plat of Douglasville, recorded in
Map Book 1, page 334 in the office of the Judge
of Probate of Baldwin County, Alabama, from said
point of beginning, run thence North 152.20 feet
to a point on the South line of the Old Hurricane
Road, thence run East along the said South line
177 feet to a point, thence run South 143.47 feet
to a point on the North line of New Hurricane Road,
thence West along the said North line 177 feet to
the point or place of beginning.

WHEREAS, said Probate Court of Baldwin County, Alabama, by its order and decree made on the 27th day of January, 19 70, has appointed you Commissioner to assess the damages and compensation to which said alleged owners of each of said tracts of land described herein are entitled on account of condemnation of said lands for the purposes as set out in the 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 herein, or the proceedings to condemn the said lands, 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 to by reason of the taking and condemnation of said lands 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 owners will sustain, the amount of compensation to be awarded to the said owners in fixing the amount to be awarded the owners of 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 owners of said tracts of land.

Done this the 27th day of January, 19 70.

Harry D. Olive
Probate Judge, Baldwin County, Ala.

40.00 <
14.75 -
25.25 *

5,700.00 <
3,172.50 -
302.00 -
120.00 -
2,105.50 *

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

Condemnor,

vs.

PRINCE GRIFFIN, as Executor of
the Estate of H.M. Parsons, Dec.,
Et Al.

Condemnees

CERTIFICATE OF COMMISSIONERS

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 6795

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, advused 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 Prince Griffin, as Executor of the Estate of H. M. Parsons, Deceased, et al., 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. C. Long

Donald C. ...

B. H. ...

Sworn to and subscribed before me on this the 29th
day of January, 19 70.

Harry D'olive
Probate Judge, Baldwin County, Ala.

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, Condemnor Prince Griffin, as Exec. of the Est. of H.M. Parsons, Dec.; Annie P. Moorer; Vada P. Potts; Golda P. Griffin; James G. McCartha; Irma and McCartha; McGhee Temple Church of God in Christ, Inc., a Corp.; (and Trustees) Mamie Kelly, Aubrey Smith, C.H. Gahan, and Baldwin County, Alabama, Condemnees, the issue submitted to us being the amount of damages

and compensation to which the said Condemnees

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. C. Long
Donald E. ...
B. H. Mills

Sworn to and subscribed before me on this the 29th
day of January, 19 70.

Harry D'Olive
Probate Judge, Baldwin County, Ala.

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

Condemnor,

vs.

PRINCE GRIFFIN, as Executor of the Estate
of H.M. Parsons, Dec.,; ANNIE P. MOORER;
VADA P. POTTS; GOLDA P. GRIFFIN; JAMES G.
McCARTHA; IRMA McCARTHA; McGHEE TIMPLE
CHURCH OF GOD IN CHRIST, INC., a Corp.;
C.H. GAHAN; JOHNNY TAYLOR, IDA McCALL,
BESSIE PLEASANT, ALLEN MASON and A.T.
McGHEE, Trustees of McGhee Temple Church
of God in Christ, Inc., a Corp. MAMIE KELLY,
AUBREY SMITH, and BALDWIN
COUNTY, ALABAMA, Condemnees

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 6795

REPORT OF THE COMMISSIONERS

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

The undersigned Commissioners who were heretofore
appointed by the Court to assess the damages and compensation to
which the above named Condemnees
are 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 owners of same will sustain, and thereby assessing the
amount of damages and compensation to which the owners of the said
lands described in the Petition in this cause are entitled, they do
report the damages and compensation as follows:

The amount of damages awarded to the said
as owner of the lands described in the said petition being

\$ 39,925.00.

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 29th day of January, 19 70.

W. L. Long

Donald Lee

B. K. Mills

Sworn to and subscribed before me on this the 29th day of January, 19 70.

Harry D. Olive
Probate Judge, Baldwin County, Ala.

