

STATE OF ALABAMA,

Petitioner

-VS-

LAKE FOREST, INC., an Alabama Corporation, Daphne, Alabama, [Claimant of Tracts 0131 and 0135, Project S-635(2) and Tract 14, Project I-10-1(19)] and GEORGE RUSSELL HORN, Daphne, Alabama, [Claimant to Portion of Parcel 008, Tract 0131, Project S-635(2)] and JAMES E. KEITH, Daphne, Alabama, [Claimant to Portion of Parcel 011, Tract 0131, Project S-635(2)] and BALDWIN COUNTY, ALABAMA, a Political subdivision of the State of Alabama,

Respondents

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 7365

APPLICATION FOR CONDEMNATION

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

Comes now the State of Alabama, Petitioner in the above-styled cause and files this its application in the Probate Court of Baldwin County, Alabama, for order of condemnation of a right-of-way over the lands hereinafter described for two public roads or highways, and as a basis for the relief sought shows unto the Court as follows:

(1) Petitioner is authorized under the Constitution of Alabama, 1901, and under the provisions of Title 19, Section 1, Code of Alabama, 1940, as amended, to institute and prosecute these proceedings in its own name for the purposes of a public road or highway.

(2) That said public highways have been designated by the State Highway Director as a part of the State Highway System and also known as Project No. S-635(2) for Tracts 0131 and 0135 and as Project I-10-1(19) for Tract 14, both projects located in Baldwin County, Alabama.

(3) That said public highway for Project No. S-635(2) begins at a point approximately two miles north of Fairhope, Baldwin County, Alabama, and runs thence northwardly through Daphne, Baldwin County, Alabama, to Spanish Fort, Baldwin County, Alabama;

STATE OF ALABAMA, BALDWIN COUNTY

Filed Oct. 7, 1971 M

Recorded Minutes book 60 Page 117

Harry D'Olive
Judge of Probate

1 VOL

50 383

BOOK 060 PAGE 117

and said public highway for Project No. I-10-1(19) for Tract 14 begins approximately two miles north of Loxley, Baldwin County, Alabama, and runs westwardly to the eastern shore of Mobile Bay, also in Baldwin County, Alabama.

(4) The right-of-way over the property and lands hereinafter described as Tracts 0131 and 0135 in Project No. S-635(2) and Tract 14 in Project I-10-1(19), and as set out in the right-of-way maps on Project S-635(2) and Project I-10-1(19), on file in the State Highway Department, Montgomery, Alabama, and in the office of the Judge of Probate of Baldwin County, Alabama, have been deemed necessary by the State Highway Director in order to facilitate the flow of traffic and promote public safety.

(5) That fee simple title to said tracts of land is necessary for use by Petitioner as a right-of-way for such public highways, and in which Petitioner seeks to condemn fee simple title, is located wholly within Baldwin County, Alabama, and is described in Exhibits A-1, A-2 and A-3, attached hereto, and made a part hereof as if specifically set forth herein.

(6) That the fee simple title which Petitioner seeks to condemn for highway purposes is set out and described in the right-of-way maps on Project No. S-635(2) and Project No. I-10-1(19) which are on file in the State Highway Department, Montgomery, Alabama, and in the office of the Judge of Probate of Baldwin County, Alabama.

(7) That a diligent search has been made of the records of Baldwin County, Alabama, and diligent inquiry made to ascertain the names and addresses of the parties owning said tracts of land and according to the best of Petitioner's information, knowledge and belief the said lands are owned and interest in said lands are claimed by the parties named as respondents in this cause.

(8) That Baldwin County, Alabama, a body corporate under the laws of the State of Alabama with its county seat in the City of Bay Minette, Alabama, may have or claim an interest in said tracts by reason of taxes and easements due and chargeable, and is hence made a respondent herein.

WHEREFORE, the premises considered, your Petitioner respectfully prays:

- (1) That an order be made appointing a day for the hearing of this application and that notice of the filing thereof and of the day set for the hearing thereof be given to the respondents;
- (2) That this Court will appoint commissioners to ascertain and report the compensation and damages occasioned by such taking;
- (3) That upon a final hearing of this petition an order and decree be made by this Court condemning the lands for the right-of-ways as set out in the right-of-way maps on Project No. S-635(2) and Project No. I-10-1(19) over the lands as set out in Exhibit A-1 (for Tract 0131), A-2 (for Tract 0135) and A-3 (for Tract 14) of this application, all for the uses and purposes of public highways for the State of Alabama.

WILLIAM J. BAXLEY
ATTORNEY GENERAL
STATE OF ALABAMA

By: Kenneth Cooper
DULY APPOINTED SPECIAL ASSISTANT
ATTORNEY GENERAL FOR THE
STATE OF ALABAMA

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Martha M. Bankester, a Notary Public, State at Large, State of Alabama, personally appeared Kenneth Cooper, Assistant Attorney General of the State of Alabama, who is personally known to me and who, known to me in his official capacity as an Assistant Attorney General of the State of Alabama, and also being first duly sworn, deposes and says that the allegations of the foregoing application for condemnation are true and correct.

Kenneth Cooper
AFFIANT

Sworn to and subscribed before me on this 6th day of October, 1971.

My Commission Expires:
October 6, 1974

Martha M. Bankester
NOTARY PUBLIC
STATE AT LARGE, STATE OF ALABAMA

NOTE

The following exhibits are not in numerical order.

Exhibit A-1 begins on page 7 and ends on page 13,

Exhibit A-2 begins on page 13 and ends on page 14 and

Exhibit A-3 begins on page 4 and ends on page 7.

EXHIBIT A-3

and as shown by the right of way map of Project No. I-10-1(19) as recorded in the Office of the Judge of Probate of Baldwin County:

Tract 14-1: Commencing at the northeast corner of irregular Section 31, T-4-S, R-2-E; thence S 1° 34' 23" W, a distance of 1821.95 feet to the centerline of Project No. I-10-1(19) at Station 460+70.76; thence S 81° 32' 36" W a distance of 3171.89 feet to the point of beginning at Station 428+98.87 on the westerly right-of-way line of U. S. 98 Highway; thence S 7° 34' 07" E, along said right-of-way line a distance of 745.19 feet; thence S 9° 25' 51" W, a distance of 55 feet, more or less, to a point that is easterly of and at right angles to the centerline of Interstate 10 connection at Station 514+00; thence northwesterly along a straight line (crossing the centerline of Interstate 10 connection at Station 514+00) a distance of 187 feet, more or less, to a point that is 180 feet westerly of and at right angles to the centerline of Interstate 10 connection at Station 514+00; thence N 4° 45' 13" E, a distance of 140.41 feet; thence N 38° 22' 37.5" W, a distance of 145.96 feet; thence N 81° 30' 28" W, a distance of 1007.0 feet; thence S 89° 09' 25" W, a distance of 403.79 feet; thence westerly along a curve to the right which has a radius of 11,659.15 feet an arc distance of 749.60 feet to a point on the east bank of the West Fork of O'Oliver Creek, which is 200 feet southerly of and at right angles to the centerline of said project at Station 405+37; thence northerly along the meanders of said bank a distance of 205 feet, more or less, to the centerline at said project at Station 405+22; thence continue northerly along the meanders of said bank a distance of 203 feet to a point which is 200 feet northerly of and at right angles to the centerline of said project at Station 405+20; thence easterly along a curve to the left which has a radius of 11,259.15 feet, an arc distance of 1949 feet to a point which is 200 feet northwesterly of and at right angles to the centerline of said project at Station 424+68.96 Back = Station 424+94.87 Ahead; thence N 81° 32' 36" E, a distance of 307.10 feet; thence N 37° 01' 13.5" E, a distance of 142.59 feet to the westerly right-of-way line of U. S. 98 Highway; thence S 7° 34' 07" E, along said right-of-way line a distance of 300.02 feet to the point of beginning.

Said tract of land lying in irregular Sections 31 and 37, T-4-S, R-2-E and Section 36, T-4-S, R-1-E, Baldwin County, Alabama, and containing 28.14 acres, more or less.

As a part of the condemnation hereinabove described, there is also condemned for the benefit of the Condemnor all existing, future or potential common law or statutory rights of access between the right-of-way of the public way identified as Project No. I-10-1(19), County of Baldwin, and all of Condemnee's remaining real property consisting of all parcels contiguous one to another, whether acquired by separate condemnation or otherwise, all of which parcels either adjoin the real property condemned by this condemnation proceeding or are connected thereto by other parcels owned by the Condemnee.

Tract 14-2: Commencing at the northeast corner of irregular Section 31, T-4-S, R-2-E; thence S 1° 34' 23" W, a distance of 1821.95 feet to the centerline of Project No. I-10-1(19) at Station 460+70.76; thence S 81° 32' 36" W, a distance of 2943.13 feet to Centerline Station 431+27.63; thence N 9° 25' 51" E, a distance of 183.64 feet to the point of beginning; thence S 82° 25' 53" W, a distance of 139.23 feet to the easterly right-of-way line of U. S. Highway No. 98; thence N 7° 34' 07" W, along said right-of-way line a distance of 563.34 feet; thence N 82° 25' 53" E, along said right-of-way line a distance of 35 feet; thence N 7° 34' 07" W, along said right-of-way line a distance of 26.55 feet; thence S 89° 33' 29" E, a distance of 275.48 feet to the westerly right-of-way line of

BOOK 060 PAGE 121

Alabama Highway No. 104; thence S 9° 25' 51" W, along said right-of-way a distance of 576.87 feet to the point of beginning.

Said tract of land lying in irregular Section 31, T-4-S, R-2-E, Baldwin County, Alabama and containing 2.89 acres, more or less.

As a part of the condemnation hereinabove described, there is also condemned for the benefit of the Condemnor all existing, future or potential common law or statutory rights of access between the right-of-way of the public way identified as Project No. I-10-1(19), County of Baldwin, and all of Condemnee's remaining real property consisting of all parcels contiguous one to another, whether acquired by separate condemnation or otherwise, all of which parcels either adjoin the real property condemned by this condemnation proceeding or are connected thereto by other parcels owned by the condemnee.

Tract 14-3: Commencing at the northeast corner of irregular Section 31, T-4-S, R-2-E; thence S 1° 34' 23" W, a distance of 1821.95 feet to the centerline of Project No. I-10-1(19) at Station 460+70.76; thence S 81° 32' 36" W, a distance of 2607.48 feet; to Centerline Station 434+62.28; thence N 0° 05' 39" W, a distance of 92.98 feet to the point of beginning which is on the easterly right-of-way line of U. S. Highway No. 90; thence northerly along said right-of-way and a curve to the right which has a radius of 778.51 feet, an arc distance of 557.83 feet; thence S 89° 33' 29" E, a distance of 136.74 feet; thence S 0° 05' 39" E, a distance of 527.30 feet to the point of beginning.

Said tract of land lying in irregular Section 31, T-4-S, R-2-E, Baldwin County, Alabama and containing 1.22 acre, more or less.

As a part of the condemnation hereinabove described, there is also condemned for the benefit of the Condemnor all existing, future or potential common law or statutory rights of access between the right-of-way of the public way identified as Project No. I-10-1(19), County of Baldwin, and all of Condemnee's remaining real property, consisting of all parcels contiguous one to another, whether acquired by separate condemnation or otherwise, all of which parcels either adjoin the real property condemned by this condemnation proceeding or are connected thereto by other parcels owned by the Condemnee.

Tract 14-4: Commencing at the northeast corner of Irregular Section 31, T-4-S, R-2-E; thence S 1° 34' 23" W, a distance of 1821.95 feet to the centerline of Project No. I-10-1(19) at Station 460+70.76; thence S 81° 32' 36" W, a distance of 2607.48 feet to Centerline Station 434+63.28; thence S 0° 05' 39" E, a distance of 35.17 feet to the point of beginning; thence continue S 0° 05' 39" E, a distance of 373.16 feet; thence N 88° 46' 02" E, a distance of 767.79 feet; thence S 81° 32' 36" W, a distance of 984.11 feet; thence S 43° 08' 54.5" W, a distance of 156.75 feet; thence S 4° 45' 13" W, a distance of 242.17 feet to the easterly right-of-way line of U. S. 98 Highway; thence N 7° 34' 07" W, along said right-of-way line a distance of 206.09 feet to the easterly right-of-way line of Alabama Highway No. 104; thence N 9° 25' 51" E, along said right-of-way line a distance of 659.99 feet to the centerline of said project at Station 432+11.69; thence continue N 9° 25' 51" E, along said right-of-way line a distance of 353.22 feet to the westerly right-of-way line of U. S. Highway No. 90; thence southeasterly along a curve to the left which has a radius of 858.51 feet an arc

BOOK OF 122

distance of 358.10 feet to the centerline of said project at Station 434+36.15; thence continue along a curve to the left which has a radius of 858.51 feet, an arc distance of 41.16 feet to the point of beginning.

Said tract of land lying in irregular sections 31 and 37, T-4-S, R-2-E, Baldwin County, Alabama and containing 5.35 acres, more or less.

