HUMBLE PIPE LINE COMPANY, A Delaware Corporation,

IN THE PROBATE COURT OF

-

BALDWIN COUNTY, ALABAMA

Plaintiff,

Defendants.

D=c. 27,1971

GARY ELLIS, ANN M. ELLIS,

versus

SCOTT ELLIS, and DORIS ELLIS,

case no. 7430

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

:

This day came Humble Pipe Line Company, a Delaware corporation, and filed its application in writing, duly verified by oath, seeking to condemn or acquire certain lands, rights and interests therein described and alleged to be owned by:

Gary Ellis 2101 River Forest Road Mobile, Alabama

Ann M. Ellis 2101 River Forest Road Mobile, Alabama

Scott Ellis Hutchins, Colorado

Doris Ellis Hutchins, Colorado.

All of the above-named persons are over the age of twenty-one years.

It appearing to the Court that said application complies with the statutes of the State of Alabama, in such cases made and provided, and that the applicant is entitled to file such application in this Court.

IT IS NOW, THEREFORE, CONSIDERED, ORDERED AND DECREED BY THE COURT that this Court has and does take jurisdiction of said application and that the 20th day of January, 1972, be and is hereby appointed as a day for the hearing thereof.

IT IS FURTHER ORDERED BY THE COURT that notice of the filing of said application and of the day appointed for the hearing thereof be given to the above-named resident Defendants by citation to be personally served on them at least ten days prior to the $\frac{20^{-4}}{20}$ day of January, 1972.

IT IS FURTHER ORDERED BY THE COURT that notice of the filing of said application and of the day appointed for the hearing thereof be given to the above-named non-resident Defendants by publication continued once a week for three consecutive weeks in the Baldwin Times, a newspaper published in this County.

PROBATE JUDGE

	•	30 In the matter of Hum	ruce	<u>. V-1</u>	ige L	en	e Co. US Hary Ellis	ب عر	<u>La</u>
					V		Executor, or Guardian. Residence	•	
Atto	rneys_	James R. Owen		Dο			Page Fee BookPage_		
			1				7	41	
DATE		FEES	AMO	UNT	DATE	<u> </u>	FEES	AMO	CNU
***************************************		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 Subpocna for Witnesses, 50c					Issuing Order of Sale, 25c		-
		Affidavit of Witnesses, 25c					Order to Publish Notice of Sale, 50c Affidavit to Report, 25c		
	The state of the s	Examining Witnesses and Order Probating, \$2.00		1			Recording, per 100 words, 15c	1	
		Issuing Commission to take Deposition, 50c					Appointing Com'r to Divide, and Writ, \$2.00		
		Filing Interrogatories, 10c	ļ				Appointing and Notifying Guardian ad Litem, 50c	, and a second	
		Copy of same, per hundred words, 15c			, , , , , ,		The second secon		
		Recording Will, per hundred words, 15c					N 11796		
		Recording Testimony, per hundred words, 15c							
		Certificate, without Seal, 25c					PARTIAL SETTLEMENT-Affi. in Account, 25c	i	
		Certificate, with Seal, 50c Presiding at Trial of Contested Will,					Examin'g, Stating Acc't, and App. Hearing, \$1.00		
9-	7,	per day, \$2.50					Order to Publish Notice of Sale, 50c		
27	12	recording upod	3	00			Appointing and Notifying Guardian ad Litem, 50c	-	
		o rower of alloney					Examining Vouchers, 10c	 	
		Keal of gate.					Administering Affidavits, 25c		
		- Crary					Making Decree and Order to Record, \$1.50		-
		LETTERS-Affidavit in Petition, 25c					Recording same, per 100 words, 15c Filing Claims and Giving Receipt, 15c	1	-
		Recording Petition, per hundred words, 15c					INSOLVENCY-Affidavit in Report, 25c	ļ	
		Granting Letters of Administration, 50c					Recording Report and State., per 100 words, 15c		
		Issuing and Recording same, 50c	- I				Order Appointing Day for Hearing, 25c		
		Granting Letters of Guardianship, 75c					Order to Publish Notice of same, 25c	1	
		Issuing, Filing, and Recording same, 50c					Order for Citations, 25c		
		Taking App., Filing, Rec. Adm. Bond. \$1.50	ĺ				Issuing Notice to Creditors, Day of Hearing, 50c		
		Taking App., Filing, Rec. Guard. Bend, \$1.00					Order Sustaining Report, 25c		
	***	Affidavit of Justification, 50c					Order for Settlement, 25c		
		Granting Order of Appraisement, 50c					Order to Publish Day of Settlement, 25c		
		Issuing Order of Appraisement, 25c		i i			Issuing Notice of Day of Settlement, 25c	. S. C.	
		Recording same, per hundred words, 15c					Affidavit to Amount of Claims, 25c		~*************************************
		Certified Copy Letters, 50c	İ			***********	Appointing, Notifying Guardian ad Litem, 25c		
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		. 1 1 1 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2					SALE OF REAL ESTATE-Affi. in Petition, 25c		-
·····							Recording Petition, per 100 words, 15c	ļ	-
		HOMESTEAD—Rec. Petition for Com. 100 words, 15c					Order App. Day of Hearing and Notice, \$1.00		
		Rec. Order for Applicant, per 100 words, 15c		Í			Order to Publish Notice of same, 50c		
		Recording Order for Com., per 100 words, 15c					Issuing Citation, entering Sheriff's Return, 50c		-
	.,	Notice to Commissioners, 50c					Appointing and Notifying Guardian ad Litem, 50c		1
		Recording Report of Com., per 100 words, 15c		j			Issuing Commission to take Deposition, 50c		
		Rec. Order Setting Apart, per 100 words, 15c					Filing Interrogatories, per 100 words, 15c		
		INVENTORY-Order to App. and Rec., 50c					Copy of Interrogatories, per 100 words, 15c		
		Affidavit to same, 25c					Appointing Com'r to Divide and Issue Writ, \$2,00		
		Recording same, per 100 words, 15c	<u>-</u>	ļ			Affidavit in Report of same, 25c		
		Recording Decree, per 100 words, 15c					Order Approving Division and Report, \$1.00		
							Recording same, per 100 words, 15c		-
		APPRAISEMENT—Order Approving Rec., 50c					Hearing Application for Dower, Issuing Writ, \$4.00		-
		Affidavit to same, 25c			***************************************		Exam. Testimony and Granting Order to Sell, \$2.00		
		Recording same, per 100 words, 15c					Recording Depositions, per 100 words, 15c Recording Relinquishment of Dower, 100 wds., 15c		
		Issuing Order of Appraisement, 25c					Recording Report, per 100 words, 15c		-
		Recording Warrant, per 100 words, 15c					Rec. Payment Purchase Money, per 100 words, 15c		1
		Order to Approve Appraisement, 50c					Making Order on Report Sale of Land, 75c		
		Affidavit to Appraisement, 25c							
		Recording same, per 100 words, 15c							
		Recording Decree, per 100 words, 15c	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,						
							FINAL SETTLEMENT-Affidavit in Acc's, 25c		
		SALE OF PERISHABLE PROPERTY-					Examining, Stating, and Reporting Account, \$1.00		ļ
		SALE OF PERISHABLE PROPERTY— Petition, 25c					Order to Publish Notice of same, 50c		
		Recording same, per 100 words, 15c		<u> </u>			Appointing and Notifying Guardian ad Litem, 50c		-
		Granting Order of Sale, 50c					Examining Vouchers, 10c		-
		Issuing Order of Sale, 25c				,	Administering Affidavits, 25c		
		Appointing, Notifying Guardian ad Litem, 50c Affidavit to Report, 25c					Recording same, per 100 words, 15c		
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MUNDAE PIPE LINE COMPANI, A Delevere Corporation,