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

X

X

vs. Condemnor,

X

PRINCE GRIFFIN, as Executor of the Estate
of H.M. Parsons, Dec.; ANNIE P. MOORER;
VADA P. POTTS; GOLDA P. GRIFFIN; JAMES G.
McCARTHA; IRMA McCARTHA; MCGHEE TEMPLE
CHURCH OF GOD IN CHRIST, INC., a Corp.;
C.H. GAHAN; JOHNNY TAYLOR, IDA McCALL,
BESSIE PLEASANT, ALLEN MASON and A.T.
McGHEE, Trustees of McGhee Temple Church
of God in Christ, Inc., a Corp. MAMIE KELLY,
AUBREY SMITH, and BALDWIN COUNTY, ALABAMA,

X

X

X

X

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6795

Condemnees.

DECREE OF CONDEMNATION BY PROBATE COURT

This cause coming on to be heard on the report of

W. E. Long, B. K. Mills and Donald Cain

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 the above named Condemnees, 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 27th
day of January, 1970, appointed W. E. Long
B. K. Mills and Donald Cain

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 the within named Condemnees 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 \$ 39,925.00 ;

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, 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:

A parcel of land lying in the North half of Section 21, Township 2 South, Range 3 East, described as follows: Beginning at a point on the North right-of-way line of the New Hurricane Road, which point is 140 feet East of the Southeast corner of Lot 8, Block 1 as shown on a plat of Douglasville, recorded in Map Book 1, page 334 in the office of the Judge of Probate of Baldwin County, Alabama, from said point of beginning, run thence North 152.20 feet to a point on the South line of the Old Hurricane Road, thence run East along the said South line 177 feet to a point, thence run South 143.47 feet to a point on the North line of New Hurricane Road, thence West along the said North line 177 feet to the point or place of beginning.

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

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

Done this the 29th day of January, 1970.



Probate Judge, Baldwin County, Ala.

EXHIBIT "B"

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

Condemnor,

vs.

PRINCE GRIFFIN, as Executor of the
Estate of H. M. Parsons, Dec.;
ANNIE P. MOORER; VADA P. POTTS;
GOLDA P. GRIFFIN;
JAMES G. McCARTHA; IRMA McCARTHA;
McGHEE TEMPLE CHURCH OF GOD IN
CHRIST, INC., a Corp.; C. H. GAHAN;
JOHNNY TAYLOR, IDA McCALL,
BESSIE PLEASANT, ALLEN MASON and
A. T. McGHEE, Trustees of McGhee
Temple Church of God in Christ,
Inc., a Corp. MAMIE KELLY,
AUBREY SMITH, and
BALDWIN COUNTY, ALABAMA,

Condemnees.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 6795

DECREE OF CONDEMNATION BY PROBATE COURT

This cause coming on to be heard on the report of W. E. Long, B. K. Mills and Donald Cain 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 the above named Condemnees, 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 27th day of January, 1970, appointed W. E. Long B. K. Mills and Donald Cain 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 the within named Condemnees 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 \$39,925.00;

And it further appearing to the satisfaction of the Court that Petitioner is entitled to have all of the lands described

Exhibit "B" Continued

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:

A parcel of land lying in the North half of Section 21, Township 2 South, Range 3 East, described as follows: Beginning at a point on the North right-of-way line of the New Hurricane Road, which point is 140 feet East of the Southeast corner of Lot 8, Block 1 as shown on a plat of Douglasville, recorded in Map Book 1, page 334 in the office of the Judge of Probate of Baldwin County, Alabama, from said point of beginning, run thence North 152.20 feet to a point on the South line of the Old Hurricane Road, thence run East along the said South line 177 feet to a point, thence run South 143.47 feet to a point on the North line of New Hurricane Road, thence West along the said North line 177 feet to the point or place of beginning.

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 interest of

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

Done this the 29th day of January, 1970.

/s/ Harry D'Olive
Probate Judge, Baldwin County, Ala.