As a part of the condemnation hereinabove described, there is also condemned for the benefit of the Condemnor all existing, future or potential common law or statutory rights of access between the right-of-way of the public way identified as Project No. I-10-1(19), County of Baldwin, and all of Condemnee's remaining real property consisting of all parcels contiguous one to another, whether acquired by separate condemnation or otherwise, all of which parcels either adjoin the real property condemned by this condemnation proceeding or are connected thereto by other parcels owned by the Condemnee, along a line described as follows: Commencing at a point that is 120.95 feet southwesterly of and at right angles to the centerline of U. S. 90 Connection east at Station 12+55; thence S 88° 46' 02" W. a distance of 28.02 feet to the point of beginning; thence S 81° 32' 36" W. a distance of 984.11 feet to a point; thence S 43° 08' 54.5" W. a distance of 156.75 feet; thence S 40° 45' 13" W. a distance of 130 feet, more or less, to a point that is 160 feet east of and perpendicular to centerline Station 514+98 of the relocated U. S. 98; thence southwesterly in a straight line a distance of 70 feet, more or less, to a point that is 110 feet east of and perpendicular to centerline Station 514+47 of said relocated U. S. 98; thence S 40° 45' 13" W. and parallel to said centerline a distance of 340 feet, more or less, to the point of ending on the north margin of D'Olive Creek.

Tract 14-E: Easement for Drainage: The herein described property a tract of land to be used for the purpose of a drainage ditch, more particularly described as: Beginning at a point which is 120.95 feet southwesterly of and at right angles to the centerline of U. S. 90 Connection east at Station 12+55; thence N 88° 46' 02" E, a distance of 57.74 feet; thence S 30° 20' 56" W, a distance of 200 feet; thence S 88° 46' 02" W, a distance of 115.48 feet; thence N 30° 20' 56" E, a distance of 195.20 feet; thence N 81° 32' 36" E, a distance of 32.49 feet; thence N 88° 46' 02" E, a distance of 28.02 feet to the point of beginning.

Said tract of land lying in irregular Section 37, T-4-S, R-2-E, Baldwin County, Alabama and containing 0.458 acre, more or less.

TRACT 14-E-2: Temporary Easement: The herein described property to be used for the purpose of a temporary detour road being more particularly described as: Commencing at Station 432+11.69 of Project No. I-10-1(19), said point being the intersection of the easterly right of way line of Alabama Highway No. 104 and the centerline of subject project; thence south 90° 25' 51" West along the said right of way line a distance of 659.99 feet more or less to a point on the east right of way line of U. S. 98. Thence south 70° 34' 07" East along said right of way line a distance of 206.09 feet, more or less, to the point of beginning; thence south 70° 34' 07" East along said right of way line a distance of 140.57 feet, more or less, to a point; thence N 40° 45' 13" East a distance of 417.37 feet, more or less, to a point on the right of way line of subject project; thence south 43° 08' 54.5" West a distance of 46.30 feet, more or less, to a point; thence S 40° 45' 13" West a distance of 242.17 feet, more or less, to the easterly right of way line of U. S. 98 and the point of beginning.

Said tract of land lying in irregular section 37, T-4-S, R-3-E, Baldwin County, Alabama, and containing 0.22 acres, more or less.

It is hereby agreed that upon completion of the above mentioned project all rights granted herein to the said parcels of land covered by temporary easement lying outside the right of way shall cease and terminate and revert to the grantor.

EXHIBIT A-1

TRACT NO. 0131:

and as shown on the right of way map of Project No. S-635(2) as recorded in the office of the Judge of Probate of Baldwin County.

Parcel 001

Beginning at Station 447+19 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south property line a distance of 102.0 feet to a point; thence northeasterly parallel with and 100 feet distant from the centerline of said project along the arc of a curve to the right having a radius of 5,829.58 feet a distance of 336.9 feet to a point which is 100 feet westerly of and at right angles to centerline Station 451+00 of said project; thence westerly a distance of 40 feet to a point which is 140 feet westerly of and at right angles to centerline Station 451+00 of said project; thence northeasterly parallel with and 140 feet distant from the centerline of said project along the arc of a curve to the right having a radius of 5,869.58 feet a distance of 307.3 feet to a point which is 140 feet westerly of and at right angles to centerline Station 454+00 of said project; thence easterly a distance of 20 feet to a point which is 120 feet westerly of and at right angles to centerline Station 454+00 of said project; thence northeasterly parallel with and 120 feet distant from centerline of said project along the arc of a curve to the right having a radius of 5,849.58 feet a distance of 565.7 feet to a point which is 120 feet westerly of and at right angles to centerline P. T. Station 459+53.90 Ahead and 459+53.61 Back of said project; thence north 00° 20' 12" east a distance of 454.1 feet to a point which is 120 feet westerly of and at right angles to centerline Station 464+08 of said project; thence north 45° 02' west a distance of 70.2 feet more or less, to a point on the north line of Lot 19 in Block 20 of Park City Subdivision; thence easterly along the north line of Lots 19 and 18 a distance of 42.6 feet to the northeast corner of Lot 18; thence southeasterly along the north line of Lot 17, 16 and 15 a distance of 282.8 feet to the northeast corner of Lot 15; thence southerly along the east line of Lot 15 a distance of 115 feet to the southeast corner of said lot; thence easterly a distance of 63.3 feet to a point; thence south 00° 20' 27" west a distance of 191.2 feet to a point which is 130 feet easterly of and at right angles to centerline P. T. Station 459+53.61 Back and 459+53.90 Ahead of said project; thence southwesterly parallel with and 130 feet distant from the centerline of said project along the arc of a curve to the left having a radius of 5,599.58 feet a distance of 1,233.4 feet to a point on the south property line of said property; thence westerly along the south property line a distance of 132.7 feet to the point of beginning.

BOOK 0131 PAGE 124

Said parcel of land lying in Grant Section 7 and 6 Township 5 South, Range 2 East, and containi. 9.09 acres, more or less.

Parcel 002

Beginning at Station 468 + 49.5 of Project No. S-635(2) the north property line and the point of beginning of the Parcel of land hereinafter described; thence easterly along the north line of Lots 11 and 13 in Block 35 of Park City Subdivision a distance of 67.5 feet to the northeast corner of Lot 13; thence southerly along the east line of said lot a distance of 115 feet to the southeast corner of Lot 13; thence southwesterly along the south line of Lot 13 a distance of 49.5 feet to a point; thence westerly along the south line of Lot 13 and 14 a distance of 45 feet to the southwest corner of lot 14; thence northerly along the west line of lot 14 a distance of 150 feet to the northwest corner of lot 14; thence easterly along the north line of Lot 14 a distance of 12.4 feet to the point of beginning. Said parcel of land begin lots 13 and 14 in Block 35 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.26 acres, more or less.

Parcel 003

Beginning at Station 466 + 84.5 of Project No. S-635(2) the north property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the north line of Lots 12 and 11 in Block 35 of Park City Subdivision a distance of 130 feet to the northeast corner of Lot 10; thence south 00° 20' 12" west a distance of 100 feet to a point which is 130 feet westerly of and at right angles to centerline Station 465 + 82.8; thence south 44° 58' west a distance of 70.2 feet, more or less, to a point on the south line of Lot 9 in Block 35 of said subdivision; thence easterly along the south line of Lots 9 and 10 a distance of 51.6 feet to the southeast corner of Lot 10; thence northeasterly along the south line of Lots 11 and 12 in Block 35 of said subdivision a distance of 212.1 feet to the northeast corner of Lot 12; thence westerly along the north line of Lot 12 a distance of 20 feet to the point of beginning. Said parcel of land being a portion of Lots 9, 10, 11, and 12 in Block 35 of Park City Subdivision as recorded in the office of the Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 south, Range 2 East, and containing 0.29 acres, more or less.

Parcel 004

Beginning at the northeast corner of Lot 16 in Block 35 of Park City subdivision a distance of 52.4 feet westerly of and at right angles to centerline Station 468 + 49.5 of Project No. S-635(2); thence southerly along the east line of Lot 16 a distance of 150 feet to the southeast corner of said lot; thence westerly along the south line of Lots 16 and 17 a distance of 79.5 feet to a point; thence north 00° 20' 12" east a distance of 150 feet to a point on the north line of Lot 17; thence easterly along the north line of Lots 17 and 16 a distance of 77.6 feet to the point of beginning. Said parcel of land being a portion of Lots 16 and 17, in Block 35 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.27 acres, more or less.

Parcel 005

Beginning at Station 469+24.5 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 13, 12, and 11 in Block 38, of Park City Subdivision a distance of 130 feet to a point; thence north 00° 20' 12" east a distance of 77.2 feet to a point which is 130 feet westerly of and at right angles to centerline Station 470+00 of said project; thence westerly a distance of 10' to a point that is 140 feet westerly of and at right angles to the centerline at Station 470+00; thence north 00° 20' 12" east a distance of 72.7 feet to a point on the north line of Lot (continued on next page)

BOOK
0160
PAGE 125

10 in Block 38 of said subdivision; thence easterly along the north line of Lots 10, 11, 12 and 15 in Block 38 a distance of 204.7 feet to the north-east corner of Lot 15; thence southerly along the east line of Lots 15, 14, and 13 in Block 38 a distance of 150 feet to the southeast corner of Lot 13; thence westerly along the south line of Lot 13 a distance of 66.6 feet to the point of beginning. Said parcel of land being a portion of Lots 10, 11, 12, 13, 14, and 15 in Block 38 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.92 acres, more or less.

A drainage easement being described as follows: Beginning at a point 140 feet westerly of and at right angles to centerline Station 470 + 74.5 of Project No. S-635(2); thence westerly along the north property line of Lots 10, 9, and 8 in Block 38 of Park City Subdivision a distance of 108.6 feet to a point; thence south 60° 20' west a distance of 116.9 feet to a point; thence south 29° 39' 48" east a distance of 60 feet to a point; thence north 60° 20' east a distance of 207.7 feet to a point; thence north 00° 20' 12" east a distance of 8 feet, more or less, to the point of beginning. Said parcel of land being a portion of Lots 4, 5, 6, 7, 8, 9, and 10 in Block 38 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.23 acres, more or less.

Parcel 006

Beginning at Station 470 + 69.5 of Project No. S-635(4) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 16, 19, 20 and 21 in Block 38 of Park City Subdivision a distance of 140 feet to a point; thence north 00° 20' 12" east a distance of 150 feet to a point; thence easterly along the north line of Lots 21, 20, 19 and 18 in Block 38 of said subdivision a distance of 202.6 feet to the northeast corner of Lot 18; thence southerly along the east line of Lots 18, 17, and 16 in Block 38 of said subdivision a distance of 150 feet to the southeast corner of Lot 16; thence westerly along the south line of Lot 16 a distance of 64.5 feet to the point of beginning. Said parcel of land being a portion of Lots 16, 17, 18, 19, 20 and 21 in Block 38 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.75 acres, more or less.

A drainage easement being described as follows: Beginning at a point 140 feet westerly of and at right angles to centerline Station 471 + 34 of Project No. S-635(2); thence south 60° 20' west a distance of 94.7 feet to a point; thence easterly along the south line of Lots 23, 22, and 21 in Block 38 of Park City Subdivision a distance of 82 feet to a point; thence north 00° 20' 12" east a distance of 46.3 feet to the point of beginning. Said parcel of land being a portion of Lots 21, 22, and 23 in Block 38 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.05 acres, more or less.

Parcel 007

Beginning at a point on the west line of Lot 2 in Block 39 of Park City Subdivision which is 140.7 feet easterly of and at right angles to centerline Station 470 + 00 of Project No. S-635(3); thence northerly along the west line of Lots 2 and 1 in Block 39 of said subdivision a distance of 72.7 feet to the northwest corner of Lot 1; thence easterly along the north line of Lot 1 a distance of 10.3 feet to a point; thence south 00° 20' 12" west a distance of 72.6 feet to a point which is 150 feet easterly of and at right angles to centerline Station 470 + 00; thence westerly a distance of 9.3 feet to the point of beginning. Said parcel of land being a portion of Lots 1 and 2 in Block 39 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

BOOK 030 PAGE 126

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.02 acres, more or less.

Parcel 008

Beginning at the southwest corner of Lot 24 in Block 39 of Park City Subdivision which is 139.5 feet easterly of and at right angles to centerline Station 470 + 39.5 of Project No. S-635(2); thence northerly along the west line of Lots 24, 23 and 22 in Block 39 of said subdivision a distance of 150 feet to the north-west corner of Lot 22; thence easterly along the north line of Lot 22 a distance of 12.4 feet to a point; thence south $00^{\circ} 20' 12''$ west a distance of 150 feet to a point on the south line of Lot 24; thence westerly along the south line of Lot 24 a distance of 10.5 feet to the point of beginning. Said parcel of land being a portion of Lots 22, 23 and 24 in Block 39 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.04 acres, more or less.

Parcel 009

Beginning at Station 473 + 14.5 of Project No. S-635(2), the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 13, 12 and 11 in Block 53 of Park City Subdivision a distance of 100 feet to a point; thence north $00^{\circ} 20' 12''$ east a distance of 150 feet to a point; thence easterly along the north line of Lots 12 and 13 in Block 53 of said subdivision a distance of 159.7 feet to the northeast corner of Lot 15; thence southerly along the east line of Lots 15, 14 and 13 in Block 53 of said subdivision a distance of 150 feet to the southeast corner of Lot 13; thence westerly along the south line of Lot 13 a distance of 61.6 feet to the point of beginning. Said parcel of land being a portion of Lot 11 and all of Lots 12, 13, 14 and 15 in Block 53 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.55 acres, more or less.