IN THE PROBLEM COURT OF

Flaintiff,

BALDWIN COUNTY, MARKET

WOLLDES.

GARY MILIS, AND S. TLLID: SCOTT MILIS, AND DONIS MILIS,

Defondants.

: CLSE NO. 7430

TO THE HUNDRABLE HARRY D'OLIVE, JUDGE OF PRODATE OF BALDWIN COUNTY, ALABAMA:

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Comes now your Petitioner, Sumble Pipe Line Company, a Delaware Corporation, and shows anto this Sonorable Court as follows:

- L. Your Politioner is a Delaware corporation, duly qualified to do business in the State of Alabama. All Defendants are over twenty-one years of age. Defendants, Cary Ellis and Ann M. Ellis, are resident citizens of Mobile County, Alabama. Defendants, Scott Ellis and Doris Ellis, are non-residents of the State of Alabama, residing in Matchine, Colorado.
- 2. Petitioner is a common carrier pipe line company and proposes to construct a pipe line from the Jay, Florida - Floraton, Alabama, oil field for the purpose of transporting petroleum from Jay, Florida, across Mobile and Daldwin Counties to Mebile and thence to continental markets and perkets throughout the world. Your Petitioner is authorized under the provisions of Title 10, Section 74 of the Code of Alabama (Recospiled 1958) to acquire by condemnation rights of way or easements over or across the land or easements of others for the purpose of constructing its pipe line or lines, and has previously obtained, pursuant to said Title 10, Section 74, a Cortificate from the Alabama Public Service Commission under date of December 2, 1971, declaring that the construction of Petitioner's pipe line from the Jay, Florida - Floraton, Alabama, oil field to its storage terminal in Mobile County, Alabama, would be in furtherance of industrial development by Humble Pipe Line Company or comporation or its privies in Alabama.

3. Potitioner seeks to condense a right of way and easement for the transportation and transpission of liquids end/or gases through a pipe line or pipe lines, and all rights accessory to said right of way and easements which are deemed useful for the utility thereof, in accordance with applicable governmental regulations, including, but not limited to, the right to construct, maintain, inspect, operate, protect, replace, repair, change the size of and remove said pipe line upon and along and within said right of way, together with the right of unimpaired access to said pipe line, and the right of ingress and egress on, over and through the Defendants' land described below for any and all purposes necessary and incident to the exercise by Potitioner of the rights listed above, with the further right to maintain said right of way clear of trees, undergrowth and brush.