BOOK 54 PAGE 729 [through 731]

EXHIBIT "C"
THE HOUSING AUTHORITY OF THE
CITY OF EATONVILLE, BALDWIN
COUNTY, ALABAMA,

Condemnor,

vs.,

PRINCE GRIFFIN, as Executor of the
Estate of H.M. Parsons, Dec.;
ANNIE P. MOORER; VADA P. POTTS;
GOLDA P. GRIFFIN; JAMES G.
McCARTHA; IRMA McCARTHA,

Condemnees.

X

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X

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IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

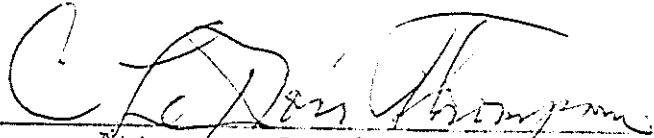
CASE NUMBER: 6795

NOTICE OF APPEAL

Now comes Prince Griffin, as Executor of the Estate of
H. M. Parsons, Dec., Annie P. Moorner, Vada P. Potts, Golda
P. Griffin, James G. McCartha and Irma McCartha, six of
the Condemnees in the above entitled cause, and appeals to
the Circuit Court of Baldwin County, Alabama, from the
final order of condemnation heretofore made and entered
in this cause on, to-wit, January 29, 1970.

The said Condemnees demand a trial of the said cause
by jury.

Dated this 13th day of February, 1970.


Attorney for Condemnees

STATE OF ALABAMA, BALDWIN COUNTY

Filed Feb. 13, 1970

Recorded *Minister* book *54* page *734*
Harry D. O'Brien
Judge of Probate

EXHIBIT "D"

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

Condemnor,

Vs.,

PRINCE GRIFFIN, as Executor of the
Estate of H. M. Parsons, Dec.,
ANNIE P. MOORER, VADA P. POTTS,
GOLDA P. GRIFFIN,
JAMES G. McCARTHA and IRMA McCARTHA,

Condemnees,

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IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NUMBER: 6795

DECREE OR ORDER ON APPEAL

Notice of appeal in the above styled cause of action having
been presented to the court, and the same being understood by
the court, the appeal above prayed for is granted to the Circuit
Court of Baldwin County, Alabama.

DATED this 13th day of February, 1970.

/s/ Harry D'Olive
Probate Judge

NOTICE OF APPEAL, DECREE THEREON AND
SERVICE ON PARTIES

To: The Housing Authority of the City of
Bay Minette, Baldwin County, Alabama:

You are hereby notified that the above notice of appeal was
filed in the Office of the Probate Judge, Baldwin County,
Alabama, on the 13th day of February, 1970.

WITNESS my hand on this the 13th day of February, 1970.

/s/ Harry D'Olive
Probate Judge

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to serve the foregoing notice of
appeal upon The Housing Authority of the City of Bay Minette,
Baldwin County, Alabama, and make due return to this court of
such service.

DATED the 13th day of February, 1970.

/s/ Harry D'Olive
Probate Judge

EXHIBIT "E"

Extract from the proceedings entitled:

THE HOUSING AUTHORITY OF THE CITY OF BAY MINETTE,

Plaintiff,

VS.

PRINCE GRIFFIN, AS EXECUTOR, ET AL.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,

