

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

CONDEMNOR

VS

HASEP KAHALLEY

X

X

X

X

X

X

X

X

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO: 7482

10,453

PETITION FOR CONDEMNATION OF LAND

Now comes The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, a body Corporation, as Condemnor and files this its application in the Probate Court of Baldwin County, Alabama, for an Order of Condemnation to acquire and obtain the fee simple title to the lands hereinafter described as a basis for the relief sought, respectfully shows unto the Court as follows:

1. Your Petitioner is a duly constituted Housing Authority, organized, existing and acting under the provisions of Chapter 2 of Title 25, Code of Alabama of 1940, and is authorized thereby and under and by virtue of Act No. 491 of the General Acts of Alabama, 1949, and Chapter 1 of Title 19, Code of Alabama of 1940, and by the Constitution of Alabama to institute and prosecute this proceedings and to acquire the lands hereinafter described for the purposes stated.

2. At a special meeting of the Housing Authority of the City of Bay Minette, Baldwin County, Alabama, duly and regularly held on May 17, 1971, a resolution was duly and legally adopted by the Commissioners of said Authority, finding and determed that the acquisition of the hereinafter described lands, and other lands, is in the public interest, and necessary for public use for the uses and purposes set out in and authorized by Act No. 491 of the General Acts of Alabama of 1949, and by the Provisions of Title 42, U.S.C. A. Sections 1401-1435, and 1441-1460 as amended, inconnection with the carrying

STATE OF ALABAMA, BALDWIN COUNTY

Filed March 6, 1972 M

Recorded Minutes book 61 Page 295

Harry D'Olive

Judge of Probate

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out of an urban renewal or redevelopment project known as the Neighborhood Development Program, Project #A-1 according to a redevelopment plan previously, duly and legally adopted and approved by your Petitioner, and by the governing body of the City of Bay Minette, Baldwin County, Alabama, as required by law, a true and correct copy of said resolution is attached hereto, marked Exhibit A, with leave herein prayed to refer to the same as often as may be necessary.

3. That the parcel(s) of land necessary for public use and the uses and purposes as set forth herein and is authorized as herein set forth above, which the Petitioner seeks to condemn are set out and described as follows:

SEE SCHEDULE "A" ATTACHED

4. That Petitioner further shows that diligent search has been made of records of Baldwin County, Alabama, and diligent inquiry made to ascertain the names, ages and places of residence of the parties owning or claiming some right, title or interest in the said lands, and according to the best of Petitioner's information, knowledge, and belief, the said lands are owned or some right, title or interest is claimed by the persons and parties as are named as Condemnees in this cause, and set forth in Paragraph 3 above, and described herein, and that all of said parties and persons named as owners, lienholders and claimants are over the age of twenty-one years, and are under no legal disabilities unless and except as stated under said separate parcel described herein and that each of said Condemnees own or claim said property, or some right, title or interest therein.

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

6. That Petitioner further shows that it has made bona fide efforts to agree with the parties owning or claiming some right, title or interest in each of said tracts of land described in said Paragraph 3 above, described herein, as to the fair and reasonable market value of said property, and compensation to be allowed and paid to them for their interests in said lands to be condemned hereby, and that it has failed to come to any such agreement with all of said parties, and that the title to such tract or parcel of land was such that it would not be acquired by direct purchase, and that your Petitioner has heretofore taken all steps necessary, and all proceedings required by law necessary to initiate these proceedings.

7. Your Petitioner alleges that it seeks to condemn the fee simple title to said lands hereinabove described by acquiring all the right, title and interest in and to said property hereinabove described now owned by the persons or parties herein made Condemnees, together with any other party or parties herein made Condemnees, together with any other party or parties claiming to hold any right, title or interest therein or to hold any lien against said property hereinabove described for the purpose of carrying out an urban renewal or redevelopment project known as the Neighborhood Development Program, Project #A-1, and which said lands, when condemned will be devoted to the uses and purposes authorized by the statutes and acts hereinabove described for which purposes your Petitioner has already acquired title or options to purchase other property in the immediate vicinity necessary to complete this project, and that the tracts of land described herein cannot be acquired as set forth above, and that said tracts are necessary to complete this project, and The Housing Authority of the City of Bay Minette, Baldwin County, Alabama, did heretofore, at the meeting held on May 17, 1971, aforesaid adopted a resolution authorizing the acquisition of the tracts referred to above by

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condemnation proceedings and its Executive Director has instructed and authorized Taylor Wilkins, Jr., as Attorney for the Housing Authority of the City of Bay Minette, Alabama, to institute and prosecute such proceedings for the condemnation of said tracts or any part thereof, included in said project area where said Authority is unable to acquire the same by purchase or for title reasons. A copy of the resolution, properly certified thereto by the Secretary of the Housing Authority of the City of Bay Minette, marked Exhibit "B" and made a part hereof with leave to refer to as often as may be necessary, and your Petitioner acknowledges itself as security for the costs of these proceedings.

THE PREMISES CONSIDERED, Petitioner prays that this Court will make and enter an order appointing a day for the hearing of this Petition, and that the Court give notice to the above Condemnees who are residents of the State of Alabama, by personal service, and to all other Condemnees in such form and manner as is required by law, and that the Court will appoint a guardian ad litem to represent the interest of any minor Condemnees, and that upon a final hearing of this Petition, that this Court will order and enter a decree that the Petitioner is entitled to acquire the fee simple title to the lands herein for the purpose as set forth herein and will appoint Commissioners to ascertain and report the fair and reasonable market value and compensation to be allowed the Condemnees as their interest may appear for such taking and that upon payment into Court of the fair and reasonable market value and compensation for such lands, as assessed by the Commissioners, a judgment or decree be rendered vesting the fee simple title to the said lands free and clear of all liens and encumbrances, in The Housing Authority of the City of Bay Minette, Alabama, a Corporation, and will make and enter in this cause, all such other and further orders and decrees as may be necessary or proper in the premises.