For the purpose of construction, installing, maintaining and operating said pipe line or pipe lines, Petitioner is desirons of acquiring by condemnation, an easement across the lands of the Defendants lying and being situated in Baldwin County, Alababa, said easements being sore particularly described as follows:

A personent easement 50.00 feet in width described as follows:

From a concrete monument at the Southeast corner of the Northwest Quarter of Section 9, Township 3 South, Sange 3 Rest, Daldwin County, Alebema, run South along the East line of the West Half of Section 9 a distance of 168.88 feet to the point of beginning of the property herein described, thence costinue South along the Bast line of the Best Half of Section 9 a distance of 53.93 feet to a point, thence South 70°33'W, 2933.1 feet to a point on the West Line of Section 9, thence Worth along the West Line of Section 9 a distance of 53.03 feet to a point, thence line of Section 9 a distance of 53.03 feet to a point, thence line of Section 9 a distance of 53.03 feet to a point, thence Worth 70°33'B, 2933.1 feet to the point of beginning.

4. Potitioner brings this petition for condemnation equinateles said Defendants, namely, Sary Ellis, Ann M. Milis, Scott Ellis, and Doris Ellis, the owners of said land.

SEEREFORE, your Potitioner prays that upon filing of this petition, this Benerable Court will make and enter an order appointing a day for the hearing thereof and will issue to the above-named Defendants notice of the filing of this petition, or application, and of the day for the hearing thereof, all as required by law. Your Petitioner further prays that such other general orders may be made in the premises as may be necessary and proper for the acquisition of the easement hereinabove described; and that, upon the hearing of this petition, Your Bonor will make and enter an order granting the application and will appoint three citizens of Baldwin County, Alabama, who possess the qualifications of jurous and who are disinterested in this cause, as Commissioners.

Potitioner prays for such other, further and different relief as it may show itself entitled to receive.

STATE OF TEXAS

COURT OF Harris

in and for said State and County, personally appeared fravis

Burnett, who by me first being duly sworn, deposes and ways that

Associate General Counsel

he is **Marximmaident** of Humble Pipe Line Company, and he has

read the above and foregoing petition and is familiar with the

contents thereof and that the facts stated therein are true

and correct.

Inams Symmetry

Subscribed and swore to before so

My Commission Evolution (State) Share County, Illan

ENCIPALIZ FOR COSTS

Come now Jimmy Owen and Sen E. Ellborn and acknowledge they are sureties for costs in this proceeding.

SUMBLE PIPE LINE COMPANY, A Delaware Corporation,

IN THE PROBATE COURT OF

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BALDWIN COUNTY, ALABAMA

Plaintiff,

Dec. 27, 1971

versus

*

GARY ELLIS, ANN M. ELLIS, SCOTT ELLIS, and DORIS ELLIS,

P ELLIS, and DORIS ELLL: Defendants.

CASE WO.

7430

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

This day came Humble Pipe Line Company, a Delaware corporation, and filed its application in writing, duly verified by cath, seeking to condemn or acquire certain lands, rights and interests therein described and alleged to be owned by:

Gary Ellis 2101 River Forest Road Mobile, Alabama

Ann M. Ellis 2101 River Forest Road Mobile, Alabama

Scott Ellis Hutchins, Colorado

Doris Ellis Hutchins, Colorado.

All of the above-named persons are over the age of twenty-one years.

It appearing to the Court that said application complies with the statutes of the State of Alabama, in such cases made and provided, and that the applicant is entitled to file such application in this Court.

IT IS NOW, THEREFORE, CONSIDERED, ORDERED AND DECREED BY THE COURT that this Court has and does take jurisdiction of said application and that the $\frac{20^{41}}{20^{11}}$ day of January, 1972, be and is hereby appointed as a day for the hearing thereof.

IT IS FURTHER ORDERED BY THE COURT that notice of the filing of said application and of the day appointed for the hearing thereof be given to the above-named resident Defendants by citation to be personally served on them at least ten days prior to the $\frac{20^{16}}{20}$ day of January, 1972.

IT IS FURTHER ORDERED BY THE COURT that notice of the filing of said application and of the day appointed for the hearing thereof be given to the above-named non-resident Defendants by publication continued once a week for three consecutive weeks in the Baldwin Times, a newspaper published in this County.

PROBATE JUDGE

MUMBLE PIPE LINE COMPANY, A Delaware Corporation, IN THE PROBATE COURT OF

Plaintiff,

BALDWIN COUNTY, ALABAMA

versus

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2.

GARY ELLIS, ANN M. ELLIS, SCOTT ELLIS, and DORIS ELLIS,

Defendants.

: CASE NO. 7430

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

Comes now your Petitioner, Humble Pipe Line Company, a Delaware Corporation, and shows unto this Honorable Court as follows:

- 1. Your Petitioner is a Delaware corporation, duly qualified to do business in the State of Alabama. All Defendants are over twenty-one years of age. Defendants, Gary Ellis and Ann M. Ellis, are resident citizens of Mobile County, Alabama. Defendants, Scott Ellis and Doris Ellis, are non-residents of the State of Alabama, residing in Eutchins, Colorado.
- 2. Petitioner is a common carrier pipe line company and proposes to construct a pipe line from the Jay, Florida - Flomaton, Alabama, oil field for the purpose of transporting petroleum from Jay, Florida, across Mobile and Baldwin Counties to Mobile and thence to continental markets and markets throughout the world. Your Petitioner is authorized under the provisions of Title 10, Section 74 of the Code of Alabama (Recompiled 1958) to acquire by condemnation rights of way or easements over or across the land or easements of others for the purpose of constructing its pipe line or lines, and has previously obtained, pursuant to said Title 10, Section 74, a Certificate from the Alabama Public Service Commission under date of December 2, 1971, declaring that the construction of Petitioner's pipe line from the Jay, Florida - Flomaton, Alabama, oil field to its storage terminal in Mobile County, Alabama, would be in furtherance of industrial development by Humble Fipe Line Company or corporation or its privies in Alabama.