AT LAW NO. 9170

COURT'S ORAL CHARGE TO THE JURY

LADIES AND GENTLEMEN OF THE JURY: As I told you in my preliminary statement to you, this is what is known as a condemnation case. Condemnation is the term applied to the process whereby a public authority, whether (sic) it be the State or the City or the County or the Federal Government can acquire property belonging to an individual for the use of the public generally. Under our Constitution and Laws the various governmental bodies do have that authority and as I told you in the beginning, you have no question to decide concerning the right of the Housing Authority to take this land; that is a legal matter and that is decided by the Court - by the Judge, and it has already been decided that the Housing Authority has the authority and the right to take these lands and these buildings, so don't go back there and waste your time worrying about that; that is not for you to consider. The constitution also says that where private property is taken for the benefit of the public, then the owner is entitled just and fair and reasonable compensation for his property. You have heard during the course of this trial the term "reasonable market value" and legally reasonable market value is defined in this way: The reasonable market value of a piece of property is that amount in dollars which that property would bring assuming that it is put up for sale by an owner who is under no compulsion to sell; he does not have to have the money; he doesn't have a mortgage past due and the government is not after him for income tax; he just owns some property and if a man comes along and offers him a price that appeals to his fancy he will sell; he is not wanting to sell and not anxious to sell. You also assume you have a purchaser that has ample money and he can buy any piece of property that strikes his fancy as long as he gets what he considers a bargain. When you get those two people together and the purchaser knows what the property can be used for, he doesn't have to buy it, but if he considers it a good buy he can buy it and you get that seller and that buyer together, then the price that those two get together on is what constitutes reasonable market value. We are fortunate in this case; in many cases we are taking just a part of the property and we have to determine the value before and then the value of the part left, and the difference is what the land owner is entitled to. Today they are taking all - the land owners there - the whole group of them - will have nothing left because all of these buildings and - - the buildings will be torn down and the property used for whatever purposes the Housing Authority is taking the property and that has nothing to do with the case.

Now you are the sole judges of the evidence; the law says that the jury should observe each witness as he testified to you from this stand; you should take into account his demeanor while

Exhibit "E" Continued

he was testifying; did he apparently, or did he give the appearance of a person trying to tell the truth? What opportunity did he have to see and know the facts about which he testified? Where he gave an opinion, and most of the witnesses who testified gave you their opinion as to the reasonable market value of this property, and these improvements, and where a person gives his opinion the law says a jury should consider what facts and what opportunity did he have to get the proper facts on which to base that opinion. After all my opinion on a subject is no better than the facts on which I base that opinion and that is a matter that you, as jurors have to determine.

The law says that it is the duty of the jury to reconcile the testimony of every witness that testified; he swore to tell the truth and the law presumes that he is attempting to tell the truth and the law says the jury should take all of the evidence and attempt to reconcile it; if you can not (sic) reconcile it - that is the reason we have juries, it is your duty and your burden to take that part that you feel worthy of belief or that you feel is the best evidence and disregard that part that you feel unworthy of belief, or unable to reconcile with the rest of the testimony, then having given the weight that you feel each bit of testimony is entitled to receive, then to arrive at your verdict as to what was the reasonable amount that should be paid to the land owners and property owners here in damages for the taking of their property and their buildings.

Ordinarily, people that give you an opinion have to be experts; you heard the lawyers when they put an appraiser on the stand and asked him about his training; naturally the better training or the more experience usually the better his opinion would be, but the law says in considering his opinion you have a right to consider it in the light of your own common, every day (sic) horse sense - your own business experience, and your own knowledge of what values lands and buildings are worth; you don't substitute your opinion for his, but you consider his opinion along with your every day (sic) horse sense and you give to the opinion evidence that weight that you feel it is entitled to receive.

Now the law says that a land-owner has a right to get up here and tell you what he thinks his land or property is worth, even if he has never bought anything except the one piece, and that is the reason I let the trustees testify as to what they thought the value of the church is, because I put them in the same position as land owners. They are not experts, but the law says, as a land owner when you take my property I have a right to get up here and tell you what I consider it is worth, and the law says that you are not to just completely disregard any testimony by reason of the fact I am a land owner, but at the same time you do have the right to consider my testimony in the light that I am the owner and I stand to profit or lose by the verdict of the jury in this case.