Parcel 010

Beginning at Station 474 + 79.5 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 16, 19 and 20 in Block 59 of Park City Subdivision a distance of 100 feet to a point; thence north $00^{\circ} 20' 12''$ east a distance of 21.8 feet to a point which is 100 feet westerly of and at right angles to centerline Station 475 + 00 of said project; thence westerly a distance of 10 feet to a point which is 110 feet westerly of and at right angles to centerline Station 475 + 00 of said project; thence north $00^{\circ} 20' 12''$ east a distance of 73.7 feet to a point which is 110 feet westerly of and at right angles to centerline Station 475 + 73.1 of said project; thence north $45^{\circ} 02'$ west a distance of 45.2 feet to a point on the east line of Lot 21 in Block 53 of said subdivision; thence northerly along the east line of Lot 21 a distance of 17.4 feet to the northeast corner of Lot 21 in Block 53 of said subdivision; thence easterly along the north line of Lots 20, 19 and 18 in Block 53 of said subdivision a distance of 200 feet to the northeast corner of Lot 18; thence southerly along the east line of Lots 18, 17 and 16 a distance of 150 feet to the southeast corner of Lot 16; thence westerly along the south line of Lot 16 a distance of 59.5 feet to the point of beginning. Said parcel of land being all of Lots 16, 17, 18, 19 and a portion of Lot 20, in Block 53 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.60 acres, more or less.

Parcel 011

Beginning at the northwest corner of Lot 22 in Block 22 of Park City Subdivision which is 132.6 feet easterly of and at right angles to centerline Station 476 + 31.2 of Project No. S-635(2); thence easterly along the north line of Lot 22 a distance of 50 feet to a point; thence South $45^{\circ} 06'$ west a distance of 70.7 feet to a point; thence northerly along the west line of

Book 010 Page 127

Lot 22 a distance of 50 feet to the point of beginning. Said parcel of land being a portion of Lot 22 in Block 52 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East and containing 0.03 acres, more or less.

Parcel 012

Beginning at Station 477 ± 04.5 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 19 and 12 in Block 56 of Park City Subdivision a distance of 103.4 feet to a point; thence north 00° 24' 00" west a distance of 150 feet to a point; thence easterly along the north line of Lot 12 a distance of 40 feet to the northeast corner of said lot; thence southerly along the east line of Lot 12 a distance of 100 feet to the northwest corner of Lot 13; thence easterly along the north line of Lot 13 a distance of 120 feet to the northeast corner of said lot; thence southerly along the east line of Lot 13 a distance of 50 feet to the southeast corner of said lot; thence westerly along the south line of Lot 13 a distance of 56.6 feet to the point of beginning. Said parcel of land being Lots 12 and 13 in Block 56 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.28 acres, more or less.

Parcel 013

Beginning at Station 478 ± 69.5 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 16, 19 and 20 in Block 56 of Park City Subdivision a distance of 110 feet to a point; thence north 00° 20' 12" east a distance of 150 feet to a point; thence easterly along the north line of Lots 20, 19 and 18 in Block 56 of said subdivision a distance of 162.5 feet to the northeast corner of Lot 18; thence southerly along the east line of Lots 18, 17 and 16 in Block 56 of said subdivision a distance of 150 feet to the southeast corner of Lot 16; thence westerly along the south line of Lot 16 a distance of 54.5 feet to the point of beginning. Said parcel of land being all of Lots 16, 17, 18, 19 and a portion of Lot 20 in Block 56 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.56 acres, more or less.

Parcel 014

Beginning at Station 480 ± 94.5 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 13 and 12 in Block 71 of Park City Subdivision a distance of 110 feet to a point; thence north 00° 20' 12" east a distance of 6.9 feet to a point which is 110 feet westerly of and at right angles to centerline Station 481 ± 00 of said project; thence westerly a distance of 40 feet to a point which is 150 feet westerly of and at right angles to centerline Station 481 ± 00 of said project; thence north 00° 20' 12" east a distance of 142.6 feet to a point; thence easterly along the north line of Lots 11, 12 and 15 in Block 71 of said subdivision a distance of 199.7 feet to the northeast corner of Lot 15; thence southerly along the east line of Lots 15, 14 and 13 in Block 71 of said subdivision a distance of 150 feet to the southeast corner of Lot 13; thence westerly along the south line of Lot 13 a distance of 51.6 feet to the point of beginning. Said parcel of land being a portion of Lots 10 and 11 and all of Lots 12, 13, 14 and 15 in Block 71 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.73 acres, more or less.

BOOK 010 PAGE 128

A drainage easement being described as follows: Beginning at a point 150 feet westerly of and at right angles to centerline Station 431 + 90 of Project No. S-635(3); thence south $85^{\circ} 20' 12''$ west a distance of 41.9 feet, more or less, to a point on the west line of Lot 10 in Block 71 of Park City Subdivision; thence southerly along the west line of Lot 10 a distance of 41.4 feet to a point; thence north $85^{\circ} 20' 12''$ east a distance of 41.4 feet to a point on the east line of Lot 10 in Block 71 of said subdivision; thence northerly along the east line of Lot 10 a distance of 41.4 feet to the point of beginning. Said parcel of land being a portion of Lot 10 in Block 71 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East and containing 0.04 acres, more or less.

Parcel 015

Beginning at Station 432 + 59.6 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 16, 19 and 20 in Block 71 of Park City Subdivision a distance of 150 feet to a point; thence north $00^{\circ} 20' 12''$ east a distance of 42.3 feet to a point which is 150 feet westerly of and at right angles to centerline Station 433 + 00 of said project; thence easterly a distance of 20 feet to a point which is 150 feet westerly of and at right angles to centerline Station 433 + 00 of said project; thence north $00^{\circ} 20' 12''$ east a distance of 107.9 feet to a point; thence easterly along the north line of Lots 20, 19 and 18 in Block 71 of Park City Subdivision a distance of 177.5 feet to the northeast corner of Lot 18; thence southerly along the east line of Lots 18, 17 and 16 a distance of 150 feet to the southeast corner of Lot 16; thence westerly along the south line of Lot 16 a distance of 49.5 feet to the point of beginning. Said parcel of land being all of Lots 16, 17, 18, 19 and a portion of Lot 20 in Block 71 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East and containing 0.63 acres, more or less.

Parcel 016

Beginning at Station 434 + 84.6 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south property line a distance of 150 feet to a point; thence north $00^{\circ} 20' 12''$ east a distance of 315 feet to a point which is 150 feet westerly of and at right angles to centerline Station 437 + 99.6 of said project; thence easterly along the north property line a distance of 172.5 feet to the northeast corner of said property; thence southerly along the east property line a distance of 315 feet to the southeast corner of said property; thence westerly along the south property line a distance of 46.6 feet, more or less, to the point of beginning. Said parcel of land being a portion of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5, South, Range 2 East and containing 1.26 acres, more or less.

Parcel 017

Beginning at a point which is 120 feet easterly of and at right angles to centerline station 436 + 36.1 of Project No. S-635(2); thence south $00^{\circ} 20' 12''$ west a distance of 27.7 feet to a point on the west property line of Lot 1 in Block 75 of Park City Subdivision; thence northerly along the west line of Lot 1 in Block 75 of said subdivision a distance of 27.7 feet to the northwest corner of Lot 1 in Block 75 of said subdivision; thence easterly along the north line of Lot 1 a distance of 0.4 feet to the point of beginning. Said parcel of land being a portion of Lot 1 in Block 75 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East and containing 0.01 acres, more or less.

BOOK 010 PAGE 129

Parcel 018

Beginning at a point which is 120 feet easterly of and at right angles to centerline Station 433 + 01.1 of Project No. S-635(3); thence south $00^{\circ} 20' 12''$ west a distance of 150 feet to a point on the south line of Lot 24 in Block 75 of Park City Subdivision; thence westerly along the south line of Lot 24 a distance of 0.6 feet to the southwest corner of said lot; thence northerly along the west line of Lots 24, 23 and 22 in Block 75 of said subdivision a distance of 150 feet to the northwest corner of Lot 22 in Block 75 of said subdivision; thence easterly along the north line of Lot 22 in Block 75 of said subdivision a distance of 2.5 feet to the point of beginning. Said parcel of land being a portion of Lots 24, 23 and 22 in Block 75 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East and containing 0.01 acres, more or less.

EXHIBIT A-2

TRACT NO. 0135:

and as shown on the right-of-way map of Project No. S-635(2) as recorded in the Office of the Judge of Probate of Baldwin County:

PARCEL NO. 001: Beginning at Station 488+74.6 of Project No. S-635(2), the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south property line a distance of 100 feet to a point; thence $N 00^{\circ} 20' 12'' E$, a distance of 426.7 feet to a point which is 100 feet westerly of and at right angles to the centerline of Station 493+00; thence $N 89^{\circ} 39' 48'' W$, a distance of 30 feet to a point which is 130 feet westerly of and at right angles to the centerline of Station 493+00; thence $N 00^{\circ} 20' 12'' E$, a distance of 354.8 feet to a point which is 130 feet westerly of and at right angles to the centerline of P. C. Station 496+54.78 of said project; thence northeasterly parallel with and 130 feet distance from the centerline of project along the arc of a curve to the right having a radius of 11,589.16 feet a distance of 551.2 feet to a point which is 130 feet westerly of and at right angles to the centerline of Station 502+00 of said project; thence $N 86^{\circ} 26' 14'' W$, a distance of 20 feet to a point which is 150 feet westerly of and at right angles to the centerline of Station 502+00 of said project; thence northeasterly parallel with and 150 feet distance from the centerline of project along the arc of a curve to the right having a radius of 11,609.16 feet a distance of 258 feet to a point which is 150 feet westerly of and at right angles to the centerline of P. T. Station 504+54.78 of said project; thence $N 04^{\circ} 20' 12'' E$, a distance of 45.22 feet to a point which is 150 feet westerly of and at right angles to the centerline of Station 505+00 of said project; thence $S 85^{\circ} 39' 48'' E$ a distance of 20 feet to a point which is 130 feet westerly of and at right angles to the centerline of Station 505+00 of said project; thence $N 04^{\circ} 20' 12'' E$, a distance of 200 feet to a point which is 130 feet westerly of and at right angles to the centerline of Station 507+00 of said project; thence $N 85^{\circ} 39' 48'' W$, a distance of 20 feet to a point which is 150 feet westerly of and at right angles to the centerline of Station 507+00 of said project; thence $N 04^{\circ} 20' 12'' E$, a distance of 700 feet to a point which is 150 feet westerly of and at right angles to the centerline of Interstate 10 connection at Station 514+00; thence turn an angle of $90^{\circ} 00'$ to the right (crossing the centerline of Interstate 10 connection at Station 514+00) and run a distance of 157 feet, more or less, to

BOOK 050 PAGE 130

the present west right-of-way line of U. S. Highway No. 92; thence southwesterly along said present west right-of-way line a distance of 2504 feet, more or less, to the southeast corner of said property; thence westerly along the south property line a distance of 11.4 feet to the point of beginning.

Said parcel of land lying in Section 6, T-5-S, R-2-E, and Section 37, T-4-S, R-2-E and containing 2.51 acres, more or less.

As a part of the condemnation hereinabove described, there is also condemned for the benefit of the Condemnor all existing, future or potential common law or statutory rights of access between the right-of-way of the public way identified as Project No. S-635 (2), County of Baldwin, and all of Condemnee's remaining real property consisting of all parcels contiguous one to another, whether acquired by separate condemnation or otherwise, all of which parcels either adjoin the real property condemned by this condemnation proceeding or are connected thereto by other parcels owned by the Condemnee, along a line described as follows; beginning at a point that is 150 feet west of and perpendicular to centerline Station 514+00 of said project; thence southerly along a curve to the right having a radius of 6725.751 feet to a point on the north bank of Olive Creek; thence easterly along the meanders of the said north bank to the point of ending at the north abutment of the southbound bridge of said project.

PARCEL NO. 002: Beginning at the southwest corner which is 113.4 feet easterly of and at right angles to the centerline of Station 488+74.3 of Project No. S-635(2); thence northerly along the west property line which is also the existing east right-of-way line of a paved road a distance of 705.7 feet to the northwest corner of said property; thence easterly along the north property line a distance of 12.6 feet, more or less, to a point; thence S 00° 20' 12" W, a distance of 705.8 feet to a point on the south property line of said property; thence westerly along the south property line a distance of 3.6 feet, more or less, to the point of beginning.

Said parcel of land lying in Section 6, T-5-S, R-2-E, and Section 37, T-4-S, R-2-E and containing 0.13 acres, more or less.

PARCEL NO. 003: Beginning at the southwest corner which is 103.3 feet easterly of and at right angles to the centerline of Station 498+20.4 of Project No. S-635(2); thence northerly along the west property line which is also the existing east right-of-way line of a paved road a distance of 225 feet to a point; thence S 89° 54' E, a distance of 2.5 feet to a point; thence northerly along the existing east right-of-way line a distance of 609.4 feet to a point of curvature; thence northeasterly along the arc of a curve to the right having a radius of 1105.9 feet a distance of 182.4 feet to the point of tangency; thence N 9° 33' E, along the existing east right-of-way of said road a distance of 334.0 feet to a point; thence southwesterly along the existing west right of way of a paved road a distance of 174.4 feet to a point which is 120 feet easterly of and at right angles to the centerline of Station 510+05.4 of said project; thence southwesterly parallel with and 120 feet distant from said centerline of project along the arc of a curve to the right having a radius of 6995.751 feet a distance of 54.2 feet to a point which is 120 feet easterly of and at right angles to the centerline of P. C. Station 509+51.20; thence S 84° 20' 12" W, a distance of 496.4 feet to a point which is 120 feet easterly of and at right angles to the centerline of P. T. Station 504+54.78 of said project; thence southwesterly parallel with and 120 feet distant from the centerline of said project along the arc of a curve to the left having a radius of 11,339.16 feet, a distance of 624.1 feet to a point on the south property line of said property; thence westerly along the south property line a distance of 16.7 feet, more or less, to the point of beginning.