3. Petitioner seeks to condemn a right of way and easement for the transportation and transmission of liquids and/or gases through a pipe line or pipe lines, and all rights accessory to said right of way and easements which are deemed useful for the utility thereof, in accordance with applicable governmental regulations, including, but not limited to, the right to construct, maintain, inspect, operate, protect, replace, repair, change the size of and remove said pipe line upon and along and within said right of way, together with the right of unimpaired access to said pipe line, and the right of ingress and egress on, over and through the Defendants' land described below for any and all purposes necessary and incident to the exercise by Petitioner of the rights listed above, with the further right to maintain said right of way clear of trees, undergrowth and brush.

For the purpose of construction, installing, maintaining and operating said pipe line or pipe lines, Petitioner is desirous of acquiring by condemnation, an easement across the lands of the Defendants lying and being situated in Baldwin County, Alabama, said easements being more particularly described as follows:

A permanent easement 50.00% feet in width described as follows:

From a concrete monument at the Southeast corner of the Northwest Quarter of Section 9, Township 3 South, Range 3 East, Baldwin County, Alabama, run South along the East line of the Nest Half of Section 9 a distance of 168.88 feet to the point of beginning of the property herein described, thence continue South along the East line of the West Half of Section 9 a distance of 53.83 feet to a point, thence South 70°33'W, 2933.1 feet to a point on the West line of Section 9, thence North along the West line of Section 9 a distance of 53.83 feet to a point, thence North 70°33'E, 2933.1 feet to the point of beginning.

4. Petitioner brings this petition for condemnation equinst the said Defendants, namely, Gary Ellis, Ann M. Ellis, Scott Ellis, and Doris Ellis, the owners of said land.

WHEREFORE, your Petitioner prays that upon filing of this petition, this Bonorable Court will make and enter an order appointing a day for the hearing thereof and will issue to the above-named Defendants notice of the filing of this petition, or application, and of the day for the hearing thereof, all as required by law. Your Petitioner further prays that such other general orders may be made in the premises as may be necessary and proper for the acquisition of the easement hereinabove described; and that, upon the hearing of this petition, Your Bonor will make and enter an order granting the application and will appoint three citizens of Baldwin County, Alabama, who possess the qualifications of jurors and who are disinterested in this cause, as Commissioners.

Petitioner prays for such other, further and different relief as it may show itself entitled to receive.

Jimmy Owen

Dan W. William

Attorneys for Petitioner

STATE OF TEXAS

COUNTY OF Havis

in and for said State and County, personally appeared Travis
Burnett, who by me first being duly sworn, deposes and says that
Associate General Counsel
he is Vicentrasidant of Humble Pipe Line Company, and he has
read the above and foregoing petition and is familiar with the
contents thereof and that the facts stated therein are true
and correct.

France Burnett

Subscribed, and sworn to Abefore me

this 21 - ear of Necember , 25 71

Nothing the I are County, Japan

My Commission Expires June 1, 1973

SECURITY FOR COSTS

Come now Jimmy Owen and Ben H. Kilborn and acknowledge they are sureties for costs in this proceeding.