Now after considering all of the testimony in this case, when you have arrived at a verdict as to what is the reasonable value of all of this property - - you start off as I told you in the beginning, assign a value to all of that property across there - I believe the testimony is 177 feet on Old Hurricane road and about the same on Hurricane Road and you remember the dimensions on each side and remember it had the Church building on it, and had the little cypress house and had a three room house. First of all, arrive at a value for the whole thing; that is what will be awarded to the whole group, and then to help you and help me, because this will be my burden if you didn't help me with it. I have also put a place here for the jury to assess the value of the Church - whatever amount you give for the Church Building

Exhibit "E" Continued

itself fill that in, and when I say the Church Building, put the land itself on and the value of the 50 foot lot you have heard part of the Church is on - there is some mistake, but we are not concerned on that; some how (sic) they built the Church on somebody else's land and that man wants pay for that, and, this is: We, the jury assess (sic) the value of the 50 foot lot for so many dollars, and we, the jury assess the value of the cypress house for so many dollars - you can use that in arriving at the amount, and then, we, the jury assess the value of the three room house at such and such amount. The main one is the first one - the total amount - that is what the Housing Authority will have to pay, and they are not concerned on how it is divided, but I, and all of the rest of these people are sure concerned with how it is to be divided up, and if you will do that it will help me - After you have done that, fill in the amount and let one of your number sign it as foreman.

THE COURT: Are there any objections?

REPORTER'S NOTE: There are no objections.

THE COURT: You may retire to make up your verdict.

EXHIBIT "F"

THE HOUSING AUTHORITY OF BAY MINETTE

VS:

PRINCE GRIFFIN, As Executor, et al

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW, CASE NO. 9170

We the Jury find in favor of the landowners, and assess the damages at \$48,940.00.

We the Jury assess the value of the Church for: \$41,150.00.

We the Jury assess the value of the 50 foot lot for: \$1,000.00.

We the Jury assess the value of the Cypress house for: \$800.00.

We the jury (sic) assess the value of the **3**-room house for:
\$3,350.00.

/s/ Harry J. Wells
Foreman

No. 6795In the matter of Housing Authority vs Prince Griffer, et al

Administrator, Executor, or Guardian. Residence _____

Attorneys Harry J. Wilkins, 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, 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	20.75
1-15-70 -	Recd. pet. w/ Exhibits	8.75		W. E. Long	75.00
1-27-70 -	" Order set. day	1.00		D. K. Mills	75.00
✓	" Grant. pet. etc.	250		Donald Cain	75.00
✓	" Comm. to Comm.	225			
✓	" Cert. of Comm.	100			
	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 Appraisalment, 50c Issuing Order of Appraisalment, 25c Recording same, per hundred words, 15c			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	
1-29-70	Certified Copy Letters, 50c	75			
✓	Order of Comm.	150			
✓	Rec. of Comm.	300			
	Decree				
	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	20.75		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	
	APPRAISEMENT—Order Approving Rec., 50c Affidavit to same, 25c Recording same, per 100 words, 15c Issuing Order of Appraisalment, 25c Recording Warrant, per 100 words, 15c Order to Approve Appraisalment, 50c Affidavit to Appraisalment, 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	
	SALE OF PERISHABLE PROPERTY— Petition, 25c Recording same, per 100 words, 15c Granting Order of Sale, 50c Issuing Order of Sale, 25c Appointing, Notifying Guardian ad Litem, 50c Affidavit to Report, 25c Recording, per 100 words, 15c			Taylor Wilkins, Sr.	7.50
	CARRIED FORWARD:				252.25

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 _____

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90. The Department of the Coast Guard	90
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98. The Department of the Coast Guard	98
99. The Department of the Marine Corps	99
100. The Department of the Navy	100

Attorneys

Form 1575—ROBERTS & SON, BIRMINGHAM

[illegible]

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

Condannor,

vs.,

PRINCE GRIFFIN, as Executor of the
Estate of H.M. Parsons, Dec.;
ANNIE P. MOORER; VADA P. POTTS;
GOLDA P. GRIFFIN; JAMES G.
Mc CARTER; IRMA Mc CARTER,

Condannees.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NUMBER: 6795

NOTICE OF APPEAL

Now comes Prince Griffin, as Executor of the Estate of
H. M. Parsons, Dec., Annie P. Moorer, Vada P. Potts, Golda
P. Griffin, James G. McCartha and Irma McCartha, six of
the Condannees in the above entitled cause, and appeals to
the Circuit Court of Baldwin County, Alabama, from the
final order of condemnation heretofore made and entered
in this cause on, to-wit, January 29, 1970.

