

HUMBLE PIPE LINE COMPANY,	)	
a Delaware Corporation,	)	
	)	
Condemnor,	)	IN THE CIRCUIT COURT OF
	)	
VS.	)	BALDWIN COUNTY, ALABAMA
	)	
ALCO LAND & TIMBER COMPANY,	)	AT LAW
INC., ET AL,	)	
	)	10,325-
Condemnees.	)	

MOTION TO DISMISS APPEAL

Now comes the Condemnor in the above styled cause and shows unto the court and your Honor as follows:

1. That since the appeal of this cause from the Probate Court of Baldwin County, Alabama, to this court, that the Supreme Court of Alabama has determined that the Condemnees named in said cause, to-wit, Seale Land Company, an Alabama corporation; Richard P. Baer, II, and Frances K. Baer, have no right, title or interest in the real property described in this proceeding.


2. That the Condemnee, Alco Land & Timber Company, Inc., has executed and delivered to the Condemnor a right of way easement over and across the said property described in this proceeding, which said easement has been recorded in the office of the Probate Judge of Baldwin County, Alabama, January 23, 1973.

3. That the Condemnor in this proceeding heretofore deposited in the Probate Court of Baldwin County, Alabama, the sum of \$5,950.00, which was the amount of the award in the Probate Court of Baldwin County, Alabama, and did on March 27, 1972, enter into a right of entry bond which is on file in this proceeding.

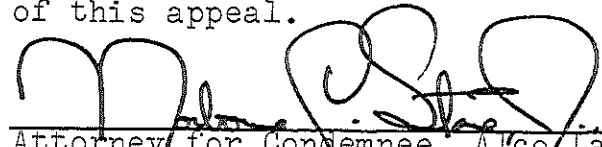
4. That there is no need for this cause to proceed in the Circuit Court of Baldwin County, Alabama, and Condemnor moves the court to dismiss said appeal; order the Probate Court of Baldwin County, Alabama, to pay to Condemnor the sum of \$5,950.00 on deposit in said court and will order the right of entry bond heretofore made and entered into on March 27, 1972, to be void.

WHEREFORE, Condemnor moves the court to dismiss the appeal heretofore taken in this cause; order the Probate Court of Baldwin County, Alabama, to refund to Condemnor the sum of \$5,950.00

on deposit in said Probate Court and will declare the right of entry bond heretofore entered into by Condemnor on March 24, 1972, to be void.

  
\_\_\_\_\_  
Attorney for Condemnor

The Condemnee, Alco Land & Timber Company, Inc.,  
a corporation, hereby consents to the dismissal  
of this appeal.

  
\_\_\_\_\_  
Attorney for Condemnee, Alco Land & Timber  
Company, Inc., a corporation.

#### ORDER

This cause coming on to be heard is submitted on the motion to dismiss appeal and other relief filed on this date and the court being of the opinion that the Condemnor is entitled to relief prayed for in said motion, it is hereby ORDERED by the court as follows:

1. The appeal heretofore filed by the Condemnees in this cause is hereby dismissed.
2. The Probate Court of Baldwin County, Alabama, is ordered to refund to the Condemnor the sum of \$5,950.00 which is on deposit in said court.
3. The right of entry bond heretofore entered into by the Condemnor March 27, 1972, is hereby declared to be void.

ORDERED on this the 29<sup>th</sup> day of January, 1973.

  
\_\_\_\_\_  
Circuit Judge

**FILED**

JAN 29 1973

**FILED**

EUNICE B. BLACKMON CIRCUIT  
CLERK

JAN 29 1973

EUNICE B. BLACKMON CIRCUIT  
CLERK

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HUMBLE PIPE LINE COMPANY,  
a Delaware Corporation

Condemnor

vs

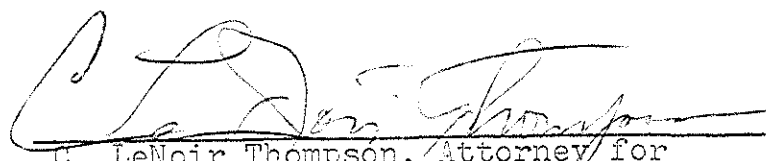
ALCO LAND & TIMBER COMPANY,  
INC.; SEALE LAND COMPANY, an  
Alabama corporation; RICHARD  
P. BAER, II, and FRANCES K.  
BAER,

Condemnees


IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA

CASE NO. 7456

Comes now Seale Land Company, a corporation and  
Richard P. Baer II, condemnees in this matter by and  
through their attorney of record and appeal the judgment  
heretofore entered in this matter on to-wit 14th day of  
March 1972 to the Circuit Court of Baldwin County, Alabama.

  
C. LeNoir Thompson, Attorney for  
Seale Land Company, a corporation and  
Richard P. Baer II

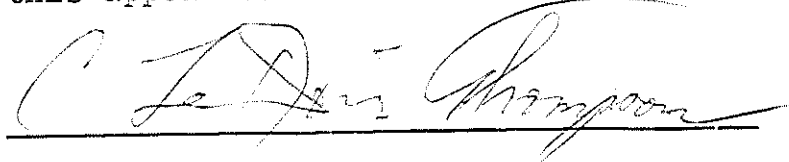
Condemnees, Seale Land Company, a corporation and  
Richard P. Baer II, respectfully demand a trial by jury  
in this cause.

  
C. LeNoir Thompson, Attorney for  
Seale Land Company, a corporation and  
Richard P. Baer II

STATE OF ALABAMA, BALDWIN COUNTY  
Filed March 22, 1972  
Minutes book 60 Page 731  
Recorded Harry D'Olive  
Judge of Probate

Comes C. LeNoir Thompson and acknowledges himself as surety  
of all of the costs for this appeal to Circuit Court.

Copy to: James R. Owen  
Norborne Stone  
3-22-72

  
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