Jimuy Owen

Ben H. Kilborn

JURY LIST - JULY CIVIL TERM JULY 24, 1972 CLOS, SCATT + Dans Brown, Edgar H., Instal SCB Tel., 651 Church St. Daphne, Ala 2. Yeager, Jerre L., V-Pres Lewis-Yeager Tob. Co., 451 S. Mobile St., Faithope, Ala. Parts S. Allison, John O., Mechanic, 351 Wisteria St., Fairhope 4. Gibbs, James H., Flagma, L&N RR, 1309 2nd St. Daphne 5. Oswell, Charles O., Timber Farmer, 109 Patrician Dr. Spanish Fort 6. Linden, Harry M., V-Pres. Linden Constr., 117 Ashley Dr. Fairhope, Silverhill / 7. Archer, Mattie K., Clk, NAS, 108 Blakeney Av. Fairhope, 8. Howard, Herman-B., Dept. Mgr. Gaston Mtr. Co. Rt 2 Box 173A, Fairhope 9. Hunt, F. C., V-Pres. Baldwin Co. Bk., 202 Patrician Dr. Spanish Fort. 10. James, Willie, Laborer, Star Rt. A., Stockton, Ala. P7 LL_Courtney, Edward L., Ofc. Mgr. Rivers Utilities, 58 N. Bay View Av. Fairhope 12) Moyers, R. Roy, Retired, 52 Nichols Ave. Fairhope 13) Johnson, Elmer H., Chem. Opr. Montsanto, 430 W. Magnolia St. Bay Minette 14 Hobbs, John L. Serviceman Sears Roebuck Rt 2 Bay Minette 15. Sheldon, Craig, Artist, 457 Oak St. Fairhope P 3 16. Fringer, Abice A., Housewife, 512 Genl. Maury Dr. Spanish Fort
17. Sizemore, Thomas T., Acct. Ala. Power Co., 9 Cannonade Blvd. Spanish Fort 18. Guy, Herbert B., Frmn. Rider Constr. 519 Collier &v. Bay Minette 19. Stapleton, Jack, Retired, P. O. Box 185, Eathbope 20_Stark, Eddle, Truck-Driver, Rt. 1 Perdido 21. Gibson, Jerry, Cash, Still Mr. Co., 202 Bradley Av. Bay Minette 22. Stone, Mrs. Marcus, Housewife, Box 657, Fairhope 23. Strozier, Norman D., Supvr. I3M, 215 Orange St. Fairhope 24. Gattiker, Thomas L., Acct. Morrison & Smith, 137 Pineridge Rd. Daphne 24.) Gattiker, Thomas L., Acce. Mollison Community of Bay St. Bay Minette 25. Bryges, Claude L., Pkr. Bay Slacks, 205 Bay St. Bay Minette 25. 26. Buchnoon, Clarence, Grand Hotel, Box A Nichols St., Fairhope 27 Bellue, The Last Housewife, 422 Milier Ave. Ezithope 28 Sommell Blanche R., Housewife, 602 Spanish Main St. Spanish Fort 29. Bee, Virginia B., Housewife, 107 Orange St. Fairhope 30. Kock, Victor E., Swtchmn GM&O RR, 569 Nichols Av. Fairhope Fr. February, Allen, Pressman Poser Pringing, Twin Beach Rd. Fairhope 32. Allen, Harrington, Laborer, Point Clear 33. Pond, Harry, Mach. Opr. Standard Furn. Rt. 1 Box 30, Bay Minette 34. Rayborn, Thomas H., Heavy Eqpt. Opr. 469 Azalea St. Fairhope

35. Cannon, Marvin H., Opr. Newport Ind. 209 Powell Av. Bay Minette 36. Carpenter, Charles F., Supvr. SCB Tel. 554 Jan Dr. Fairhope 37. Barr, Frank D., Supr. Western Elec., Stuart S. Daphne 38. Crawford, John L., Ska. Mgr. Still Mtr. Co. 700 Brady R. Bay Minette 39. Gebhart, Thomas Lee, Car Salasman, P. O. Box 51 Foley 40. White, Everette, Carpenter, Rt. 1 Perdido

Attorneys Attorneys Larner R. Twen Docket Docket Page Fee Book Page Docket Page Docket Page Fee Book Page Docket Page BROUGHT FORWARD SALE OF PERSONAL FEOD-Petition, 25c Recording Feelingon, per 100 words, 15c Laving Charler, entering Steffir? Returns, 50c Appointing, Notifying Cuardian and Litem, 50c Laving Charler, entering Steffir? Returns, 50c Appointing, Notifying Cuardian and Litem, 50c Laving Charler, entering Steffir? Returns, 50c Appointing, Order of Sale, 55c Order to Polishih Notice of Sale, 55c Doffer to Polishih Notice of Sale, 55c Order to Polishih Notice of Sale, 55c Doffer to Polishih Notice of Sale, 55c Order to Polishih Notice of Sale, 55c Order to Polishih Notice of Sale, 55c Examinity, Statistic Arct, and App. Hearing, 51c Order to Polishih Notice of Sale, 55c Examinity, Statistic Arct, and App. Hearing, 51c Order to Polishih Notice of Sale, 50c Appointing and Notice of Sale, 50c Appointing and Notice of Sale, 50c Filing Claims and Order to Record, 51.5c Order to Polishih Notice of sale, 55c Order to Polishih Notice of sale, 55c Order to Polishih Notice of Appointing Doy for Hearing, 55c Order to Polishih Doy of Sales, 55c	No	145	FROBATE PEE BOX. F30 In the matter of Her	-file	P.	A a	£.	A Committee of the comm	Sale by Roberts & Son		
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BALDWIN TIMES CASE NO. 7430 NOTICE TO NON-RESIDENTS

Notice is hereby given to Scott Ellis and Doris Ellis whose address is Hutchins, Colorado, or any other person or persons in interest of the following proceedings in the Probate Court of Baldwin County, Alabama, viz:

STATE OF ALABAMA : PROBATE COURT OF SAID COUNTY

BALDWIN COUNTY :

HUMBLE PIPE LINE COMPANY, : CASE NO. $\frac{7430}{10324}$

Plaintiff, :

versus :

GARY ELLIS, ANN M. ELLIS, :

ET AL,

Defendants,

Condemnation of Land

On this day came Humble Pipe Line Company, a Delaware corporation, and filed its petition in writing seeking to condemn for the uses and purposes set forth in said petition, that certain real property located in the County of Baldwin, State of Alabama, and described as follows:

A permanent easement 53.03 feet in width described as follows:

From a concrete monument at the Southeast corner of the Northwest Quarter of Section 9, Township 3 South, Range 3 East, Baldwin County, Alabama, run South along the East line of the West Half of Section 9 a distance of 168.88 feet to the point of beginning of the property herein described, thence continue South along the East line of the West Half of Section 9 a distance of 53.03 feet to a point, thence South 70°33'W, 2933.1 feet to a point on the West line of Section 9, thence North along the West line of Section 9 a distance of 53.03 feet to a point, thence North 70°33'E, 2933.1 feet to the point of beginning.