THE HOUSING AUTHORITY OF THE CITY
OF BAY MINETTE, a Corporation

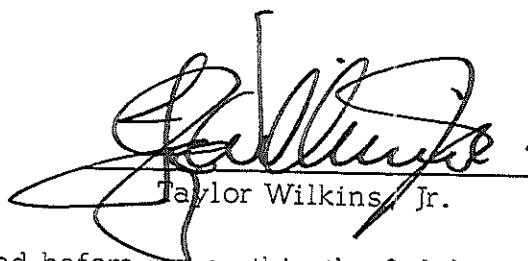
BY: 

Attorney for Condemnor

STATE OF ALABAMA

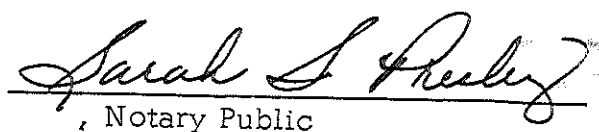
BALDWIN COUNTY

BEFORE me, the undersigned authority, personally appeared Taylor Wilkins, Jr., who being by me first duly sworn, deposes and says that he is attorney for the applicant, The Housing Authority of the City of Bay Minette, and has the authority to make this affidavit and to institute and prosecute the foregoing application for the condemnation of the lands, rights and interest therein described, and that he has knowledge of the statements therein contained and that to the best of his knowledge, information and belief, such statements are true and correct as therein alleged.


Taylor Wilkins, Jr.

Sworn to and subscribed before me on this the 3rd day of March,

1972.


, Notary Public

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The Housing Authority of the City of Bay Minette

vs

Hasep Kahalley

SCHEDULE "A"

Beginning at the Northeast corner of Lot 54 of the Old Town of Bay Minette as per plat thereof as recorded in Map Book 1, page 106, Baldwin County Probate Records; run South $29^{\circ} 30'$ East a distance of 126.6 feet to a point; thence run South, $68^{\circ} 30'$ East a distance of 15 feet to a point, said point located on the boundary line between Lots 54 and 56; thence run in a Southwesterly direction approximately 35 feet to the Southwest corner of Lot 54; thence run in a Northwesterly direction along the Southern boundary of Lot 54 a distance of 135 feet, more or less, to the Northwest corner of said Lot 54; thence run Northerly along the Western boundary of said Lot 54 a distance of 81.2 feet, more or less, to the point of beginning, said parcel lying within Lot 54 of the Old Town of Bay Minette, Baldwin County, Alabama, AND Commencing at the Southeast corner of Lot 56 of the Old Town of Bay Minette, Alabama, as shown on plat recorded in Map Book 1, page 106, Baldwin County Probate Records; run thence South, 60° West along the South line of said Lot 56 a distance of 90.6 feet; thence run North, $29^{\circ} 30'$ West a distance of 24 feet to a point; thence run North 74° West a distance of 70.2 feet to the Northeast corner of Lot 52; thence run North along the Northwestern boundary of Lot 56 a distance of 95 feet to a point; thence run South, $68^{\circ} 30'$ East a distance of 90 feet to a point, said point lying on the Eastern boundary of said Lot 56; thence run South along said boundary a distance of 124 feet to the Southeast corner of Lot 56 which is the point of beginning, said described property lying within Lot 56 of the Old Town of Bay Minette, Baldwin County, Alabama.

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EXHIBIT "A"

MINUTES OF A SPECIAL MEETING OF
THE COMMISSIONERS OF THE HOUSING
AUTHORITY OF THE CITY OF BAY MINETTE,
ALABAMA HELD ON MAY 17, 1971

A Special Meeting of the Commissioners of the Housing Authority of the City of Bay Minette, Alabama, was held on May 17, 1971 at 5:00 o'clock p.m. in the office of the Authority.

In the absence of Chairman Faulkner, Vice-Chairman Nassar called the meeting to order at 5:00 p.m. The Commissioners present were: Nassar, Boykin, and Page, and those absent were Commissioners: Faulkner and Thomas. Secretary Executive Director McMillan and Assistant Executive Director Zorn were present also.

Minutes of the last meeting were approved as read upon a motion by Commissioner Page and seconded by Commissioner Boykin.

The Secretary stated to the meeting that the following notice had been served on each Commissioner and that each Commissioner had, prior to the meeting, accepted such notice and consented to a special meeting hereinafter set forth, which notice, with the certificate as to service thereof, and which waiver and consent, as signed by the Commissioners of the Authority, were ordered spread upon the minutes of this meeting.

NOTICE OF SPECIAL MEETING:

TO THE COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF BAY MINETTE,
ALABAMA:

You are hereby notified that a special meeting of the Commissioners of The Housing Authority of the City of Bay Minette, Alabama, has been called for 5:00 o'clock p.m. on Monday, May 17, 1971 at the office of the Authority for the following purposes:

1. Approve acquisition parcels in the SCURA and DURA area;
2. To consider all other matters which may properly come before the Board.

The meeting will not be lengthy and your attendance will be greatly appreciated as there is an item of business on the agenda.

Dated this 12th day of May 1971.

/s/ J. H. Faulkner
Chairman

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Vice-Chairman Nassar stated that the first order of business was the approval of Proclaimer Certificates establishing Fair Market Value for Land to be Acquired dated April 23, May 6, and May 14, 1971 respectively, in those proclamers by whatever means necessary subject to the necessary funds being available in the budget for Alabama A-1 and Alabama A-2. The Secretary and Mr. Wilbur Edwards from Real Estate and Valuation Section of Housing and Urban Development, had inspected each parcel individually and discussed prices to be offered to the property owners. Commissioner Page introduced the following resolution which was read in full and considered:

RESOLUTION 1971-5

BE IT RESOLVED that the Commissioners of the Housing Authority of the City of Bay Minette, Alabama finds, determines and declares that the acquisition of the lands listed on the attached proclaimer lists and identified by parcel numbers which may further identified by the land ownership maps of the Urban Renewal Area plan, and is in the public interest and the acquisition is necessary for public use and for the uses and purposes set out in and authorized by the Code of Alabama of 1940 as amended, recompiled 1958 and as amended and by the provisions of Title 42, U.S.C.A. Section 1401-1435, and 1441-1460 as amended and other sections as made and provided, in connection with the execution of the Urban Renewal Program known as Neighborhood Development Program, Project Number Alabama A-1, according to the plan previously duly and legally adopted and approved by the Commissioners of the Housing Authority at a special meeting on October 15, 1968 and that the Executive Director is hereby authorized to acquire these properties at the price or at any lower price concurred in by the Regional Office of the Department of HUD by whatever means he deems appropriate in order to carry out the orderly execution of the Urban Renewal Plan.

Commissioner Page moved the approval of the resolution and his motion was seconded by Commissioner Boykin and upon roll call the "Ayes" and "Nays" were as follows:

AYES:

Owald Boykin
Emile Nassar
Harlan Page

NAYS:

None

Vice-Chairman Nassar thereupon declared said motion carried and said resolution adopted.