Said parcel of land lying in Section 37, T-4-S, R-2-E, and containing 1.34 acres, more or less.

Sheriff claims _____ miles at
Ten Cents per mile Total \$ _____
TAYLOR WILKINS, Sheriff

BY _____
DEPUTY SHERIFF

Respondents' Addresses:

Lake Forest, Inc.
Daphne, Alabama

George Russell Horn
Daphne, Alabama

James E. Keith
Daphne, Alabama

OCT 7 1971

TAYLOR WILKINS
SHERIFF

Received 7 day of Oct. 1971
and on day of 19
I served a copy of the within Order
on Lake Forest, Inc. & George Russell
Horn & James E. Keith
County (10-26-71)
By service of:

TAYLOR WILKINS, Sheriff

Served a copy on George Russell
Horn 11/4/71
by Mr. Kenneth Cooper

CASE NO. _____

* * * * *

State of Alabama,

Petitioner

-VS-

LAKE FOREST INC., an
Alabama Corporation,
Daphne, Alabama, [Claimant
of Tracts 0131 and 0135,
Project S-635(2) and Tract
14, Project I-10-1(19)] and
GEORGE RUSSELL HORN,
Daphne, Alabama, [Claimant
to Portion of Parcel 008,
Tract 0131, Project
S-635(2)] and
JAMES E. KEITH, Daphne,
Alabama, [Claimant to
Portion of Parcel 011,
Tract 0131, Project
S-635(2)] and
BALDWIN COUNTY, ALABAMA,
a Political Subdivision
of the State of Alabama,

Respondents

* * * * *

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

RETURNED 10-27-71
Not found in my County after dili-
gent search and inquiry.
RAY D. BRIDGES, Sheriff
By _____ D.S.

MOBILE COUNTY ALA.
OCT 27 9 10 AM '71
BY _____

STATE OF ALABAMA,

Petitioner

-VS-

LAKE FOREST, INC., an Alabama Corporation, Daphne, Alabama, [Claimant of Tracts 0131 and 0135, Project S-635(2) and Tract 14, Project I-10-1(19)] and GEORGE RUSSELL HORN, Daphne, Alabama, [Claimant to Portion of Parcel 008, Tract 0131, Project S-635(2)] and JAMES E. KEITH, Daphne, Alabama, [Claimant to Portion of Parcel 011, Tract 0131, Project S-635(2)] and BALDWIN COUNTY, ALABAMA, a Political Subdivision of the State of Alabama,

Respondents

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 7365

ORDER OF PROBATE COURT

The foregoing application for condemnation having been presented to the Probate Court of Baldwin County, Alabama, and considered by the Court, it is

ORDERED that the same be and is hereby set for hearing on the 28th day of Oct., 1971, at 10:00 o'clock A.m. It is further

ORDERED that notice of the application for condemnation and of the date set for the hearing thereof be given to the respondents at least ten (10) days before the hearing of this application.

Dated this 7th day of Oct., 1971.

Harry D'Olive
PROBATE JUDGE

By: _____

2

 ∞

Q

 δ

BOOK 0570 APR 1983

VOL 50 PAGE 400

STATE OF ALABAMA,

Petitioner

-VS-

LAKE FOREST, INC., an Alabama
Corporation, Daphne, Alabama,
[Claimant of Tracts 0131 and
0135, Project S-635(2) and
Tract 14, Project I-10-1(19)]
and GEORGE RUSSELL HORN, Daphne,
Alabama, [Claimant to Portion of
Parcel 008, Tract 0131, Project
S-635(2)] and
BALDWIN COUNTY, ALABAMA, a
Political Subdivision of the
State of Alabama,

Respondents

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 7,365

ACCEPTANCE OF SERVICE and

WAIVER OF TIME OF SERVICE

Comes now Frankie Fields Smith, attorney for George Russell Horn in above-styled cause, and accepts service of the application for condemnation in above-styled cause and waives the right to service of said petition for ten days prior to hearing and consents for the Probate Court of Baldwin County, Alabama, to hold such hearing at any time without further notice to said George Russell Horn with the stipulation that he be given the names and phone numbers of the Commissioners to be appointed and the date and time they will view the property of George Russell Horn.

Dated this 8th day of November, 1971.


ATTORNEY FOR GEORGE RUSSELL HORN

BOOK 030 PAGE 134

STATE OF ALABAMA,

Petitioner

-VS-

LAKE FOREST, INC., an Alabama Corporation, Daphne, Alabama, [Claimant of Tracts 0131 and 0135, Project S-635(2) and Tract 14, Project I-10-1(19)] and GEORGE RUSSELL HORN, Daphne, Alabama, [Claimant to Portion of Parcel 008, Tract 0131, Project S-635(2)] and BALDWIN COUNTY, ALABAMA, a Political Subdivision of the State of Alabama,

Respondents

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 7,365

ORDER OF PROBATE JUDGE GRANTING APPLICATION FOR
CONDEMNATION AND APPOINTING COMMISSIONERS

This cause having heretofore been set for hearing on this 10th day of November, 1971, at 10:00 a.m., as set forth in the application of the State of Alabama to condemn the right-of-way of easement on Parcels 0131 and 0135 for Project S-635(2) and Tract 14 for Project I-10-1(19) as specified in said application for condemnation over the lands therein described for the uses and purposes of a public road or highway for the State of Alabama, and it appearing to the Court that notice of the filing of said application for condemnation and of the day set for the hearing of the same has been given to the owners and interested parties by service of a notice upon them for more than ten (10) days prior to this date.

WHEREUPON, after examination of said application and after hearing the evidence in support thereof, the Court is of the opinion that the allegations contained in said application are true and that it is necessary to condemn the easement or right-of-way over the lands as described in said application, all for the uses and purposes of a public road or highway in and for the State of Alabama, and no cause having been shown why such application should not be granted; it is, therefore,

ORDERED, ADJUDGED and DECREED by the Court that the prayer of said application for condemnation be granted and that the easement or right-of-way over the lands described in said application is hereby condemned for the uses and purposes of a public road or highway in Baldwin County, Alabama. It is further

ORDERED that W. E. Long, John Beasley and Genge Stuart who are resident citizens of Baldwin County, Alabama, possessing the qualifications of jurors and who are disinterested in these proceedings (each of these facts being ascertained by the Court) be and they are hereby appointed commissioners to view said property and hear any evidence offered by interested parties and report to the Court within twenty (20) days after their appointment the amount of damages and compensation to which the owners and interested parties are entitled to receive for the condemnation of said right-of-way. It is further

ORDERED by the Court that a notice of their appointment be at once issued to said commissioners, and that the Sheriff of said County serve notice of said appointment upon each of the commissioners as required by law.

Done this 22nd day of November, 1971.

Harry D'Olive
JUDGE OF PROBATE

By: _____

STATE OF ALABAMA,

Petitioner

-VS-

LAKE FOREST, INC., an Alabama Corporation, Daphne, Alabama, [Claimant of Tracts 0131 and 0135, Project S-635(2) and Tract 14, Project I-10-1(19)] and GEORGE RUSSELL HORN, Daphne, Alabama, [Claimant to Portion of Parcel 008, Tract 0131, Project S-635(2)] and BALDWIN COUNTY, ALABAMA, a Political Subdivision of the State of Alabama,

Respondents

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 7,365

BOOK 030 PAGE 137

COMMISSIONS

TO: W. E. Long, Bay Minette, John Beasley
and George Stewart First National Bank
Mobile Fairhope
KNOW YE, that having full faith and confidence in your

integrity and competency, you have been by order and decree of the Probate Court of Baldwin County, Alabama, designated and appointed as commissioners in the above-styled cause, with all the power, authority and duties vested in or which may devolve on you as such commissioners under and by virtue of the provisions of Chapter I of Title 19 of the Code of Alabama of 1940, as amended.

You will be sworn as jurors and you or a majority of you shall assess the damages and compensation to which the owners and interested parties are entitled by virtue of and on account of the condemning of the right-of-way or easement over the tracts of land described in the application for condemnation filed in this cause, all for the uses and purposes of a public road or highway in and for the State of Alabama. A description of the lands and the names of the owners and the easement sought are specifically set out in the application for condemnation filed in this cause.

You may view the lands to be subjected and you must receive all legal evidence offered by any party touching the amount of damages or compensation the owner of said lands and interested

parties will sustain and are entitled to receive. Any person interested in the proceedings may be present in person or by attorney at any of these proceedings which you may have.

You must within twenty days from the day of your appointment, which is this date, make a report in writing to the Court stating the amount of damage and compensation ascertained and assessed by you for the owners and parties interested in the tracts of land, and file a certificate along with your award that none of you have been consulted advised with or approached by any person with reference to the value of the lands 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.

Given under my hand and seal of office this 22nd day of November, 1971.

Harry D. Oline
JUDGE OF PROBATE

By: _____

STATE OF ALABAMA
BALDWIN COUNTY

We, and each of us, do solemnly swear that we will well and truly try the cause now pending and submit it to our decision, said case being styled STATE OF ALABAMA vs. LAKE FOREST, INC., an Alabama Corporation, GEORGE RUSSELL HORN and BALDWIN COUNTY, ALABAMA, a political subdivision of the State of Alabama, and that we are not directly nor indirectly interested in the issues to be tried, and that we are not biased or prejudiced against either of said parties, and that we will render such compensation to the defendants as to us shall seem just and proper in the presence, so help us God.

Sworn to and subscribed before
me this _____ day of November, 1971.

*See Another form
for Oath -
signed*

JUDGE OF PROBATE

Received 22 day of Nov. 1971
and on 22 day of Nov. 1971
I served a copy of the within Commission
on George Stuart

By service on

TAYLOR WILKINS, Sheriff
By Charles L. Evans

NOV 22 1971

TAYLOR WILKINS
SHERIFF

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20

TAYLOR WILKINS, Sheriff
BY Charles L. Evans

Received 22 day of Nov. 1971
and on 29 day of Nov. 1971
I served a copy of the within Commission
on John Beasley

By service on

John Beasley

TAYLOR WILKINS, Sheriff
By W. C. Long D. S.

Sheriff claims 70 miles at
Ten Cents per mile Total \$ 7.00

TAYLOR WILKINS, Sheriff
BY W. C. Long
DEPUTY SHERIFF

Received 22 day of Nov. 1971
and on 2 day of Dec. 1971
I served a copy of the within Commission
on W. C. Long

By service on

TAYLOR WILKINS, Sheriff
By W. C. Long D. S.

Sheriff claims 0 miles at

Ten Cents per mile Total \$ 0.00

TAYLOR WILKINS, Sheriff
BY W. C. Long
DEPUTY SHERIFF

7.20
7.00
4.50 (3 @ 1.50)
18.70

STATE OF ALABAMA
BALDWIN COUNTY

We, and each of us, do solemnly swear that we will well and truly try the cause now pending and submit it to our decision, said case being styled STATE OF ALABAMA vs. LAKE FOREST, INC.; an Alabama Corporation, GEORGE RUSSELL HORN and BALDWIN COUNTY, ALABAMA, a political subdivision of the State of Alabama, and that we are not directly nor indirectly interested in the issues to be tried, and that we are not biased or prejudiced against either of said parties, and that we will render such compensation to the defendants as to us shall seem just and proper in the presence, so help us God.

John M. Beasley
George M. Pount
W. L. Long

Sworn to and subscribed before
me this 2nd day of ~~November~~ Dec., 1971.

Harry D'Olive
JUDGE OF PROBATE

STATE OF ALABAMA,

Petitioner

vs

LAKE FOREST, INC., an Alabama
Corporation, GEORGE RUSSELL
HORN, and BALDWIN COUNTY,
ALABAMA, a Political Subdivision
of the State of Alabama

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 7365

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 State of Alabama vs Lake Forest, Inc., George Russell Horn, and Baldwin County, Alabama,

and that none 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.

John M. Beasley
George M. Phant
W. L. Long

Sworn to and subscribed before me on this the 30th day
of December, 1971.

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

STATE OF ALABAMA,	Ø	
Petitioner	Ø	IN THE PROBATE COURT OF
-VS-	Ø	BALDWIN COUNTY, ALABAMA
LAKE FOREST, INC., et al	Ø	CASE NO. 7,365
Respondents	Ø	

ORDER GRANTING EXTENSION OF TIME TO FILE REPORT

WHEREAS, the Commissioners heretofore appointed in this cause have stated additional time over and above that allowed by Chapter 1, Title 19, Code of Alabama, Recompiled 1958, as amended is needed to complete their report; and

WHEREAS, the Court deems such request necessary because of the peculiar facts surrounding the valuations to be set; it is, therefore,

ORDERED, ADJUDGED and DECREED by the Court that the Commissioners heretofore appointed in this cause be allowed an additional Twenty days to file their report in this cause.

Harry D'Olive
PROBATE JUDGE

BOOK 030 PAGE 144

STATE OF ALABAMA,	Ø	
Petitioner	Ø	IN THE PROBATE COURT OF
-VS-	Ø	BALDWIN COUNTY, ALABAMA
LAKE FOREST, INC., et al	Ø	CASE NO. 7,365
Respondents	Ø	

CONSENT FOR EXTENSION OF TIME FOR
COMMISSIONERS TO FILE REPORT

Comes now Frankie Fields Smith, attorney for respondent George Russell Horn, and consents for the Commissioners, heretofore appointed in this cause to appraise the property involved in this proceeding, to be granted an additional thirty days in which to make their report to the Judge of Probate, Baldwin County, Alabama.