You are further notified that the hearing of said petition has $\alpha = 0.05$ a.m. been set by this Court for the 20 day of January, 1972,/at

1000 A. M., at which time you may appear and answer said petition or file objections thereto, if you so desire.

WITNESS my hand this 21^{t} day of \rightarrow cccnl, 1971.

Jydge of Probate

Jimmy Owen and Ben H. Kilborn Attorneys for Petitioner

Publish once a week for three consecutive weeks. Send bill to Ben H. Kilborn, P. O. Box 1072, Mobile, Alabama 36601

HUMBLE	PIPE	LINE	CO.

IN THE CIRCUIT COURT OF

VS:

BALDWIN COUNTY, ALABAMA

GARY ELLIS Et a/s

AT LAW, CASE NO. 10,324

"We the jury find in favor of the landowners, and assess the damages at \$9797.50"

Foreman

RIGHT OF ENTRY BOND

STATE OF ALABAMA
COUNTY OF BALDWIN

KNOW ALL MEN BY THESE PRESENTS, That we, Humble Pipe Line Company, as Principal, and Globe Indemnity Company, as Surety, are held and firmly bound unto Gary Ellis, and M. Ellis, Scott Ellis and Doris Ellis in the just and full sum of Fifteen Thousand and No/100ths (\$15,000.00) Dollars, the payment of which well and truly to be made we bind ourselves, our successors and assigns, jointly and severally by these presents.

This the 27 day of March, 1972.

WHEREAS, said Humble Pipe Line Company heretofore filed its application in the Court of Probate of Baldwin County, Alabama, against Gary Ellis, and M. Ellis, Scott Ellis and Doris Ellis seeking to condemn an easement and right of way across certain lands of the said Gary Ellis, and M. Ellis, Scott Ellis and Doris Ellis,

AND WHEREAS the said Court of Probate did in and by a decree of date of January 27, 1972, grant the prayer of said application and appoint commissioners as required by law, to ascertain and assess the damages and compensation of the defendants as the owners of the right of way and easement acquired therein;

and whereas said Commissioners did ascertain and assess such damages and compensation of the said Gary Ellis and M. Ellis, Scott Ellis and Doris Ellis in accordance with the statutes of the State of Alabama at the sum of Seven Thousand Five Hundred and no/100ths (\$7,500.00) Dollars as shown in the report of said commissioners;

AND WHEREAS thereafter on the 29th day of February, 1972, an order was made by said Court of Probate condemning the

Taken and approved this 27th day of March, 1972.

STATE OF ALABAMA, BALDWIN COUNTY

Filed March 27, 1972

Recorded book Page

Judge of Probate

Colded____

Judge of Probate

said easements and rights of way all as more fully described in the Probate Court's decree of February 29, 1972, across the lands of the defendants therein, all as more fully described in said order confirming award of commissioners;

AND WHEREAS an appeal from such order of condemnation has been taken to the Circuit Court of Baldwin County, Alabama,

AND WHEREAS said Humble Pipe Line Company has paid into said Court of Probate in money, the amount of said damages and compensation so assessed by said commissioners for the said Gary Ellis and M. Ellis, Scott Ellis and Doris Ellis and is desirous that said judgment, or order of condemnation, be not suspended pending such appeal and desires to enter upon said lands for the uses and purposes stated in said order confirming report of commissioners pending said appeal;

NOW, THEREFORE, the condition of the above obligation is such that if the said Humble Pipe Line Company shall pay such damages as the said Gary Ellis and M. Ellis, Scott Ellis and Doris and effect.

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Augusti Ellis may sustain, this obligation shall be void; otherwise to

HUMBLE PIPE LINE COMPANY

GLOBE INDEMNITY COMPANY

HUMBLE PIPE LINE COMPANY, a Delaware corporation,

Plaintiff,

VS.

GARY ELLIS, ET AL,

Defendants.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 10,324

FINAL JUDGMENT

This cause coming on to be heard by the court on July 24 and July 25, 1972, now come the parties and their respective attorneys of record, and it appearing to the court from the evidence and exhibits in this cause that the plaintiff did on January 27, 1972, enter 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 the plaintiff was entitled to have the said property condemned for the uses and purposes set forth in its petition and amendments thereto and that the cause is for trial only on and as to the valuation issue, and the just compensation to be paid by the plaintiff, Humble Pipe Line Company, to the defendants, Gary Ellis Ann M. Ellis, Scott Ellis and Doris Ellis, for the interest in the lands sought to be acquired in this proceeding, and that an order of condemnation should be entered to condemn an easement over and across the lands described in the original petition in this proceeding, which is now on file in this court.

And now comes a jury of twelve good and lawful men and women, to-wit, R. Roy Moyers, and eleven others, and the issue of the amount of damages ord compensation to which the defendants are entitled having been submitted to them, did return a verdict in words and figures as follows, to-wit:

"We, the jury, find in favor of the Landowners, and assess the damages at \$8797.50."