Next Secretary McMillan submitted for approval to the Board Proclaimer Certificates Relative to Establishment of Fair Reuse Value dated April 15 and May 3, 1971. Secretary McMillan further requested that the Board approve sale of the parcels included in the Proclaimers to the following individuals for the prices specified:

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PROCLAIMER CERTIFICATE RELATIVE
TO ESTABLISHMENT OF FAIR MARKET VALUE FOR
PROPERTY TO BE ACQUIRED

I, Stephen A. McMillan, the duly appointed, qualified,
and acting Executive Director of The Housing Authority of the City
of Bay Minette, Alabama, herein called the "Local Public Agency,"
hereby certify that I have been authorized, by Resolution No. 1970-27,
duly adopted by the Board of Commissioners of the Local Public Agency
at a special meeting on November 24, 1970, as set forth in the
minute book on file at the office of the Authority,
to make the following certification and that the statements contained
herein are true and correct to the best of my knowledge and belief:

1. Each parcel, South Central Urban Renewal Area, Project No. Alabama A-1-2,
listed in the attachment to this proclaimer certificate has been
appraised by at least two qualified, independent, professional real
estate appraisers and a written and signed copy of each such
appraisal is contained in the Local Public Agency files.
2. Each such appraisal has been reviewed by Mr. E. L. QUINN, Jr.,
a qualified Local Public Agency real estate advisor under contract to
the Local Public Agency and all corrections, revisions, or additions
requested by such reviewer have been made by the original appraisers.
3. The reviewer has prepared a written report which indicates that the
appraisals are complete and consistent in the factual data contained
therein, comply with existing statutory and administrative requirements
of the Department of Housing and Urban Development, and are acceptable
for the determination of fair market value.

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4. Based upon such appraisals and the review thereof, the Local Public Agency has established the fair market of each parcel listed herein and all documentation related to such determination is contained in the Local Public Agency files.
5. The latest budget amount allowable for real estate acquisition as approved by HUD on June 15, 1999 is not exceeded by the sum of the following:

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PARCEL			VALUE								
NO.	AREA IN SQ. FT.	NAME	FIRST APPRAISAL		NAME	SECOND APPRAISAL		THIRD APPRAISAL		FAIR VALUE ESTABLISHED	
			DATE	VALUE		DATE	VALUE	NAME	DATE		VALUE
113-7	6,000	Bell	3/71	8,500	Golemon	4/71	8,500	Quint	4/71	8,500	\$8,500
114-6	16,740	Bell	7/69	3,000	Golemon	7/69	3,350	Quint	4/71	3,200	3,200
114-1-13,299	Bell	7/69	5,750	Golemon	7/69	7,200	Quint	4/71	-----		
114-5	4,110	Bell	7/69	750	Golemon	7/69	825	Quint	4/71	800	800
119-3A	13,286	Bell	4/71	8,000	Golemon	4/71	8,750	Quint	4/71	8,400	8,400
118-1	18,936	Bell	3/71	12,250	Golemon	4/71	12,000	Quint	4/71	12,125	12,125

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Any false statement made knowingly herein may subject the signer to civil penalties under Section 232 of Title 32 of the United States Code and, if such statements are made willfully and knowingly, to conviction for a felony under Section 2002 of Title 18 of the United States Code.

4/23/77
Date

Stephen L. McMillen
Stephen L. McMillen
Executive Director
The Housing Authority of the City
of Bay Minette, Alabama

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PARCEL			VALUE								
NO.	AREA IN SQ. FT.	NAME	FIRST APPRAISAL		NAME	SECOND APPRAISAL		REVIEW APPRAISAL		FAIR VALUE ESTABLISHED	
			DATE	VALUE		DATE	VALUE	NAME	DATE		VALUE
114-1	13,299	Bell	7/69	5,750	Coleman	7/69	7,900	Quint	4/27/71	7,400	\$7,400
114-2	16,245	Bell	7/69	2,950	Coleman	7/69	5,500	Quint	4/27/71	4,900	4,900
114-3	10,678	Bell	7/69	4,550	Coleman	7/69	5,500	Quint	4/27/71	5,250	5,250

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Any false statement made knowingly herein may subject the signer to civil penalties under Section 231 of Title 31 of the United States Code and, if such statements are made willfully and knowingly, to conviction for a felony under Section 1001 of Title 18 of the United States Code.

May 6, 1971
Date

Stephen A. McMillan
Executive Director
The Housing Authority of the City
of Bay Minette, Alabama

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PARCEL

VALUE

NO.	AREA IN SQ. FT.	FIRST APPRAISAL			SECOND APPRAISAL			REVIEW APPRAISAL			FAIR VALUE ESTABLISHED
		NAME	DATE	VALUE	NAME	DATE	VALUE	NAME	DATE	VALUE	
114-1	13,299	Bell	7/69	\$5750	Golemon	5/71	\$6,325	Quint	5/71	\$6000	\$6,000
114-2	16,245	Bell	7/69	2950	Golemon	5/71	3,575	Quint	5/71	3200	3,200

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Any false statement made knowingly herein may subject the signer to civil penalties under Section 232 of Title 31 of the United States Code and, if such statements are made willfully and knowingly, to conviction for a felony under Section 1001 of Title 18 of the United States Code.

5/19/71
Date

Stephen A. McMillan
Executive Director
The Housing Authority of the
City of Bay Minette, Alabama

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CERTIFICATE

I, Stephen A. McMillan, the duly appointed, qualified and acting Secretary of The Housing Authority of the City of Bay Minette, Alabama, do hereby certify that the attached extract from the minutes of the Special meeting of the Commissioners of said Authority, held on May 17, 1971, is a true and correct copy of the original minutes of said meeting on file and of record insofar as said original minutes relate to the matters set forth in said attached extract, and I do further certify that the copy of the Resolution appearing in said attached extract is a true and correct copy of the Resolution adopted at said meeting and on file and of record.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Authority this 24th day of June, 19 71.

Stephen A. McMillan
Secretary

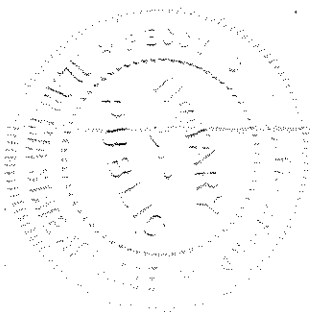
(SEAL)

STATE OF ALABAMA
COUNTY OF BALDWIN

Sworn to and subscribed before me, this the 24th day of June 1971.