Dated: January 3, 1972


ATTORNEY FOR RESPONDENT
GEORGE RUSSELL HORN

BOOK 0310 PAGE 142

STATE OF ALABAMA,	§	
Petitioner	§	IN THE PROBATE COURT OF
-VS-	§	BALDWIN COUNTY, ALABAMA
LAKE FOREST, INC., et al	§	CASE NO. 7,365
Respondents	§	

CONSENT FOR EXTENSION OF TIME FOR
COMMISSIONERS TO FILE REPORT

Comes now Ben H. Kilborn, attorney for respondent Lake Forest, Inc., and consents for the Commissioners, heretofore appointed in this cause to appraise the property involved in this proceeding, to be granted an additional thirty days in which to make their report to the Judge of Probate, Baldwin County, Alabama.


ATTORNEY FOR RESPONDENT
LAKE FOREST, INC.

BOOK 070 PAGE 143

STATE OF ALABAMA,

Petitioner

-VS-

LAKE FOREST, INC., an Alabama Corporation, Daphne, Alabama, [Claimant of Tracts 0131 and 0135, Project S-635(2) and Tract 14, Project I-10-1(19)] and GEORGE RUSSELL HORN, Daphne, Alabama, [Claimant to Portion of Parcel 008, Tract 0131, Project S-635(2)] and BALDWIN COUNTY, ALABAMA, a Political Subdivision of the State of Alabama,

Respondents

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 7,365

REPORT OF THE COMMISSIONERS

TO THE HONORABLE HARRY M. D'OLIVE, JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA:

Come the undersigned, W. E. Long, John Beasley and George Stuart, the Commissioners duly appointed to assess the damages to Parcels 0131 and 0135 of Project S-635(2) and Tract 14 of Project I-10-1(19) to which the owners and other parties interested in the parcels of land set forth and described in the original application for condemnation of lands filed in this cause are entitled for the condemnation of such lands, and having been duly sworn as jurors, and having viewed the lands described in said application for condemnation, and having set a time and place for the hearing of the evidence to be offered by any party touching the amount of damages the owners of the lands and other parties interested therein will sustain and the amount of compensation they are entitled to receive, and having received all legal evidence offered, do hereby state that the amount of damages and compensation has been ascertained and assessed by the undersigned according to law and that the said owners of said parcels of land and other parties interested therein are entitled to receive as damages and compensation for the condemnation of their property, the following amount:

Project S-635(2), Parcel 0131 - \$74,525.

Project S-635(2), Parcel 0135 - \$17,475.

Project I-10-1(19), Tract 14 - \$64,839.50

We hereby certify that we have not been consulted with, advised with or approached by any person with reference to the value of the lands other than as to the evidence submitted to and considered by us or the proceedings to condemn the same prior to the assessment of damages, and that we knew nothing of the same prior to our appointment.

John M. Beasley
COMMISSIONER

George M. Munt
COMMISSIONER

W. L. Long
COMMISSIONER

Sworn to and subscribed before me
this 30th day of December, 1971.

Harry D'Olive
JUDGE OF PROBATE

By: Harry D'Olive

BOOK 030 PAGE 145

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 7,365

On the 30th day of December, 1971, came

Tract 0131, Project S-635(2) in the amount of \$24,525.00
Tract 0135, Project S-635(2) in the amount of \$12,475.00
Tract 14, Project I-10-1(19) in the amount of \$64,839.50

ORDERED, ADJUDGED and DECREED by the Court that the said report of commissioners be filed in this Court and recorded. It is further

VOL 50 PAGE 414

ORDERED by the Court that said petitioner pay all costs of the proceeding.

Done this 30th day of December, 1971.

Harry D. Oline
JUDGE OF PROBATE

BOOK 0310 PAGE 147

一

۸

1

1

1

OF APPEAL

ama, petitioner in above-styled
Duly Appointed Special Assistant
ma, and prays for and takes an
aldwin County, Alabama, from the
red in this cause on the thirtieth
condemnation awards against Tract
y Lake Forest, Inc., an Alabama
orn, et al.

WILLIAM J. BAXLEY
ATTORNEY GENERAL, STATE OF ALABAMA

By: A. M. M. Cooper
DULY APPOINTED SPECIAL ASSISTANT
ATTORNEY GENERAL, STATE OF ALABAMA

ce of Appeal.
In the above-

day of _____

OF ALABAMA, BALDWIN COUNTY
Jan. 28, 1972 M

ed _____ book _____ Page _____

16 Harry D. Levine
Judge of Probate

Judge of Probate

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

Kenneth Cooper
DULY APPOINTED SPECIAL ASSISTANT
ATTORNEY GENERAL, STATE OF ALABAMA

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

Kenneth Cooper
DULY APPOINTED SPECIAL ASSISTANT
ATTORNEY GENERAL, STATE OF ALABAMA

BOOK 60 PAGE 399

χ

20

Y

X

Y

Y

 χ

LATION

au

xi

on

4. That the respondents herein are the only parties known to either petitioner or respondents who have or assert any right, title or interest in or to the lands or interest therein sought to be acquired.

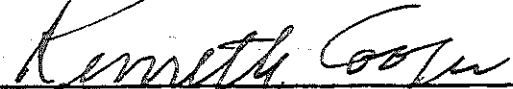
5. That the respondents have had due notice of the trial set and all proceedings herein and expressly enter appearance in this Court.

6. That only those lands belonging to Lake Forest, Inc. and George Russell Horn lying East of U.S. Highway No. S-635 and West of U.S. Highway No. S-635, comprising 16.64 acres, are affected by this proceeding and all testimony will be limited to said lands.

7. That the only issue in this proceeding is the damages and compensation, if any, to which the respondents are entitled.

8. That the time of taking in this proceeding is the date on which the respondents granted the State the right of entry on March 14, 1968.

ATTORNEY FOR PETITIONER

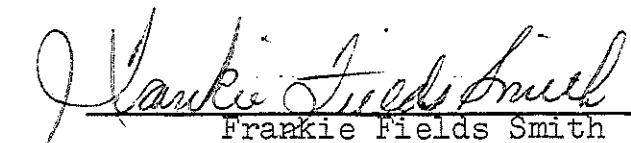

Kenneth Cooper

ATTORNEYS FOR RESPONDENT
Lake Forest, Inc.


Ben H. Kilborn


T. K. Jackson, III

ATTORNEY FOR RESPONDENT
George Russell Horn


Frankie Fields Smith

FILED

MAR 31 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

STIPULATION

WHEREAS both Lake Forest, Inc. and George Russell Horn claim ownership of the southernmost 73 feet, more or less, which has been condemned by the State of Alabama as Parcel 008, Tract 0131, Project S-635(2), Baldwin County, Alabama.

WHEREAS the State of Alabama is willing to pay, on a compromise settlement, the sum of somewhat less than ~~\$1,000.00~~ ^{\$550.00 ff.} computed on a pro-rata basis for said 73 foot strip;

WHEREAS Lake Forest, Inc., George Russell Horn and the State of Alabama, acting through their respective attorneys have compromised all claims arising out of said condemnation and certain sums have been paid by the State of Alabama into the Circuit Court of Baldwin County for the benefit of the owner of the various properties involved;

NOW THEREFORE, it is hereby stipulated and agreed that the sum of ~~\$1,000.00~~ ^{\$550.00 ff.} is the just and fair compensation due the owner of said 73 foot strip and such sum shall be placed with the Clerk of the Circuit Court of Baldwin County, Alabama, to be held in escrow (1) until such time as attorneys for both Lake Forest, Inc. and George Russell Horn instruct the Clerk as to the agreed disposition of said sum, or (2) in the event no agreement is reached, until the Clerk is satisfied by the decree of a competent court as to the ownership of said 73 foot strip. At such time the Clerk shall deliver said sum as instructed pursuant to (1) above or to the attorney for the prevailing party pursuant to (2) above.

The attorneys for Lake Forest, Inc. are Armbrrecht, Jackson and DeMouy; the attorney for George Russell Horn is Mrs. Frankie Fields Smith.

Dated March 31, 1972

LAKE FOREST, INC.

By TK Jackson
Armbrrecht, Jackson and DeMouy,
its attorneys

GEORGE RUSSELL HORN

By Frankie Fields Smith
Mrs. Frankie Fields Smith,
his attorney

FILED

APR 3 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

STATE OF ALABAMA,

Petitioner

-VS-

LAKE FOREST, INC., an Alabama Corporation, Daphne, Alabama, [Claimant of Tract 0131, Project S-635(2)] and GEORGE RUSSELL HORN, Daphne, Alabama, [Claimant to Portion of Parcel 008, Tract 0131, Project S-635(2)] and BALDWIN COUNTY, ALABAMA, a Political Subdivision of the State of Alabama,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10,308

Respondents

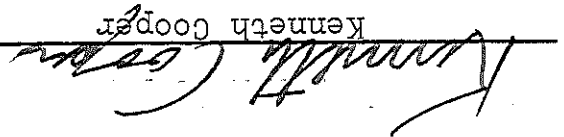
FINAL JUDGMENT BY CONSENT

This cause coming on to be heard by the Court, now come the parties and their respective attorneys of record, and it appearing to the Court from the stipulation of the parties made and entered into on March 31, 1972, and filed in this cause that on the fourteenth day of March, 1968, the State of Alabama entered into possession of the lands hereinafter described for the uses and purposes therein averred and that all acts and proceedings required to be done or held had been performed, and that this cause was set for trial only on and as to the valuation issue, the just compensation, if any, to be paid by the petitioner, the State of Alabama, to the respondents, Lake Forest, Inc., an Alabama Corporation, and George Russell Horn, for the lands or interest in lands sought to be acquired in this proceeding, and that an order of condemnation should be entered condemning the fee title to the lands hereinafter described for the uses and purposes set forth in the application for condemnation which is now on file in this Court.

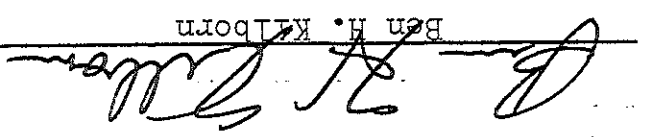
And now come the attorneys for the respective parties hereto, to wit: Kenneth Cooper for the State of Alabama, Ben H. Kilborn and T. K. Jackson, III for the respondent Lake Forest, Inc., an

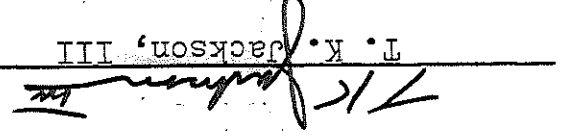
Alabama Corporation, and Frankie Fields Smith for the respondent George Russell Horn, and each attorney agrees and consents that a fair and reasonable amount to be paid by the petitioner to the respondents for the lands involved in this proceeding is the sum of Twenty-five Thousand Nine Hundred Eleven (\$25,911.00) Dollars, which said sum includes land value, damages and interest to the date of this decree. And each of said attorneys has indicated his consent hereto by his following signature, to wit:

ATTORNEY FOR PETITIONER

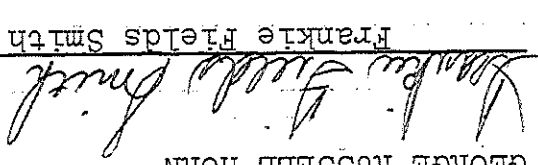

Kenneth Cooper

ATTORNEYS FOR RESPONDENT
LAKE FOREST, INC.


Ben H. Kilborn


T. K. Jackson, III

ATTORNEY FOR RESPONDENT
GEORGE RUSSELL HORN


Frankie Fields Smith

And the Court having considered all of the above, is of the opinion and judgment that an order or judgment of condemnation should be entered conditioned upon the payment by the State of Alabama to the Clerk of this Court for the use and benefit of the respondent landowners; it is, therefore,
ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, as follows, to wit:
1. That the application of the State of Alabama for the condemnation of the lands, rights and construction hereinafter described be and the same are hereby granted, and that the property described in Exhibit "A" attached hereto, and by

reference made a part hereof as though fully set forth herein, be and the same is hereby condemned in fee for the use by the State of Alabama as a right-of-way for a public road as set forth in the application aforesaid, and the rights therein are hereby divested out of the landowners and into the State of Alabama upon the payment by the State of Alabama of the sums hereinafter ordered and decreed to be paid.

2. That the respondent landowners, Lake Forest, Inc., an Alabama Corporation, and George Russell Horn, are entitled to damages in this cause, which said sum is hereby fixed at Twenty-five Thousand Nine Hundred Eleven (\$25,911.00) Dollars, which includes all interest on the said sum; and that upon the payment of said amount by the State of Alabama to the said landowners, the condemnation of the lands hereinabove described shall be and become effective to pass fee simple title to the said lands to the State of Alabama.

3. That the State of Alabama pay the costs of this proceeding.

DONE this 3rd day of April, 1972.

J. Gary A. Markberry
CIRCUIT JUDGE
28th Judicial Circuit

FILED

APR 8 1972

EUNICE B. BLACKMON CIRCUIT CLERK

EXHIBIT "A"

TRACT NO. 0131:

and as shown on the right of way map of Project No. S-635(2) as recorded in the office of the Judge of Probate of Baldwin County.