The said Condannees demand a trial of the said cause
by jury.

Dated this 13th day of February, 1970.

C. L. Orr Thompson
Attorney for Condannees

*I, Roy J. Walling, atty for the Condannees
accepts service of the above notice*

Roy J. Walling

*Filed 2-13-70
Minutes Book 54, Page 734
Harry D'Almeida,
Judge of Probate*

Recorded

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

Condannor, BALDWIN COUNTY, ALABAMA

vs.

I CASE NO. 6795

PRINCE GRIFFIN, et al. I

Condemnees. I

Comes now, Tolbert M. Brantley, Attorney for Wilson Hayes,
the General Administrator for the Estate of Lillie C. Bush, deceased,
in the Probate Court of Baldwin County, Alabama, case #4857, and
moves the Court to take judicial notice of the said administration
and the claim filed therein by William M. Hall in the amount of
\$302.00 and further that the costs of the administration be taxed
against the proceeds paid into the Court by the said Housing
Authority for Aubrey Smith and Mamie Kelly, heirs of the said
decedant!


Tolbert M. Brantley

STATE OF ALABAMA, BALDWIN COUNTY

FILED Jan 2, 1970

Notary Public

Judge of Probate

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

X

IN THE PROBATE COURT OF

Condemnor,

X

BALDWIN COUNTY, ALABAMA

vs.

X

CASE NO. 6795

PRINCE GRIFFIN, et al.

X

Condemnees.

X

It appearing to the Court that Mamie Kelly and Aubrey Smith are the sole surviving heirs of Lillie C. Bush, whose property was condemned by the above styled Housing Authority, and that their portion of the proceeds shall be subject to the claim of William M. Hall which was filed in the said estate and the costs of the administration of the said estate.

It is further ORDERED and DECREED that the Decree of Condemnation be hereby amended and damages subject to the claim of William M. Hall and the costs of the administration of the estate of Lillie C. Bush, deceased.

Done this 3rd day of Feb., 1970.

Harry D'Olive
Probate Judge, Baldwin County, Alabama

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

Condemnor,

Vs.,

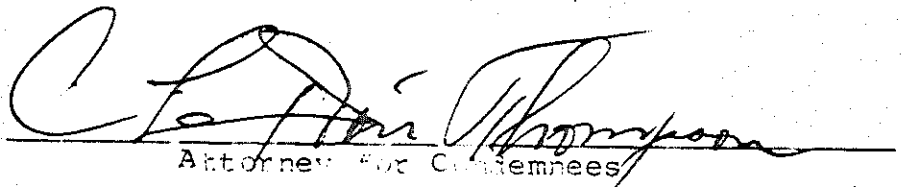
BALDWIN COUNTY, ALABAMA

PRINCE GRIFFIN, as Executor
of the Estate of H.M. Parsons,
Dec., ANNIE P. MOORER, VADA
P. POTTS, GOLDA P. GRIFFIN,
JAMES G. McCARTHA and IRMA
McCARTHA,

CASE NUMBER: 6795

Condemnees.

I acknowledge myself as surety for the costs
in the above styled cause.


Attorney for Condemnees

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

IN THE PROBATE COURT OF

vs. Condemnor.

PRINCE GRIFFIN, as Executor of the Estate
of H.M. Parsons, Dec.; ANNIE P. MOORER;

BALDWIN COUNTY, ALABAMA

YADA P. POTTS; GOLDA P. FRIEDHOFF; NETTIE
P. WILLIAMS; MARGARET P. GRIFFIN; JAMES

CASE NO.