Raymond D. Weatherford
NOTARY PUBLIC State of Alabama

My Commission Expires 9-3-74



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1. ~~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., Fairhope, Ala.~~ *D10*
3. ~~Allison, John O., Mechanic, 351 Wisteria St., Fairhope~~ *P13*
4. ~~Gibbs, James H., Flagman L&N RR, 1309 2nd St. Daphne~~
5. ~~Oswell, Charles O., Timber Farmer, 109 Patrician Dr. Spanish Fort~~ *D7*
6. ~~Linden, Harry M., V-Pres, Linden Constr., 117 Ashley Dr. Fairhope, Silverhill~~ *D2*
7. ~~Archer, Mattie K., Clk, NAS, 108 Blakeney Av. Fairhope,~~ *P10*
8. ~~Howard, Herman L., Dept. Mgr. Gaston Mtr. Co. Rt 2 Box 173A, Fairhope~~
9. ~~Hunt, F. C., V-Pres. Baldwin Co. Bk., 202 Patrician Dr. Spanish Fort~~ *P4*
10. ~~James, Willie, Laborer, Star Rt. A., Stockton, Ala.~~ *D3*
11. ~~Courtney, Edward L., Ofc. Mgr. Rivera Utilities, 58 N. Bay View Av. Fairhope~~
12. ~~Moyers, R. Roy, Retired, 52 Nichols Ave. Fairhope~~ *P2*
13. ~~Johnson, Elmer H., Chem. Opr. Monsanto, 430 W. Magnolia St. Bay Minette~~ *D8*
14. ~~Hobbs, John L. Serviceman Sears Roebuck Rt 2 Bay Minette~~ *P5*
15. ~~Sheldon, Craig, Artist, 457 Oak St. Fairhope~~ *D9*
16. ~~Hinger, Alice A., Housewife, 512 Genl. Maury Dr. Spanish Fort~~
17. ~~Sizemore, Thomas T., Acct. Ala. Power Co., 9 Cannonade Blvd. Spanish Fort~~ *P8*
18. ~~Guy, Herbert B., Fmn. Rider Constr. 519 Collier Av. Bay Minette~~ *D12*
19. ~~Stapleton, Jack, Retired, P. O. Box 185, Fairhope~~
20. ~~Stark, Eddie, Truck Driver, Rt. 1 Perdido~~ *D5*
21. ~~Gibson, Jerri, Cash, Still Mtr. Co., 202 Bradley Av. Bay Minette~~
22. ~~Stone, Mrs. Marcus, Housewife, Box 657, Fairhope~~ *D2*
23. ~~Strozier, Norman D., Supvr. IBM, 215 Orange St. Fairhope~~ *P14*
24. ~~Gattiker, Thomas L., Acct. Morrison & Smith, 137 Pineridge Rd. Daphne~~ *P6*
25. ~~Briggs, Claude L., Pkr. Bay Slacks, 205 Bay St. Bay Minette~~ *D4*
26. ~~Buchmann, Clarence, Grand Hotel, Box A Nichols St., Fairhope~~ *D4*
27. ~~Bellue, Thelma L. Housewife, 422 Miller Ave. Fairhope~~
28. ~~Sumrall, Blanche R., Housewife, 602 Spanish Main St. Spanish Fort~~
29. ~~Lee, Virginia B., Housewife, 107 Orange St. Fairhope~~
30. ~~Keck, Victor E., Switchman CM&O RR, 569 Nichols Av. Fairhope~~ *P8*
31. ~~Fairley, Allen, Pressman Poser Pringing, Twin Beach Rd. Fairhope~~
32. ~~Allen, Harrington, Laborer, Point Clear~~ *D13*
33. ~~Pond, Harry, Mach. Opr. Standard Furn. Rt. 1 Box 30, Bay Minette~~ *P12*
34. ~~Rayborn, Thomas H., Heavy Eqp. Opr. 409 Azalea St. Fairhope~~ *P1*
35. ~~Cannon, Marvin H., Opr. Newport Ind. 209 Powell Av. Bay Minette~~ *P9*
36. ~~Carpenter, Charles E., Supvr. SCB Tel. 554 Jan Dr. Fairhope~~ *D11*
37. ~~Barr, Frank D., Supr. Western Elec., Stuart St. Daphne~~
38. ~~Crawford, John L., Sls. Mgr. Still Mtr. Co. 700 Brady R. Bay Minette~~
39. ~~Gebhart, Thomas Lee, Car Salesman, P. O. Box 51, Foley~~ *P3*
40. ~~White, Everette, Carpenter, Rt. 1 Perdido~~ *P11*

P-XXXXX XXXXX XXXX - 14

D-XXXXX XXXXX XXX - 13

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10,453

The Housing Authority of the City
of Bay Minette

IN THE CIRCUIT COURT OF

VS:

BALDWIN COUNTY, ALABAMA

Hased Kahalley

AT LAW, CASE NO. 10,453

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

⁸⁰⁸
~~\$15,000~~ plus
13,299.00

6% interest for 4 m. 18 days

~~\$299.00~~
902.

Jack D. Stapleton
Foreman.

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

CONDEMNOR

VS

HASEP KAHALLEY

CONDEMNEE

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO: 10,453

FINAL JUDGMENT AND ORDER OF CONDEMNATION

This cause coming on to be heard by the Court on the 24 day of July, 1972, and it appearing to the Court that said cause was tried under a stipulation filed by the respective attorneys of record, and that the only issue in this proceeding is the damages and compensation, if any, which the Defendant Landowner is entitled and that an order of condemnation should be here entered condemning the land described as:

Lot 53 of the Old Town of Bay Minette as per plat thereof recorded in Map Book 1, Page 106, Baldwin County Probate Records; AND BEGINNING at the Northeast corner of Lot 54 of the Old Town of Bay Minette as per plat thereof recorded in Map Book 1, Page 106, Baldwin County Probate Records, run South, $29^{\circ} 30'$ East a distance of 126.6 feet to a point; thence run North, $68^{\circ} 30'$ East a distance of 15 feet to a point, said point located on the Boundary line between Lots 54 and 56; thence run in a Southwesterly direction approximately 35 feet to the Southwest corner of Lot 54; thence run in a Northwesterly direction along the Southern boundary of Lot 54 a distance of 135 feet, more or less, to the Northwest corner of said Lot 54; thence run Northerly along the Western boundary of said Lot 54 a distance of 81.2 feet, more or less, to the POINT OF BEGINNING, said parcel lying within Lot 54 of the Old Town of Bay Minette, Baldwin County, Alabama, AND COMMENCING at the Southeast corner of Lot 56 of the Old Town of Bay Minette, as shown on plat recorded in Map Book 1, page 106, Baldwin County Probate Records; run thence South 60° West along the South line of said Lot 56 a distance of 90.6 feet; thence run North, $29^{\circ} 30'$ West a distance of 24 feet to a point; thence run North, 74° West a distance of 70.2 feet to the Northeast corner of Lot 52; thence run North along the Northwestern boundary of Lot 56 a distance of 95 feet to a point; thence run North, $68^{\circ} 30'$ East a distance of 90 feet to a point; said point lying on the Eastern boundary of said Lot 56; thence run South along said boundary for a distance of 124 feet to the Southeast corner of Lot 56 which is the POINT OF BEGINNING, said described property lying within Lot 56 of the Old Town of Bay Minette, Baldwin County, Alabama.