Parcel 001

Beginning at Station 447+19 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south property line a distance of 102.0 feet to a point; thence northeasterly parallel with and 100 feet distant from the centerline of said project along the arc of a curve to the right having a radius of 5,829.58 feet a distance of 336.9 feet to a point which is 100 feet westerly of and at right angles to centerline Station 451+00 of said project; thence westerly a distance of 40 feet to a point which is 140 feet westerly of and at right angles to centerline Station 451+00 of said project; thence northeasterly parallel with and 140 feet distant from the centerline of said project along the arc of a curve to the right having a radius of 5,869.58 feet a distance of 307.3 feet to a point which is 140 feet westerly of and at right angles to centerline Station 454+00 of said project; thence easterly a distance of 20 feet to a point which is 120 feet westerly of and at right angles to centerline Station 454+00 of said project; thence northeasterly parallel with and 120 feet distant from centerline of said project along the arc of a curve to the right having a radius of 5,849.58 feet a distance of 565.7 feet to a point which is 120 feet westerly of and at right angles to centerline P. T. Station 459+53.90 Ahead and 459+53.61 Back of said project; thence north $00^{\circ} 20' 12''$ east a distance of 454.1 feet to a point which is 120 feet westerly of and at right angles to centerline Station 464+08 of said project; thence north $45^{\circ} 02'$ west a distance of 70.2 feet more or less, to a point on the north line of Lot 19 in Block 20 of Park City Subdivision; thence easterly along the north line of Lots 19 and 18 a distance of 42.6 feet to the northeast corner of Lot 18; thence southeasterly along the north line of Lot 17, 16 and 15 a distance of 282.8 feet to the northeast corner of Lot 15; thence southerly along the east line of Lot 15 a distance of 115 feet to the southeast corner of said lot; thence easterly a distance of 53.3 feet to a point; thence south $00^{\circ} 20' 27''$ west a distance of 191.2 feet to a point which is 130 feet easterly of and at right angles to centerline P. T. Station 459+53.61 Back and 459+53.90 Ahead of said project; thence southwesterly parallel with and 130 feet distant from the centerline of said project along the arc of a curve to the left having a radius of 5,599.58 feet a distance of 1,233.4 feet to a point on the south property line of said property; thence westerly along the south property line a distance of 132.7 feet to the point of beginning.

Said parcel of land lying in Grant Section 7 and 6 Township 5 South, Range 2 East, and containing 9.09 acres, more or less.

Parcel 002

Beginning at Station 468 + 49.5 of Project No. S-635(2) the north property line and the point of beginning of the Parcel of land hereinafter described; thence easterly along the north line of Lots 11 and 13 in Block 35 of Park City Subdivision a distance of 67.6 feet to the northeast corner of Lot 13; thence southerly along the east line of said lot a distance of 115 feet to the southeast corner of Lot 13; thence southwesterly along the south line of Lot 13 a distance of 49.5 feet to a point; thence westerly along the south line of Lot 13 and 14 a distance of 45 feet to the southwest corner of Lot 14; thence northerly along the west line of Lot 14 a distance of 150 feet to the northwest corner of Lot 14; thence easterly along the north line of Lot 14 a distance of 12.4 feet to the point of beginning. Said parcel of land begins lots 13 and 14 in Block 35 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.26 acres, more or less.

Parcel 003

Beginning at Station 466 + 84.5 of Project No. S-635(2) the north property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the north line of Lots 12 and 11 in Block 35 of Park City Subdivision a distance of 130 feet to the northeast corner of Lot 10; thence south 00° 20' 12" west a distance of 100 feet to a point which is 130 feet westerly of and at right angles to centerline Station 465 + 82.8; thence south 44° 58' west a distance of 70.2 feet, more or less, to a point on the south line of Lot 9 in Block 35 of said subdivision; thence easterly along the south line of Lots 9 and 10 a distance of 51.6 feet to the southeast corner of Lot 10; thence northeasterly along the south line of Lots 11 and 12 in Block 35 of said subdivision a distance of 212.1 feet to the northeast corner of Lot 12; thence westerly along the north line of Lot 12 a distance of 20 feet to the point of beginning. Said parcel of land being a portion of Lots 9, 10, 11, and 12 in Block 35 of Park City Subdivision as recorded in the office of the Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 south, Range 2 East, and containing 0.29 acres, more or less.

Parcel 004

Beginning at the northeast corner of Lot 16 in Block 35 of Park City subdivision a distance of 52.4 feet westerly of and at right angles to centerline Station 468 + 49.5 of Project No. S-635(2); thence southerly along the east line of Lot 16 a distance of 150 feet to the southeast corner of said lot; thence westerly along the south line of Lots 16 and 17 a distance of 79.5 feet to a point; thence north 00° 20' 12" east a distance of 150 feet to a point on the north line of Lot 17; thence easterly along the north line of Lots 17 and 16 a distance of 77.6 feet to the point of beginning. Said parcel of land being a portion of Lots 16 and 17, in Block 35 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.27 acres, more or less.

Parcel 005

Beginning at Station 469+24.5 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 13, 12, and 11 in Block 38, of Park City Subdivision a distance of 130 feet to a point; thence north 00° 20' 12" east a distance of 77.2 feet to a point which is 130 feet westerly of and at right angles to centerline Station 470+00 of said project; thence westerly a distance of 10' to a point that is 140 feet westerly of and at right angles to the centerline at Station 470+00; thence north 00° 20' 12" east a distance of 72.7 feet to a point on the north line of Lot (continued on next page)

100-20002

۱۰۰

°C30T 10 0.10M C30T0 54°0 24.10.1940 11.10

of Bellamy County, Indiana.

Form 006

Baldwin County, Alabama.

and continuing 0.92 acres, more or less.

10 in Block 36 of said subdivision; thence easterly along the north line of Lots 10, 11, 12 and 15 in Block 36 a distance of 204.7 feet to the north-
west corner of Lot 15; thence southerly along the east line of Lots 15, 16,
and 18 in Block 36 a distance of 150 feet to the southeast corner of Lot 13;
thence westerly along the south line of Lot 13 a distance of 66.6 feet to the
point of beginning. Said parcel of land being a portion of Lots 10, 11, 12,
13, 14, and 15 in Block 36 of Park City Subdivision as recorded in the office
of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.02 acres, more or less.

Parcel 008

Beginning at the southwest corner of Lot 24 in Block 39 of Park City Subdivision which is 139.5 feet easterly of and at right angles to centerline Station 470 + 69.5 of Project No. S-635(2); thence northerly along the west line of Lots 24, 23 and 22 in Block 39 of said subdivision a distance of 150 feet to the northwest corner of Lot 22; thence easterly along the north line of Lot 22 a distance of 12.4 feet to a point; thence south $00^{\circ} 20' 12''$ west a distance of 150 feet to a point on the south line of Lot 24; thence westerly along the south line of Lot 24 a distance of 10.5 feet to the point of beginning. Said parcel of land being a portion of Lots 22, 23 and 24 in Block 39 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.04 acres, more or less.

Parcel 009

Beginning at Station 473 + 14.5 of Project No. S-635(2), the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 13, 12 and 11 in Block 53 of Park City Subdivision a distance of 100 feet to a point; thence north $00^{\circ} 20' 12''$ east a distance of 150 feet to a point; thence easterly along the north line of Lots 12 and 15 in Block 53 of said subdivision a distance of 159.7 feet to the northeast corner of Lot 15; thence southerly along the east line of Lots 15, 14 and 13 in Block 53 of said subdivision a distance of 150 feet to the southeast corner of Lot 13; thence westerly along the south line of Lot 13 a distance of 61.6 feet to the point of beginning. Said parcel of land being a portion of Lot 11 and all of Lots 12, 13, 14 and 15 in Block 53 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.55 acres, more or less.

Parcel 010

Beginning at Station 474 + 79.5 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 16, 19 and 20 in Block 59 of Park City Subdivision a distance of 100 feet to a point; thence north $00^{\circ} 20' 12''$ east a distance of 21.8 feet to a point which is 100 feet westerly of and at right angles to centerline Station 475 + 00 of said project; thence westerly a distance of 10 feet to a point which is 110 feet westerly of and at right angles to centerline Station 475 + 00 of said project; thence north $00^{\circ} 20' 12''$ east a distance of 78.7 feet to a point which is 110 feet westerly of and at right angles to centerline Station 475 + 78.1 of said project; thence north $45^{\circ} 03'$ west a distance of 45.2 feet to a point on the east line of Lot 21 in Block 53 of said subdivision; thence northerly along the east line of Lot 21 a distance of 17.4 feet to the northeast corner of Lot 21 in Block 53 of said subdivision; thence easterly along the north line of Lots 20, 19 and 18 in Block 53 of said subdivision a distance of 200 feet to the northeast corner of Lot 18; thence southerly along the east line of Lots 18, 17 and 16 a distance of 150 feet to the southeast corner of Lot 16; thence westerly along the south line of Lot 16 a distance of 59.5 feet to the point of beginning. Said parcel of land being all of Lots 16, 17, 18, 19 and a portion of Lot 20, in Block 53 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.60 acres, more or less.

Parcel 011

Beginning at the northwest corner of Lot 22 in Block 22 of Park City Subdivision which is 132.6 feet easterly of and at right angles to centerline Station 476 + 31.2 of Project No. S-635(2); thence easterly along the north line of Lot 22 a distance of 50 feet to a point; thence South $45^{\circ} 06'$ west a distance of 70.7 feet to a point; thence northerly along the west line of

Lot 22 a distance of 50 feet to the point of beginning. Said parcel of land being a portion of Lot 22 in Block 52 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East and containing 0.03 acres, more or less.

Parcel 012

Beginning at Station 477 + 04.5 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 13 and 12 in Block 56 of Park City Subdivision a distance of 103.4 feet to a point; thence north $00^{\circ} 24' 00''$ west a distance of 150 feet to a point; thence easterly along the north line of Lot 12 a distance of 40 feet to the northeast corner of said lot; thence southerly along the east line of Lot 12 a distance of 100 feet to the northwest corner of Lot 13; thence easterly along the north line of Lot 13 a distance of 120 feet to the northeast corner of said lot; thence southerly along the east line of Lot 13 a distance of 50 feet to the southeast corner of said lot; thence westerly along the south line of Lot 13 a distance of 56.6 feet to the point of beginning. Said parcel of land being Lots 12 and 13 in Block 56 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.23 acres, more or less.

Parcel 013

Beginning at Station 478 + 69.5 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 16, 19 and 20 in Block 56 of Park City Subdivision a distance of 110 feet to a point; thence north $00^{\circ} 20' 12''$ east a distance of 150 feet to a point; thence easterly along the north line of Lots 20, 19 and 18 in Block 56 of said subdivision a distance of 162.5 feet to the northeast corner of Lot 18; thence southerly along the east line of Lots 18, 17 and 16 in Block 56 of said subdivision a distance of 150 feet to the southeast corner of Lot 16; thence westerly along the south line of Lot 16 a distance of 54.5 feet to the point of beginning. Said parcel of land being all of Lots 16, 17, 18, 19 and a portion of Lot 20 in Block 56 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.56 acres, more or less.

Parcel 014

Beginning at Station 480 + 94.5 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 13 and 12 in Block 71 of Park City Subdivision a distance of 110 feet to a point; thence north $00^{\circ} 20' 12''$ east a distance of 6.9 feet to a point which is 110 feet westerly of and at right angles to centerline Station 481 + 00 of said project; thence westerly a distance of 40 feet to a point which is 150 feet westerly of and at right angles to centerline Station 481 + 00 of said project; thence north $00^{\circ} 20' 12''$ east a distance of 142.6 feet to a point; thence easterly along the north line of Lots 11, 12 and 15 in Block 71 of said subdivision a distance of 199.7 feet to the northeast corner of Lot 15; thence southerly along the east line of Lots 15, 14 and 13 in Block 71 of said subdivision a distance of 150 feet to the southeast corner of Lot 13; thence westerly along the south line of Lot 13 a distance of 51.6 feet to the point of beginning. Said parcel of land being a portion of Lots 10 and 11 and all of Lots 12, 13, 14 and 15 in Block 71 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East, and containing 0.73 acres, more or less.

A drainage easement being described as follows: Beginning at a point 150 feet westerly of and at right angles to centerline Station 481 + 90 of Project No. S-635(3); thence south $85^{\circ} 20' 12''$ west a distance of 41.9 feet, more or less, to a point on the west line of Lot 10 in Block 71 of Park City Subdivision; thence southerly along the west line of Lot 10 a distance of 41.4 feet to a point; thence north $85^{\circ} 20' 12''$ east a distance of 41.4 feet to a point on the east line of Lot 10 in Block 71 of said subdivision; thence northerly along the east line of Lot 10 a distance of 41.4 feet to the point of beginning. Said parcel of land being a portion of Lot 10 in Block 71 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East and containing 0.04 acres, more or less.

Parcel 015

Beginning at Station 482 + 59.6 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south line of Lots 16, 19 and 20 in Block 71 of Park City Subdivision a distance of 150 feet to a point; thence north $00^{\circ} 20' 12''$ east a distance of 42.3 feet to a point which is 150 feet westerly of and at right angles to centerline Station 483 + 00 of said project; thence easterly a distance of 20 feet to a point which is 130 feet westerly of and at right angles to centerline Station 483 + 00 of said project; thence north $00^{\circ} 20' 12''$ east a distance of 107.9 feet to a point; thence easterly along the north line of Lots 20, 19 and 18 in Block 71 of Park City Subdivision a distance of 177.5 feet to the northeast corner of Lot 18; thence southerly along the east line of Lots 18, 17 and 16 a distance of 150 feet to the southeast corner of Lot 16; thence westerly along the south line of Lot 16 a distance of 49.5 feet to the point of beginning. Said parcel of land being all of Lots 16, 17, 18, 19 and a portion of Lot 20 in Block 71 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East and containing 0.63 acres, more or less.