E. MCCARTHA; IRMA E. MCCARTHA; MCGHEE TEMPLE
CHURCH OF GOD IN CHRIST, INC., a Corp.;

C.H. GAHAN; JOHNNY TAYLOR, IDA MCCALL,
BESSIE PLEASANT, ALLEN MASON and A. T.

MCGHEE, Trustees of McGhee Temple Church
of God in Christ, Inc., a Corp.; MAMIE

KELLY, and AUBREY SMITH,

Condemnees.

PETITION FOR CONDEMNATION OF LAND

Now comes The Housing Authority of the City of Bay
Minette, Baldwin County, Alabama, a body Corporation, as Condem-
nor 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 des-
cribed 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 provisions of
Chapter 2 of Title 25, Code of Alabama of 1940, and is author-
ized 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 instit-
ute 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 October 15, 1969, a resolution was duly and
legally 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

Filed Jan. 15, 1970
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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 required by law: 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 parcel 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:

A parcel of land lying in the North half of Section 21, Township 2 South, Range 3 East, described as follows: Beginning at a point on the North right-of-way line of the New Hurricane Road, which point is 140 feet East of the Southeast corner of Lot 8, Block 1 as shown on a plat of Douglasville, recorded in Map Book 1, page 334 in the office of the Judge of Probate of Baldwin County, Alabama, from said point of beginning, run thence North 152.20 feet to a point on the South line of the Old Hurricane Road, thence run East along the said South line 177 feet to a point, thence run South 143.47 feet to a point on the North line of New Hurricane Road, thence West along the said North line 177 feet to the point or place 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 Condemnees 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 disabilities unless and except as stated under said separate parcel described herein and that each of said Condemnees own or claim said property, or some right, title or interest therein.

5. That Baldwin County, Alabama, a body corporation under the Laws of the State of Alabama, with its County Seat in the City of Bay Minette, Alabama, may have or claim an interest in said tract by reason of taxes and easements due and chargeable, and is hence made a party hereto.

6. 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.

7. 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 Condemnees, together with any other party or parties herein made Condemnees, 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 described 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 October 15, 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 Condemnees who are residents of the State of Alabama, by personal service, and to all other Condemnees 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 Condemnees, and that upon a final 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 Commissioner to ascertain and report the fair and reasonable market value and

compensation to be allowed the Condemnees 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 Condemnor

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, and has the authority to make this affidavit and to institute and prosecute the foregoing application for the condemnation of the lands, rights and interest therein described; and 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.

Sworn to and subscribed before me on this the 15th
day of January, 19 20.

Amelia L. Perkins
Notary Public, Baldwin County, Ala.

EXTRACTS FROM THE MINUTES OF A SPECIAL
MEETING OF THE COMMISSIONERS
OF THE HOUSING AUTHORITY OF THE CITY
OF BAY MINETTE, ALABAMA
HELD ON OCTOBER 15, 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 5:00 o'clock p. m., on October 15,
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

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, 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 5:00 p. m. on Wednesday, October 15, 1969 at the office of the Authority for the following purposes:

1. To discuss the NDP Program for 1970;
2. To consider all other matters which may properly come before the Board.

Dated this 10th day of October, 1969.

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA

BY: /s/ J. H. Faulkner
Chairman

CERTIFICATE AS TO SERVICE OF NOTICE
OF SPECIAL MEETING

I, Stephen A. McMillan, the duly appointed, qualified and acting
Secretary of The Housing Authority of the City of Bay
Minette, Alabama do hereby certify
that on October 10, 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 15th day of October, 19 69.

/s/ Stephen A. McMillan
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/ W. F. Thomas

/s/ Oswald Boykin

/s/ Harlan A. Page

/s/ J. H. Faulkner

/s/ Emile J. Nassar

The following resolution was introduced by Commissioner

Thomas, 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 at the price listed on the form as the LPA'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 Thomas moved that the foregoing 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:

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

NAYS:

None

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

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CERTIFIED NO.

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Mrs. Vada Potts

2

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INSURED NO.

DATE DELIVERED

3

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