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for the uses and purposes set forth in the application, which is now on file in this Court.

And a jury of twelve (12) men and women having rendered a verdict in favor of the Landowner in the amount of THIRTEEN THOUSAND TWO HUNDRED NINETY-NINE AND NO/100 (\$13,299.00) DOLLARS, and the Court having considered all of the above is of the opinion and judgment that an Order or Judgment of Condemnation should be here entered conditioned upon the payment by the Housing Authority of the City of Bay Minette, Alabama, for the use and benefit of the Defendant Landowner of the sum aforesaid; it is, therefore,

ORDERED, ADJUDGED AND DECREED by the Circuit Court of Baldwin County, as follows:

I.

That the application of The Housing Authority of the City of Bay Minette, Alabama, for the condemnation of the lands hereinabove described, be granted, and that the property is hereby condemned for the use of The Housing Authority of the City of Bay Minette, Alabama, for the uses set forth in the application aforesaid, and the rights therein are hereby divested out of the Landowner and into The Housing Authority of the City of Bay Minette, Alabama, upon the payment by said Authority of the sum hereinabove ordered and decreed to be paid.

II.

That the damages and compensation to which the Defendant Landowner, in this case, Hasep Kahalley, is entitled, is hereby fixed at the sum of THIRTEEN THOUSAND TWO HUNDRED NINETY-NINE AND NO/100 (\$13,299.00) DOLLARS, which said sum is hereby ordered to be paid by The Housing Authority of the City of Bay Minette, Alabama, to said Defendant Landowner, and that upon the payment of said amount by said Authority, the condemnation of the lands hereinabove described shall be and become effective.

III.

That The Housing Authority of the City of Bay Minette, Alabama, pay the

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costs of this proceeding in the amount of THIRTY-ONE AND NO/100 (\$31.00)
DOLLARS.

ORDERED AND ADJUDGED this 27th day of September, 1972.

J. L. Mashburn

Jelfair J. Mashburn
Judge, 28th Judicial Circuit
Baldwin County, Alabama

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

X

X

CONDEMNOR

X

IN THE PROBATE COURT OF

VS

X

BALDWIN COUNTY, ALABAMA

HASEP KAHALLEY

X

CASE NO: 7482

X

X

X

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

This day came The Housing Authority of the City of Bay Minette,
by and through Taylor Wilkins, Jr., Attorney, and filed its application, in
writing, seeking to condemn or acquire certain rights and interest therein des-
cribed and alleged to be owned by Hasep Kahalley.

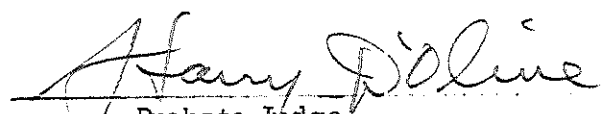
It appearing to the Court that said application complies with the
Statutes of the State of Alabama, in such cases made and provided, and that the
applicant is entitled to file such application in this Court;

It is, therefore, CONSIDERED, ORDERED and DECREED by the
Court that this Court has and does take jurisdiction of the said application and
that the 29th day of March, 1972, at 9:30 o'clock, a.m, be and is
hereby appointed as a day for hearing thereof.

It is further ORDERED by the Court that notice of said application
and of the day appointed for the hearing thereof be given Hasep Kahalley

by citation to be personally served on them at least ten days prior to the 29th day
of March, 1972.

GIVEN under my hand this 8th day of March, 1972.


Probate Judge
Baldwin County, Alabama

mail

THE HOUSING AUTHORITY OF THE	X	
CITY OF BAY MINETTE, BALDWIN	X	
COUNTY, ALABAMA,	X	IN THE PROBATE COURT OF
	X	BALDWIN COUNTY, ALABAMA
CONDEMNOR	X	CASE NO: 7482
VS	X	
HASEP KAHALLEY	X	
	X	
	X	
	X	

NOTICE

TO: HASEP KAHALLEY, *Prichard Ornamental Iron Works, 501 Bay Bridge Road*
Prichard, Ala.

YOU WILL PLEASE TAKE NOTICE THAT an application was filed in this Court by the Housing Authority of the City of Bay Minette, Alabama, alleging that it desired to have condemned certain parcels of land set out and described as follows:

SEE SCHEDULE "A" ATTACHED

And the application prays that a day be appointed for the hearing thereof and for such further, other and different orders and decrees as may be necessary and proper for the acquisition by the Applicant.

THIS IS TO NOTIFY YOU that the Probate Court of Baldwin County, Alabama, has appointed the 29th day of March, 1972, at 9:30 o'clock, a.m. as the day and time upon which said application will be heard, at which time and place, you may appear and contest the same, if you choose to do so.

DONE this 8th day of March, 1972.

Harry D'Almeida
Probate Judge
Baldwin County, Alabama

MAR 8 1972

BOOK 061 PAGE 313

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

CONDEMNOR

VS

HASEP KAHALLEY

X

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X

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IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO: 7482

ORDER GRANTING PETITION AND APPOINTING
COMMISSIONERS

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

And it appearing to the satisfaction of the Court that
Hasep Kahalley

have had notice of the filing of said petition and of the appointment of this day
as a day for hearing of the same as required by law, and that at least ten days
have passed since notice, and further that

And the Court having proceeded to hear said Petition, and the
evidence submitted in support of same; and it appearing to the satisfaction of
the Court from legal and competent evidence offered by the Petitioner, that the
averments of said Petition are true and correct.