Parcel 016

Beginning at Station 484 + 84.6 of Project No. S-635(2) the south property line and the point of beginning of the parcel of land hereinafter described; thence westerly along the south property line a distance of 130 feet to a point; thence north $00^{\circ} 20' 12''$ east a distance of 315 feet to a point which is 130 feet westerly of and at right angles to centerline Station 487 + 99.6 of said project; thence easterly along the north property line a distance of 172.5 feet to the northeast corner of said property; thence southerly along the east property line a distance of 315 feet to the southeast corner of said property; thence westerly along the south property line a distance of 46.6 feet, more or less, to the point of beginning. Said parcel of land being a portion of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5, South, Range 2 East and containing 1.26 acres, more or less.

Parcel 017

Beginning at a point which is 120 feet easterly of and at right angles to centerline station 486 + 36.1 of Project No. S-635(2); thence south $00^{\circ} 20' 12''$ west a distance of 27.7 feet to a point on the west property line of Lot 1 in Block 75 of Park City Subdivision; thence northerly along the west line of Lot 1 in Block 75 of said subdivision a distance of 27.7 feet to the northwest corner of Lot 1 in Block 75 of said subdivision; thence easterly along the north line of Lot 1 a distance of 0.4 feet to the point of beginning. Said parcel of land being a portion of Lot 1 in Block 75 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East and containing 0.01 acres, more or less.

Parcel 018
Beginning at a point which is 120 feet easterly of and at right angles to centerline station 463 + 01.1 of Project No. S-635(3); thence south 00° 20' 12" west a distance of 150 feet to a point on the south line of Lot 24 in Block 75 of Park City Subdivision; thence westerly along the south line of Lot 24 a distance of 0.6 feet to the southwest corner of said Lot; thence northerly along the west line of Lots 24, 23 and 22 in Block 75 of said subdivision a distance of 150 feet to the northwest corner of Lot 22 in Block 75 of said subdivision; thence easterly along the north line of Lot 22 in Block 75 of said subdivision a distance of 2.5 feet to the point of beginning. Said parcel of land being a portion of Lots 24, 23 and 22 in Block 75 of Park City Subdivision as recorded in the office of Probate Judge of Baldwin County, Alabama.

Said parcel of land lying in Grant Section 6, Township 5 South, Range 2 East and containing 0.01 acres, more or less.

February 1, 1972

Honorable Frankie Fields Smith -
Honorable Ben M. Kilborn -
Attorneys at Law
Mobile, Alabama

Dear Attorneys:

The State of Alabama has appealed the condemnation cases, and in order that you may be given notice thereof, I enclose a copy of the original filed in this office.

If each of you will sign the enclosed Xerox copy of the original, and return the same to me in the enclosed self-addressed envelope, this will be greatly appreciated. You both understand, by signing the paper, that you will accept service for your respective client.

Very truly yours,

Harry D'Olive

By: (Mrs.) Lois Stough
Probate Clerk

*Charge for extra copies
5.00*

BOOK 080 PAGE 148

Frankie Fields Smith

Attorney at Law

1616 St. Stephens Road, Mobile, Alabama 36603

205 432-5035

December 30, 1971

Attorney Kenneth Cooper
Bay Minette, Alabama

Re: Condemnation Proceedings
State of Alabama v. George Horn,
et al. Case No. 7365

Dear Mr. Cooper:

It has been sometime now since we met with the commissioners appointed in the above matter. Could you give me some indication as to the status of the case at this time.

Thank you very much for your cooperation in this matter.

Very truly yours,

Frankie Fields Smith

FFS/ahk

cc: Honorable Harry D'Olive ✓
Mr. John Beasley
Mr. W. E. Long
Mr. George Stewart



GUERRY PRUETT
HIGHWAY DIRECTOR

STATE OF ALABAMA
HIGHWAY DEPARTMENT

FIFTH DIVISION
OFFICE OF DIVISION ENGINEER
1701 BELTLINE HIGHWAY, NORTH
P. O. BOX 7158
MOBILE, ALABAMA 36607
Telephone: 471-3441

RAY BASS
ASSISTANT HIGHWAY DIRECTOR

January 20, 1972

Baldwin County Probate Court
Baldwin County Court House
Bay Minette, Alabama 36507

Re: Project Number I-10-1(19) &
S-635(2)
Baldwin County

Dear Sir:

Enclosed is State Warrant Number 77924 dated January 14, 1972, in the amount of \$101,839.50 in your favor. This warrant covers payment for Probate Award in Case No. 7365, State versus Lake Forest, Inc. et al. being Tract No. 14 on I-10-1(19) and Tracts No. 131 and 135 on S 635(2).

Yours very truly,

M. H. Wilkins
Division Engineer

FJG/bj
Attach.

cc: Mr. H. J. Lewis
File

STATE OF ALABAMA DEPT. OF FINANCE - STATE COMPTROLLER

BALDWIN COUNTY PROBATE COURT

HIGHWAY
VOUCHER NO.
2096

FUND
730 -00

HIGHWAY
WARRANT NO.

HIGHWAY VOUCHER

VENDOR'S INVOICE OR ACCOUNT NO.	PURCHASE ORDER NUMBER	VENDOR'S DT.			REFERENCE	AMOUNT OF INVOICE	DEDUCTIONS AMOUNT	BALANCE PAYABLE
		MO.	DAY	YR.				
I-10-1(19) and S-635(2) ROW		1	6	72	25392	101,839.50		
TOTAL								101,839.50

REFER TO WARRANT NO.
ADDRESS CORRESPONDENCE TO

STATE HIGHWAY DEPT.
DIVISION OF ACCOUNTS
MONTGOMERY, ALA. 36104

No. 7265

In the matter of

State of Alabama vs Lake Forest Inc. et al

Administrator, Executor, or Guardian. Residence.

Attorneys Kenneth Cooper

Docket

Page

Fee Book

Page

DATE	FEES	AMOUNT	DATE	FEES	AMOUNT
	WILL-Orders on Presentation, \$1.00			BROUGHT FORWARD,	
	Affidavit in Petition for Probate, 25c			SALE OF PERSONAL PROP.-Petition, 25c	
	Recording Petition, per 100 words, 15c			Recording same, per 100 words, 15c	
	Issuing Citation, entering Sheriff's Returns, 50c			Granting Order of Sale, 50c	
	Appointing, Notifying Guardian ad Litem, 50c			Issuing Order of Sale, 25c	
	Issuing Subpoena for Witnesses, 50c			Order to Publish Notice of Sale, 50c	
	Affidavit of Witnesses, 25c			Affidavit to Report, 25c	
	Examining Witnesses and Order Probating, \$2.00			Recording, per 100 words, 15c	
	Issuing Commission to take Deposition, 50c			Appointing Com'r to Divide, and Writ, \$2.00	
	Filing Interrogatories, 10c			Appointing and Notifying Guardian ad Litem, 50c	
	Copy of same, per hundred words, 15c	2-1-72	ck. # 906-	John M. Beasley	250 00
	Recording Will, per hundred words, 15c	-	908-	George M. Stewart	250 00
	Recording Testimony, per hundred words, 15c	-	909-	W. C. Long	250 00
	Certificate, without Seal, 25c			PARTIAL SETTLEMENT-Affi. in Account, 25c	
	Certificate, with Seal, 50c			Examining, Stating Acc't, and App. Hearing, \$1.00	
	Presiding at Trial of Contested Will, per day, \$2.50	10 00		Order to Publish Notice of Sale, 50c	
10-7-71	Petition	75		Appointing and Notifying Guardian ad Litem, 50c	
11-8-71	Order set. Day for hearing	15		Examining Vouchers, 10c	
	Amendment	75		Administering Affidavits, 25c	
11-22-71	Acceptance + Waiver	175		Making Decree and Order of Record, \$1.50	
	Order Grant. App. + App.	2 00		Recording same, per 100 words, 15c	
	LETTERS-Affidavit in Petition, 25c			Filing Claims and Giving Receipt, 25c	
	Recording Petition, per hundred words, 15c	50		INSOLVENCY-Affidavit in Report, 25c	
12-2-71	Granting Letters of Administration, 50c	100		Recording Report and Acc't, per 100 words, 15c	
	Issuing and Recording same, 50c	50		Order App. Day for hearing, 25c	
	Granting Letters of Guardianship, 75c			Order to Publish Notice of same, 25c	
	Issuing, Filing, and Recording same, 50c	175		Order for Citation, 25c	
12-30-71	Taking App. Filing, Rec. Adm. Bond, \$1.50	125		Issuing Notice to Creditors, Day of Hearing, 50c	
	Taking App. Filing, Rec. Guard. Bond, \$1.00			Order Sustaining Report, 25c	
	Affidavit of Justification, 50c			Order for Settlement, 25c	
	Granting Order of Appraisalment, 50c			Order to Publish Day of Settlement, 25c	
	Issuing Order of Appraisalment, 25c			Issuing Notice of Day of Settlement, 25c	
	Recording same, per hundred words, 15c			Affidavit Amount of Claims, 25c	
	Certified Copy Letters, 50c	4 50		Appointing, Notifying Guardian ad Litem, 25c	
	Extra Copies Cert. + Bonds	8 75			
	Cert. Copies Decrees	38 25		SALE OF REAL ESTATE-Affi. in Petition, 25c	
	HOMESTEAD-Rec. Petition for Com. 100 words, 15c			Recording Petition, per 100 words, 15c	
	Rec. Order for Applicant, per 100 words, 15c			Order App. Day of Hearing and Notice, \$1.00	
	Recording Order for Com., per 100 words, 15c			Order to Publish Notice of same, 50c	
	Notice to Commissioners, 50c			Issuing Citation, entering Sheriff's Return, 50c	
	Recording Report of Com., per 100 words, 15c			Appointing and Notifying Guardian ad Litem, 50c	
	Rec. Order Setting Apart, per 100 words, 15c			Issuing Commission to take Deposition, 50c	
	INVENTORY-Order to App. and Rec., 50c			Filing Interrogatories, per 100 words, 15c	
	Affidavit to same, 25c			Copy of Interrogatories, per 100 words, 15c	
	Recording same, per 100 words, 15c			Appointing Com'r to Divide and Issue, \$2.00	
	Recording Decree, per 100 words, 15c			Affidavit in Report of same, 25c	
	APPRAISEMENT-Order Approving Rec., 50c			Order Approving Div. and Writ, \$1.00	
	Affidavit to same, 25c			Recording same, per 100 words, 15c	
	Recording same, per 100 words, 15c			Hearing Application for Dower, Issuing Writ, \$4.00	
	Issuing Order of Appraisalment, 25c			Recording Testimony and Granting Order to Sell, \$2.00	
	Recording Warrant, per 100 words, 15c			Recording Depositions, per 100 words, 15c	
	Order to Approve Appraisalment, 50c			Recording Relinquishment of Dower, 100 wds., 15c	
	Affidavit to Appraisalment, 25c			Recording Report, per 100 words, 15c	
	Recording same, per 100 words, 15c			Rec. Payment Purchase Money, per 100 words, 15c	
	Recording Decree, per 100 words, 15c			Making Order on Report Sale of Land, 75c	
	SALE OF PERISHABLE PROPERTY-Petition, 25c			Lake Forest et al	101 839 50
	Recording same, per 100 words, 15c			Condemnation Award	
	Granting Order of Sale, 50c			FINAL SETTLEMENT-Affidavit in Acc's, 25c	
	Issuing Order of Sale, 25c			Examining, Stating, and Reporting Account, \$1.00	
	Appointing, Notifying Guardian ad Litem, 50c			Order to Publish Notice of same, 50c	
	Affidavit to Report, 25c			Appointing and Notifying Guardian ad Litem, 50c	
	Recording, per 100 words, 15c			Examining Vouchers, 10c	
				Administering Affidavits, 25c	
				Recording same, per 100 words, 15c	
				Decrees in Final Settlement, 50c	
				Taylor, William, Sr.	24 20
					102 651 9

CARRIED FORWARD:

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

John M. Beasley, President
First National Bank
Fairhope, Ala.

George Stuart
Peoples Fertilizer Plant
Toley, Ala.

Form 1575—ROBERTS & SON, BIRMINGHAM

INVOICE

Payee Baldwin County Probate Court
Address Baldwin County Court House
City Bay Minette, Alabama
Date January 7, 1972
Project I-10-1(19) & S-635(2)
County Mobile

In Account With
ALABAMA HIGHWAY DEPARTMENT

DESCRIPTION

Cost of court incurred in
Case No. 7365, State vs.
Lake Forest, Inc. as per
attached cost bill:

I-10-1(19) Tract No. 14
S-635(2) Tracts No. 131
and 135

TOTAL COST \$ **812.45**

I hereby certify that the within account is correct and just and
that payment therefor has not been received.

Probate Judge

Sworn and subscribed before me this 7 day of Jan. 1972

Franklin D. Saffell Notary Public

Approved: [Signature] Dy. Engr.