/s/ R. ROY MOYERS Foreman

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 plaintiff,

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Humble Pipe Line Company, to the Clerk of this court for the use and benefit of the 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 Humble Pipe Line Company, a Delaware corporation, for the condemnation of the following described property, to-wit:

A permanent easement 50 feet in width described as follows:

From a concrete monument at the Southeast corner of the Northwest Quarter of Section 9, Township 3 South, Range 3 East, Baldwin County, Alabama, run South along the East line of the West Half of Section 9 a distance of 168.88 feet to the point of beginning of the property herein described, thence continue South along the East line of the West Half of Section 9 a distance of 53.03 feet to a point, thence South 70° 33' West, 2933.1 feet to a point on the West line of Section 9, thence North along the West line of Section 9 a distance of 53.03 feet to a point, thence North 70° 33' East, 2933.1 feet to the point of beginning,

be and the same is hereby condemned for the use by Humble Pipe
Line Company, a Delaware corporation, for the purpose of construction,
installing, maintaining and operating a pipe line or pipe lines
and for any and all purposes necessary and incident to the exercise
by Humble Pipe Line Company of the rights listed above, with the
further right to maintain said right of way clear of trees, undergrowth and brush, and the said rights are hereby divested in
Humble Pipe Line Company for said uses and purposes upon the payment
of the sums hereinafter ordered and decreed to be paid.

2. That the defendant landowners, Gary Ellis, Ann M. Ellis, Scott Ellis and Doris Ellis, are entitled to damages in this cause, which sum is hereby fixed at Eight Thousand Seven Hundred Ninety-five and 50/100 Dollars (\$8,795.50), which includes interest from January 27, 1972, and that upon the payment of said amount by Humble Pipe Line Company to the Clerk of this court forbe paid to said landowners, the condemnation of the easement as aforesaid hereinabove described, shall be and become effective to pass title to the said easement in and to the said lands to Humble Pipe Line

Company, a Delaware corporation, the plaintiff in this cause.

3. That the plaintiff, Humble Pipe Line Company, a Delaware corporation, pay the cost of this proceeding.

ORDERED on this the 1720 day of August, 1972.

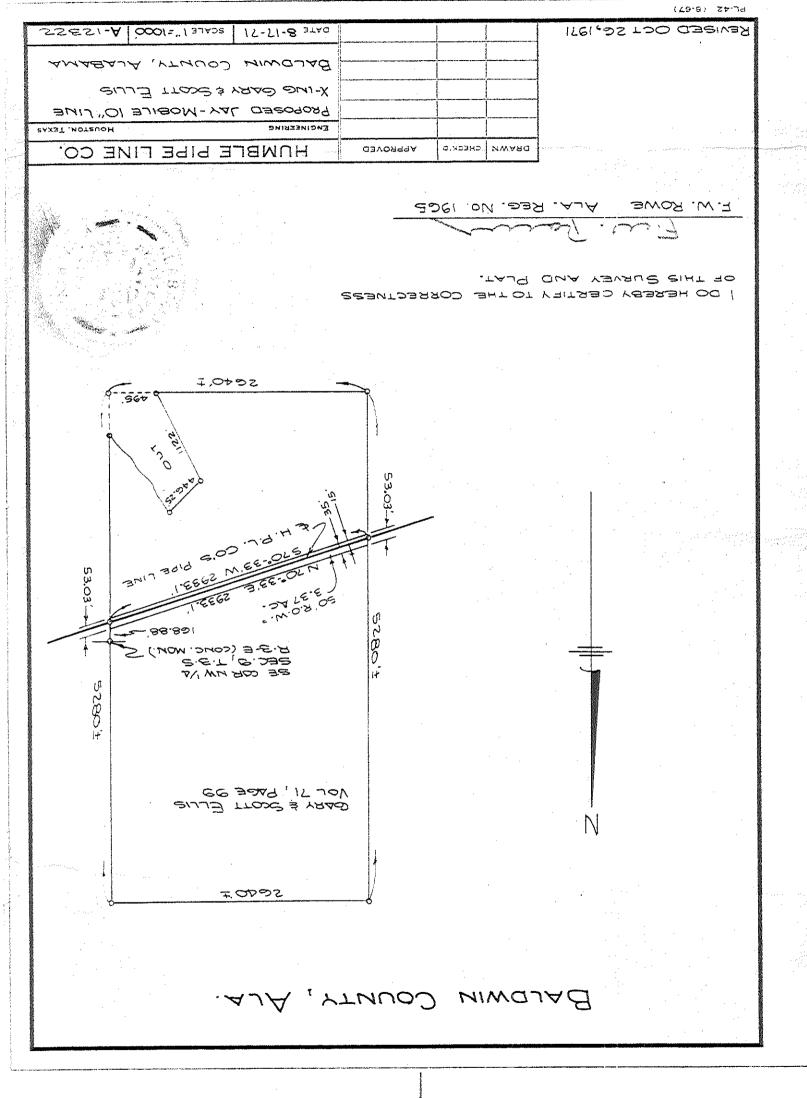
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EUNICE B. BLACKMON CIRCUIT