And it further appearing to the satisfaction of the Court that the
tracts of land described in said Petition are owned by the persons alleged to be
the owners thereof, and that such tracts of land are subject to liens, and leases
as averred and shown in said Petition, and that the interest sought to be acquired
by the Petitioner is for public use, and which lands, when condemned, will be
devoted to such uses and purposes, and that it is necessary that said lands be
condemned for the purposes and uses set forth in said Petition, and it further

appearing to the Court that no objections have been filed to the granting of said Petition, it is, therefore, ORDERED, ADJUDGED and DECREED, by the Court, that said Petition be, and the same is hereby granted.

And it further appearing to the satisfaction of the Court that W. E. Long, Glenn Underwood, and Robert Frayne are citizens of Baldwin County, Alabama, and possess the qualifications of jurors, and are disinterested and have no interest whatever in this proceeding, and said three persons, in all respects, are competent and qualify to serve as Commissioners to assess and appraise the damages and compensation to which the owners, lienholders, and lessees of said lands are entitled.

It is, therefore, ORDERED, ADJUDGED and DECREED, by the Court, that the said W. E. Long, Glenn Underwood and Robert Frayne, be and they are hereby, appointed Commissioners to assess and appraise the damages and compensation to which the owners of each tract of land described in said Petition are entitled, which amount of damages and compensation so awarded each owner and that said persons so appointed Commissioners have notice of their appointment as such Commissioner by written commission issued to them and served upon them by the Sheriff of Baldwin County, Alabama, and that they be sworn as jurors are sworn under the laws of the State of Alabama; and it is further ORDERED by the Court that such Commission so issued shall show a description of each tract of land and the owners, lienholders, lessees, and mortgagees to each of said tracts of land described in said Petition, and sought to be condemned; and it is further ORDERED by the Court that said Commissioners proceed with the assessment of said damages and compensation in the manner as prescribed by law, and that they report their findings, in writing, under oath, to this Court for confirmation.

DONE this 14th day of April, 1972.

Harry D'Olewie
Probate Judge
Baldwin County, Alabama

X

Y

X

CASE NO: 7482

Y

X

X

TO: W. E. Long, Glenn Underwood
and Ronnie Wiley, ~~Stephen A. Whelan~~
Robert Fraunce

Beginning at the Northeast corner of Lot 54 of the Old Town of Bay Minette, as per plat thereof as recorded in Map Book 1, Page 106, Baldwin County Probate Records; run South, $29^{\circ} 30'$ East a distance of 126.6 feet to a point; thence run South, $68^{\circ} 30'$ East a distance of 15 feet to a point, said point located on the boundary line between Lots 54 and 56; thence run in a Southwesterly direction approximately 35 feet to the Southwest corner of said Lot 54; thence run in a Northwesterly direction along the Southern boundary of Lot 54 a distance of 135 feet, more or less, to the Northwest corner of said Lot 54; thence run Northerly along the Western boundary of said Lot 54 a distance of 81.2 feet, more or less, to the Point of Beginning, said parcel lying within Lot 54 of the Old Town of Bay Minette, Baldwin County, Alabama, AND Commencing at the Southeast corner of Lot 56 of the Old Town of Bay Minette, Alabama, as shown on plat recorded in Map Book 1, page 106, Baldwin County Probate Records; run thence South, 60° West along the South line of said Lot 56 a distance of 90.6 feet; thence run North $29^{\circ} 30'$ West, a distance of 24 feet to a point; thence run North 74° West, a distance of 70.2 feet to the Northeast corner of Lot 52; thence run North along the Northwestern boundary of Lot 56 a distance of 95 feet to a point; thence run South, $68^{\circ} 30'$ East a distance of 90 feet to a point, said point lying on the Eastern boundary of said Lot 56; thence run South along said boundary a distance of 124 feet to the Southeast corner of Lot 56 which is the Point of beginning, said described property lying within Lot 56 of the Old Town of Bay Minette, Baldwin County, Alabama.

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APR 14 1972

TAYLOR VOLKENS
SHERIFF

vol 50 page 515

WHEREAS, said Probate Court of Baldwin County, Alabama, by its order and decree made on the 14th day of April, 1972, has appointed you Commissioner to assess the damages and compensation to which said alleged owners of each of said tracts of land described herein are entitled on account of condemnation of said lands for the purposes as set out in the Petition, which damages and compensation so awarded each owner shall be subject to all outstanding, valid claims, liens and leases.


NOW THEREFORE, these presents authorize and commission you to perform your duties as such Commissioners in the manner provided by law.

You are hereby directed by this Commission to be sworn as jurors are sworn under the laws of the State of Alabama, and you are further directed to file a certificate along with your award that neither of you have ever been consulted, advised or approached by any person with reference to the value of said lands described herein, or the proceedings to condemn the said lands, prior to the assessment of damages, and that you knew nothing of the same prior to your appointment.

You are further commissioned and directed, by these presents, to assess the damages and compensation to which the owners are entitled to by reason of the taking and condemnation of said lands as set forth in said Petition, and you may view the lands and must receive all legal evidence offered by any parties touching the amount of damages the said owners will sustain, the amount of compensation to be awarded to the said owners in fixing the amount to be awarded of lands taken for this use.

You are further directed, within twenty days from the date of this Commission, to make and file in this Court, a report in writing, of the amount of damages and compensation ascertained and assessed by you for the said owners of said tracts of land.

DONE this the 14th day of April, 1972.



Probate Judge
Baldwin County, Alabama

WHEREAS, said Probate Court of Baldwin County, Alabama, by its order and decree made on the 14th day of April, 1972, has appointed you Commissioner to assess the damages and compensation to which said alleged owners of each of said tracts of land described herein are entitled on account of condemnation of said lands for the purposes as set out in the Petition, which damages and compensation so awarded each owner shall be subject to all outstanding, valid claims, liens and leases.

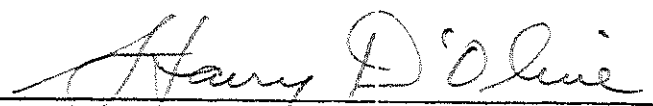
NOW THEREFORE, these presents authorize and commission you to perform your duties as such Commissioners in the manner provided by law.

You are hereby directed by this Commission to be sworn as jurors are sworn under the laws of the State of Alabama, and you are further directed to file a certificate along with your award that neither of you have ever been consulted, advised or approached by any person with reference to the value of said lands described herein, or the proceedings to condemn the said lands, prior to the assessment of damages, and that you knew nothing of the same prior to your appointment.