Chief of Bureau

APPRAISAL & REVIEW INFO. PREVIOUSLY SUBMITTED

APPRAISED BY

Name	Amount
1	
2	
3	
4	

REVIEWED BY

Name	Amount

Type of Structure(s)

A	B	C	D

Acquired By

DISTRIBUTION

Area	Account Number	Funct.	Object	Fund	Project Number					Part.	Tract & Parcel		AMOUNT
											Tract	Parcel	
	4311	240	244		36	010	001	019	296	2	0014	201	517.29
	4314	240	244		11	000	635	002	443	2	0131	601	195.64
	4314	240	244		11	000	635	002	443	2	0135	601	99.52

Legend: Str. A—Residence

B—Commercial

C—Apartment

D—Other

Paid by State Warrant No. _____

Voucher No. _____ Date _____

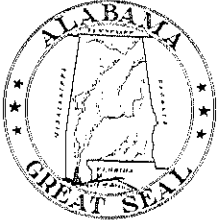
Acquired By: 1—Agreement

2—Adm. Settlement

3—P. C. Award

4—C. C. Award

38.25
50.00
824.20
812.45



STATE OF ALABAMA
HIGHWAY DEPARTMENT

GUERRY PRUETT
HIGHWAY DIRECTOR

FIFTH DIVISION
OFFICE OF DIVISION ENGINEER
1701 BELTLINE HIGHWAY, NORTH
P. O. BOX 7158
MOBILE, ALABAMA 36607
Telephone: 471-3441

RAY BASS
ASSISTANT HIGHWAY DIRECTOR

January 28, 1972

Baldwin County Probate Court
Baldwin County Court House
Bay Minette, Alabama

Re: Project Number I-10-1(19)
and S-635(2)
Mobile County

Dear Sir:

Enclosed is State Warrant Number 84693 dated January 24, 1972, in the amount of \$812.45 in your favor. This warrant covers payment for cost of court in Case No. 7365, State vs. Lake Forrest, Tract No. 14 on I-10-1(19) and Tracts No. 131 and 135 on S-635(2).

Yours very truly,

M. H. Wilkins
Division Engineer

FJG/pb
Attach.
cc: Mr. H. J. Lewis
File

STATE OF ALABAMA - DEPT. OF FINANCE - STATE COMPTROLLER

BALDWIN COUNTY PROBATE COURT

HIGHWAY
VOUCHER NO.
2212

FUND
730 -00

HIGHWAY
WARRANT NO.

HIGHWAY VOUCHER

VENDOR'S INVOICE OR ACCOUNT NO.	PURCHASE ORDER NUMBER	VENDOR'S DT.			REFERENCE	AMOUNT OF INVOICE	DEDUCTIONS AMOUNT	BALANCE PAYABLE
		MO.	DAY	YR.				
I-10-1(19) & S 635(2)								
ROW		1	7	72	26805	812.45		
TOTAL								812.45

**REFER TO WARRANT NO.
ADDRESS CORRESPONDENCE TO**

STATE HIGHWAY DEPT.
DIVISION OF ACCOUNTS
MONTGOMERY, ALA. 36104

Form 158-PROBATION
No. 7365

In the matter of State of Alabama vs Lake Forest, et al

Administrator, Executor, or Guardian. Residence.

Attorneys Kenneth Cooper

Docket.

Page

Free Book

Page_

DATE	FEE	AMOUNT	DATE	FEE	AMOUNT
	WILL—Orders on Presentation, \$1.00			BROUGHT FORWARD,	
	Affidavit in Petition for Probate, 25c			SALE OF PERSONAL PROP.—Petition, 25c	
	Recording Petition, per 100 words, 15c			Recording same, per 100 words, 15c	
	Issuing Citation, entering Sheriff's Returns, 50c			Granting Order of Sale, 50c	
	Appointing, Notifying Guardian ad Litem, 50c			Issuing Order of Sale, 25c	
	Issuing Subpoena for Witnesses, 50c			Order to Publish Notice of Sale, 50c	
	Affidavit of Witnesses, 25c			Affidavit to Report, 25c	
	Examining Witnesses and Order Probating, \$2.00			Recording, per 100 words, 15c	
	Issuing Commission to take Deposition, 50c			Appointing Com'r to Divide, and Writ, \$2.00	
	Filing Interrogatories, 10c			Appointing and Notifying Guardian ad Litem, 50c	
	Copy of same, per hundred words, 15c				
	Recording Will, per hundred words, 15c				
	Recording Testimony, per hundred words, 15c				
	Certificate, without Seal, 25c			PARTIAL SETTLEMENT—Affi. in Account, 25c	
	Certificate, with Seal, 50c			Examining, Stating Acc't, and App. Hearing, \$1.00	
2-10-72	Presiding at Trial of Contested Will, per day, \$2.50	5.50		Order to Publish Notice of Sale, 50c	
	Record Appeals			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	
	LETTERS—Affidavit in Petition, 25c			Filing Claims and Giving Receipt, 15c	
	Recording Petition, per hundred words, 15c			INSOLVENCY—Affidavit in Report, 25c	
	Granting Letters of Administration, 50c			Recording Report and State., per 100 words, 15c	
	Issuing and Recording same, 50c			Order Appointing Day for Hearing, 25c	
	Granting Letters of Guardianship, 75c			Order to Publish Notice of same, 25c	
	Issuing, Filing, and Recording same, 50c			Order for Citations, 25c	
	Taking App., Filing, Rec. Adm. Bond, \$1.50			Issuing Notice to Creditors, Day of Hearing, 50c	
	Taking App., Filing, Rec. Guard. Bond, \$1.00			Order Sustaining Report, 25c	
	Affidavit of Justification, 50c			Order for Settlement, 25c	
	Granting Order of Appraisalment, 50c			Order to Publish Day of Settlement, 25c	
	Issuing Order of Appraisalment, 25c			Issuing Notice of Day of Settlement, 25c	
	Recording same, per hundred words, 15c			Affidavit to Amount of Claims, 25c	
	Certified Copy Letters, 50c			Appointing, Notifying Guardian ad Litem, 25c	
				SALE OF REAL ESTATE—Affi. in Petition, 25c	
	HOMESTEAD—Rec. Petition for Com. 100 words, 15c			Recording Petition, per 100 words, 15c	
	Rec. Order for Applicant, per 100 words, 15c			Order App. Day of Hearing and Notice, \$1.00	
	Recording Order for Com., per 100 words, 15c			Order to Publish Notice of same, 50c	
	Notice to Commissioners, 50c			Issuing Citation, entering Sheriff's Return, 50c	
	Recording Report of Com., per 100 words, 15c			Appointing and Notifying Guardian ad Litem, 50c	
	Rec. Order Setting Apart, per 100 words, 15c			Issuing Commission to take Deposition, 50c	
	INVENTORY—Order to App. and Rec., 50c			Filing Interrogatories, per 100 words, 15c	
	Affidavit to same, 25c			Copy of Interrogatories, per 100 words, 15c	
	Recording same, per 100 words, 15c			Appointing Com'r to Divide and Issue Writ, \$2.00	
	Recording Decree, per 100 words, 15c			Affidavit in Report of same, 25c	
				Order Approving Division and Report, \$1.00	
	APPRAISEMENT—Order Approving Rec., 50c			Recording same, per 100 words, 15c	
	Affidavit to same, 25c			Hearing Application for Dower, Issuing Writ, \$4.00	
	Recording same, per 100 words, 15c			Exam. Testimony and Granting Order to Sell, \$2.00	
	Issuing Order of Appraisalment, 25c			Recording Depositions, per 100 words, 15c	
	Recording Warrant, per 100 words, 15c			Recording Relinquishment of Dower, 100 wds., 15c	
	Order to Approve Appraisalment, 50c			Recording Report, per 100 words, 15c	
	Affidavit to Appraisalment, 25c			Rec. Payment Purchase Money, per 100 words, 15c	
	Recording same, per 100 words, 15c			Making Order on Report Sale of Land, 75c	
	Recording Decree, per 100 words, 15c				
				FINAL SETTLEMENT—Affidavit in Acc's, 25c	
	SALE OF PERISHABLE PROPERTY—Petition, 25c			Examining, Stating, and Reporting Account, \$1.00	
	Recording same, per 100 words, 15c			Order to Publish Notice of same, 50c	
	Granting Order of Sale, 50c			Appointing and Notifying Guardian ad Litem, 50c	
	Issuing Order of Sale, 25c			Examining Vouchers, 10c	
	Appointing, Notifying Guardian ad Litem, 50c			Administering Affidavits, 25c	
	Affidavit to Report, 25c			Recording same, per 100 words, 15c	
	Recording, per 100 words, 15c			Decrees in Final Settlement, 50c	
	CARRIED FORWARD:				5.50

STATE OF ALABAMA	Ø	
Petitioner	Ø	
VS.	Ø	
LAKE FOREST, INC., an Alabama Corporation, Daphne, Alabama (Claimant of Tract 0131, Project S-635 (2) and GEORGE RUSSELL HORN, Daphne, Alabama, (Claimant to Portion of Parcel 008, Tract 0131, Project S-635 (2) and BALDWIN COUNTY, ALABAMA, a Political Subdivision of the State of Alabama,	Ø	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Respondents.	Ø	CASE NO. 10,308

AGREEMENT

WHEREAS both Lake Forest, Inc. and George Russell Horn claim ownership of the southernmost 73 feet, more or less, which has been condemned by the State of Alabama as Parcel 008, Tract 0131, Project S-635 (2), Baldwin County, Alabama, and

WHEREAS, the Circuit Court of Baldwin County entered a decree in the above entitled cause awarding to the respondents in this cause the sum of \$25,911.00 Dollars on the 3rd day of April, 1972, and

WHEREAS it was heretofore stipulated and agreed by and between Lake Forest Inc. and George Russell Horn, by and through their respective attorneys that \$550.00 of the \$25,911.00 Dollar award should be held in escrow by the clerk of the Baldwin County Circuit Court as just and fair compensation due the owner of the aforesaid 73 foot strip (1) until such time as attorneys for both Lake Forest, Inc. and George Russell Horn instruct the clerk as to the agreed disposition of said sum, or (2) in the event no agreement is reached, until the clerk is satisfied by the decree of a competent Court as to the ownership of said 73 foot strip, and

WHEREAS, Lake Forest, Inc. and George Russell Horn, by and through their attorneys, both agree that the aforesaid \$550.00 should be paid over to George Russell Horn pursuant to (1) above;

NOW THEREFORE, Lake Forest, Inc. and George Russell Horn, by and through their respective attorneys, both agree that the clerk

20150 - Pg. 431 A

of the Baldwin County Circuit Court is instructed to deliver the said sum of \$550.00 to the attorney for George Russell Horn, Frankie Fields Smith

Witness our hands and seals on this the 23 day of

May, 1972.

LAKE FOREST, INC.

FILED

MAY 25 1972

EUNICE B. BLACKMON CIRCUIT CLERK

By: T K Jackson III
ARMBRECHT, JACKSON and DEMOUY
its Attorneys

GEORGE RUSSELL HORN

By: Frankie Fields Smith
FRANKIE FIELDS SMITH

And the Court having considered all of the above, is of the opinion and judgment that an order confirming the above agreement by and between Lake Forest, Inc. and George Russell Horn, by and through their respective attorneys, should issue; it is therefore, ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, as follows, to-wit:

1. That the Clerk of the Circuit Court of Baldwin County pay over to Frankie Fields Smith, Attorney for George Russell Horn, pursuant to the above agreement, the \$550.00 held in escrow by her.

Done this 25th day of May, 1972.

James A. Madlener
CIRCUIT JUDGE
28th Judicial Circuit

Done ck #6070

Vol - 431 B

Frankie Fields Smith

Attorney at Law

May 24, 1972

1616 St. Stephens Road, Mobile, Alabama 36603

205 432-5035

Mrs. Eunice Blackmon
Circuit Clerk
Baldwin County Circuit Court
Bay Minette, Alabama

Re: Lake Forest, Inc., and
George Russell Horn

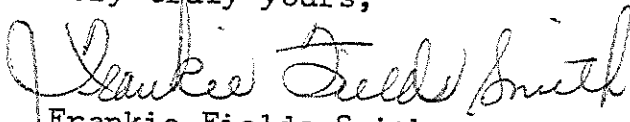
Dear Mrs. Blackmon:

Please find enclosed an agreement and order confirming the agreement in the above matter.

Please send the \$550.00 to me at the above address or inform me whether I will have to come over and pick it up.

Thank you very much for your cooperation in this matter.

Very truly yours,


Frankie Fields Smith

FFS:ri
Enclosure

50-431

BEN H. KILBORN

LAWYER

P. O. BOX 1072

604 COMMERCE BUILDING

118 NORTH ROYAL STREET

MOBILE, ALABAMA 36601

February 7, 1972

AREA CODE 205
432-7536

Harry D'Olive
Judge of Probate
Baldwin County
Bay Minette, Alabama

Attn: Mrs. Lois Stough

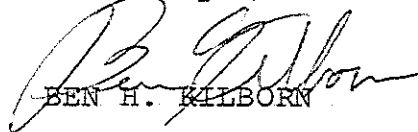
Re: State of Alabama vs
Lake Forest
Case Number: 7,365
Our File: 7719

Dear Mrs. Stough:

Per your request of February 1, 1972, I enclose herewith xerox copy of the Notice of Appeal filed by the State of Alabama in connection with the Lake Forest Condemnation.

By accepting notice of this appeal the property owner does not waive any objection he may have as to the timeliness of the appeal or any other objection which may apply.

Sincerely,


BEN H. KILBORN

BHK/esw

Encl.

cc: Jack T. J. Jackson, III

Mr. M. T. Bell

Mr. Bob Berg

60-207

Vol. Due
812.45

3 8 2 5
2 5 0.0 0
2 5 0.0 0
2 5 0.0 0
1 0 1.8 3 9 5 0
2 4.2 0

1 0 2.6 5 1.9 5 *