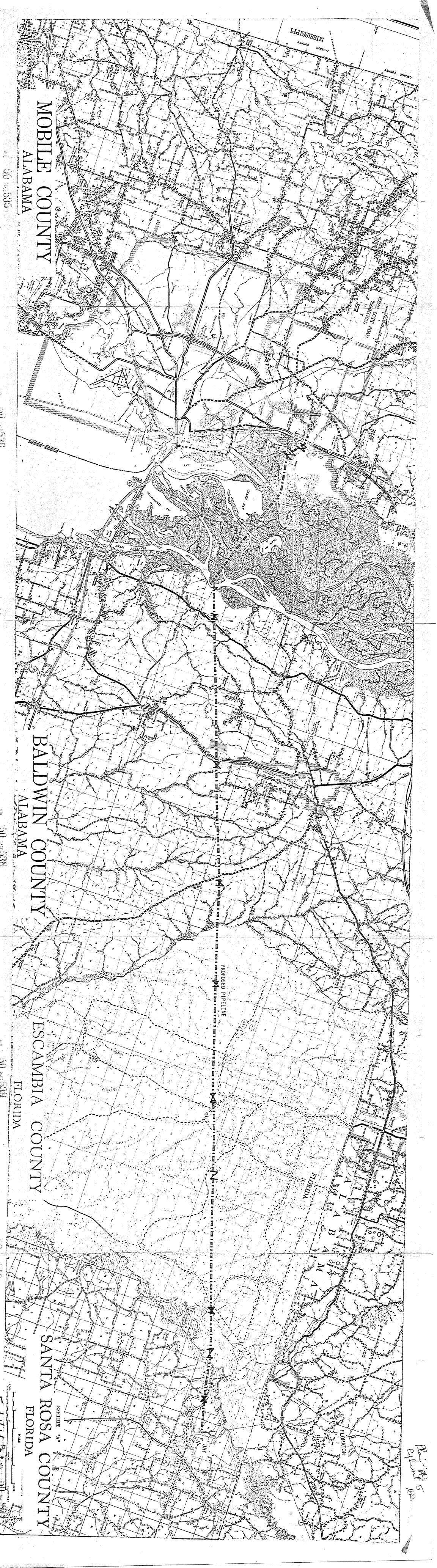
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HUMBLE PIPE LINE COMPANY, a Delaware corporation,

Plaintiff,

VS.

GARY ELLIS, ET AL,

Defendants.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 10,324

PETITION

Now comes Humble Pipe Line Company and shows unto the court and your Honor that pursuant to the provisions of Title 19, Section 18, Code of Alabama, recompiled 1958, it did file in this cause a right of entry bond in the principal amount of \$15,000.00 conditioned as required by law with Globe Indemnity as surety and Humble Pipe Line Company further shows unto the court and your Honor that it has heretofore paid all damages in this cause, together with the court costs, wherefore, plaintiff moves the court to make and enter an order releasing and discharging plaintiff and Globe Indemnity Company from any liability arising from said bond and order the Clerk of this court to invalidate and cancel said bond.

DATED this 3/ day of August, 1972.

Attorney for Plaintiff

ORDER

In this cause, it appearing to the court that the plaintiff has heretofore pursuant to the provisions of Title 19, Section 18, Code of Alabama, recompiled 1958, filed in this cause a right of entry bond indthe principal amount of \$15,000.00 conditioned as required by law with Globe Indemnity Company as surety and it further appearing to the court that the plaintiff, Humble Pipe Line Company, has paid all damages and costs in this proceeding and it is, therefore, ORDERED that the plaintiff, Humble Pipe Line Company, as principal and Globe Indemnity Company as surety be and the same are hereby released and discharged from any liability

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arising from said bond and the Clerk of the Circuit Court of Baldwin County, Alabama, is hereby ORDERED to invalidate and cancel said bond.

ORDERED, ADJUDGED AND DECREED on this the 310 day of August, 1972.

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FILED

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EUNICE B. BLACKMON CIRCUIT

544 J.

HUMBLE PIPE LINE COMPANY,
a Delaware corporation,

Plaintiff,

VS.

GARY ELLIS, ET AL,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO.

10,324

CERTIFICATE

I, Eunice Blackmon, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that in accordance with an order of decree this day entered by the Circuit Court of Baldwin County, Alabama, in this cause, have invalidated and canceled the said bond in the amount of \$15,000.00, which was the right of entry bond executed by plaintiff, Humble Pipe Line Company, with Globe Indemnity Company as surety.

DATED this 3/st day of August, 1972.

Elmies Beliekmen

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EUNICE B. BLACKMON CIRCUIT

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J. R. Owen

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to Baldwin 7 (

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netice to Sheriff 9:35a.m.

Harry D'Olive

JUDGE OF PROBATE BALDWIN COUNTY

BAY MINETTE, ALABAMA

36507

CERTIFIED

No 635052

MAIL

RETURN RECEIPT REQUESTED DELIVER TO ADDRESSEE ONLY



Harry D'Olive

JUDGE OF PROBATE BALDWIN COUNTY

BAY MINETTE, ALABAMA 36507

CERTIFIED

No 635051

MAIL

RETURN RECEIPT REQUESTED DELIVER TO ADDRESSEE ONLY