You are further commissioned and directed, by these presents, to assess the damages and compensation to which the owners are entitled to by reason of the taking and condemnation of said lands as set forth in said Petition, and you may view the lands and must receive all legal evidence offered by any parties touching the amount of damages the said owners will sustain, the amount of compensation to be awarded to the said owners in fixing the amount to be awarded of lands taken for this use.

You are further directed, within twenty days from the date of this Commission, to make and file in this Court, a report in writing, of the amount of damages and compensation ascertained and assessed by you for the said owners of said tracts of land.

DONE this the 14th day of April, 1972.



Probate Judge
Baldwin County, Alabama

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

CONDEMNOR

VS

HASEP KAHALLEY

X

X

X

X

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X

X

X

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO: 7482

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 Housing Authority of the City of Bay Minette, Alabama, versus Hasep Kahalley,

and that neither of them have ever been consulted with, advised with or approached by any person with reference to the said proceedings to condemn the said lands prior to the assessment of damages, and that they knew nothing of the same prior to their appointment, and that they have no interest of any kind in said proceedings to condemn the said lands.

BOOK 064 PAGE 318

W. E. Long
Commissioner

R. R. Frazier
Commissioner

Blair Spivey
Commissioner

Sworn to and subscribed before me on this the 4th day of

May, 1972.

VOL

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PAGE 517

Harry D'Oliver
Probate Judge
Baldwin County, Alabama

STATE OF ALABAMA

BALDWIN COUNTY

OATH OF COMMISSIONERS

We, and each of us, do solemnly swear that we will well and truly try all issues submitted to us in the cause now pending in the Probate Court of Baldwin County, Alabama, between The Housing Authority of the City of Bay Minette, Alabama, Condemnor, and Hasep Kahalley,

Condemnee(s), the issue submitted to us being the amount of damages and compensation to which the said Hasep Kahalley

as owner, and other interested parties are entitled for the condemnation of certain lands for public use as set out in the original petition.

So help us, God.

W. C. Long
Commissioner
R. R. Hayne
Commissioner
Glen L. Greenwood
Commissioner

Sworn to and subscribed before me on this the 4th day of

May, 1972.

Harry D. Dine
Probate Judge
Baldwin County, Alabama

BOOK 061-310

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

CONDEMNOR X

VS X

HASEP KAHALLEY X

X

X

X

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO: 7482

REPORT OF THE COMMISSIONERS

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

The undersigned Commissioners who were heretofore appointed
by the Court to assess the damages and compensation to which Hasep Kahalley
is
~~and~~ entitled to by reason of the condemnation of certain lands by The Housing
Authority of the City of Bay Minette, Baldwin County, Alabama, for public use
in its Neighborhood Development Program Project #A-1, do hereby report as
follows:

That after being sworn as required by law; that after viewing
the lands and after receiving all the evidence offered by any of the parties
touching the amount of damages and compensation to which the owners of same
will sustain, and thereby assessing the amount of damages and compensation
to which the owners of the said lands described in the Petition in this cause
are entitled, they do report the damages and compensation as follows:

The amount of damages awarded to the said
Hasep Kahalley
as owner(s) of the lands described in the said petition being _____
_____. (\$ 11,500⁰⁰).

The above award is subject to any liens which might be of record
in the office of the Judge of Probate of Baldwin County, Alabama.

The undersigned do further state that in making such assessment,

they have proceeded in strict conformity of the Commission heretofore issued to and served upon them as such Commissioners, and the undersigned to further file with this report and award, a certificate showing that the undersigned Commissioners have no interest in the said proceeding.

DONE this 4th day of May, 1972.

W. E. Long
Commissioner

R. R. Fraym
Commissioner

Elmer Spiveywood
Commissioner

Sworn to and subscribed before me on this the 4th day of
May, 1972.

Harry D'Oliver
Probate Judge
Baldwin County, Alabama

BOOK 061 PAGE 321

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

X

X

CONDEMNOR

X

VS

X

IN THE PROBATE COURT OF

HASEP KAHALLEY

X

BALDWIN COUNTY, ALABAMA

X

CASE NO: 7482

X

X

DECREE OF CONDEMNATION BY PROBATE COURT

This cause coming on to be heard on the report of

W. E. Long, Glenn Underwood & Robert Frayne

Commissioners in this cause, and Petition having been filed in this Court to
condemn, for public use in Neighborhood Development Program Project #A-1,
certain lands owned by Hasep Kahalley

and the Court having heretofore made an order granting said Petition and said
order having been made only after due and legal notice of filing of said Petition,
and the appointment of a day for hearing the same have been given to all owners,
lienholders, claimants, lessees and mortgagees and other persons alleged to
have any interest in the lands described in this Petition, and the said order
having been made only after proof by legal and competent evidence of the
averments of the said Petition,

And the Court having in its order made on the 14th day of

April, 1972, appointed W. E. Long,
Glenn Underwood and Robert Frayne,

as Commissioners to assess and appraise the damages and compensation to
which the owners of the said lands are entitled, and the said Commissioners
having filed in this Court their report showing that after having first being
sworn as jurors are required to be sworn, they proceeded to assess the damages
and compensation to which the owners of the tracts of land described in the said
report and the original Petition, in this cause, for public use, and as described

in the said Petition, and that after they have viewed the said lands and had received all evidence offered touching on the amount of damages and compensation to which the said owners are entitled;

And it further appearing from the said report that the amount of damages and compensation awarded to Hasep Kahalley

on account of the lands described in the original petition and the said report of the Commissioners, being required by The Housing Authority of the City of Bay Minette, Alabama, for the purposes described in the petition, was _____

Eleven Thousand Five Hundred (\$ 11,500.⁰⁰); Dollars;

And it further appearing to the satisfaction of the Court that Petitioner is entitled to have all of the lands described in the said petition, in this cause, and that Petitioner is entitled to have the said lands condemned as stated in the Petition in this cause;

And it appearing to the satisfaction of the Court that Petitioner has already paid into Court the amount of money awarded by the said Commissioners to the said owners, which said awards are subject to all outstanding valid claims, liens, leases and mortgages, for the condemnation of the lands described in the said report of said Commissioners and described in the original Petition in this cause, and has also paid all the Court costs in this cause;

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the lands described herein, namely:

Beginning at the Northeast corner of Lot 54 of the Old Town of Bay Minette as per plat thereof as recorded in Map Book 1, page 106, Baldwin County Probate Records; run South 29° 30' East a distance of 126.6 feet to a point; thence run South, 68° 30' East a distance of 15 feet to a point, said point located on the boundary line between Lots 54 and 56; thence run in a Southwesterly direction approximately 35 feet to the Southwest corner of said Lot 54; thence run in a Northwesterly direction along the Southern boundary of Lot 54 a distance of 135 feet, more or less, to the Northwest corner of said Lot 54; thence run Northerly along the Western boundary of said Lot 54 a distance of 81.2 feet, more or less, to the Point of Beginning, said parcel lying within Lot 54 of the Old Town of Bay Minette, Baldwin County, Alabama, AND Commencing at the Southeast corner of Lot 56 of the Old Town of Bay Minette, Alabama, as shown on plat recorded in Map Book 1, page 106, Baldwin County Probate Records; run thence South, 60° West along the South line of said Lot 56 a distance of 90.6 feet; thence run North 29° 30' West, a distance of 24 feet to a point;

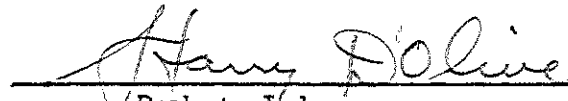
BOOK 061 PAGE 323

thence run North, 74° West, a distance of 70.2 feet to the North-east corner of Lot 52; thence run North along the Northwestern boundary of Lot 56 a distance of 95 feet to a point; thence run South, 68° 30' East a distance of 90 feet to a point, said point lying on the Eastern boundary of said Lot 56; thence run South along said boundary a distance of 124 feet to the Southeast corner of Lot 56 which is the Point of Beginning, said described property lying within Lot 56 of the Old Town of Bay Minette, Baldwin County, Alabama.

and in the petition filed herein be, and the same are hereby condemned for public use and Neighborhood Development Program Project #A-1, and such other purposes as are set out in the original petition filed herein, and that the Petitioner shall have the right to immediate possession and right of entry in and to the said lands and to subject said lands for uses and purposes as set forth in the original petition herein and such lands are condemned for the uses and purposes originally stated in the original petition and against all parties having an interest therein, and who are made party Respondents in this proceeding and are hereby especially condemned against the interest of Hasep Kahalley.

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

DONE this the 4th day of May, 1972.



Probate Judge
Baldwin County, Alabama

BOOK 061 and 324

The Housing Authority of the City of Bay Minette

vs

Hasep Kahalley

SCHEDULE "A"

Beginning at the Northeast corner of Lot 54 of the Old Town of Bay Minette as per plat thereof as recorded in Map Book 1, page 106, Baldwin County Probate Records; run South $29^{\circ} 30'$ East a distance of 126.6 feet to a point; thence run South, $68^{\circ} 30'$ East a distance of 15 feet to a point, said point located on the boundary line between Lots 54 and 56; thence run in a Southwesterly direction approximately 35 feet to the Southwest corner of Lot 54; thence run in a Northwesterly direction along the Southern boundary of Lot 54 a distance of 135 feet, more or less, to the Northwest corner of said Lot 54; thence run Northerly along the Western boundary of said Lot 54 a distance of 81.2 feet, more or less, to the point of beginning, said parcel lying within Lot 54 of the Old Town of Bay Minette, Baldwin County, Alabama, AND Commencing at the Southeast corner of Lot 56 of the Old Town of Bay Minette, Alabama, as shown on plat recorded in Map Book 1, page 106, Baldwin County Probate Records; run thence South, 60° West along the South line of said Lot 56 a distance of 90.6 feet; thence run North, $29^{\circ} 30'$ West a distance of 24 feet to a point; thence run North 74° West a distance of 70.2 feet to the Northeast corner of Lot 52; thence run North along the Northwestern boundary of Lot 56 a distance of 95 feet to a point; thence run South, $68^{\circ} 30'$ East a distance of 90 feet to a point, said point lying on the Eastern boundary of said Lot 56; thence run South along said boundary a distance of 124 feet to the Southeast corner of Lot 56 which is the point of beginning, said described property lying within Lot 56 of the Old Town of Bay Minette, Baldwin County, Alabama.

10,453

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

X

X

IN THE PROBATE COURT OF

CONDEMNOR

X

BALDWIN COUNTY, ALABAMA

VS

X

CASE NO: 7482

HASEP KAHALLEY

X

CONDEMNEE

X

NOTICE OF APPEAL

Comes now the Housing Authority of the City of Bay Minette, Alabama, the Condemnor in the above entitled cause and prays for and takes an Appeal to the Circuit court of Baldwin County, Alabama, from the final Order and Decree of Condemnation rendered by the Probate Court of Baldwin County, Alabama, in the above entitled cause, on the 4th day of May, 1972, insofar as said final Order or Decree of Condemnation relates to the land described in said Petition and to Hasep Kahalley, owner, and as to the amount of compensation awarded to Hasep Kahalley for the lands described in the original Petition filed in this cause and as described in the final Order or Decree of Condemnation in this cause as referred to above which land is described as follows, to-wit:

Beginning at the Northeast corner of Lot 54 of the Old Town of Bay Minette as per plat thereof as recorded in Map Book 1, page 106, Baldwin County Probate Records; run South, 29° 30' East a distance of 126.6 feet to a point; thence run South, 68° 30' East a distance of 15 feet to a point, said point located on the boundary line between Lots 54 and 56; thence run in a Southwesterly direction approximately 35 feet to the Southwest corner of said Lot 54; thence run in a Northwesterly direction along the Southern boundary of Lot 54 a distance of 135 feet, more or less, to the Northwest corner of said Lot 54; thence run Northerly along the Western boundary of said Lot 54 a distance of 81.2 feet, more or less, to the POINT OF BEGINNING, said parcel lying within Lot 54 of the Old Town of Bay Minette, Baldwin County, Alabama, AND commencing at the Southeast corner of Lot 56 of the Old Town of Bay Minette, Baldwin County, Alabama, as shown on plat recorded in Map Book 1, page 106, Baldwin County Probate Records; run thence South, 60° West along the South line of said Lot 56 a distance of 90.6 feet; thence run North, 29° 30' West, a distance of 24 feet to a point; thence run North, 74° West, a distance of 70.2 feet to

STATE OF ALABAMA, BALDWIN COUNTY

Filed May 12, 1972 M

Recorded ✓ book 50 Page 525

VOL 50 MAY 325 Judge of Probate

the Northeast corner of Lot 52; thence run North along the Northwestern boundary of Lot 56 a distance of 95 feet to a point; thence run South, 68° 30' East a distance of 90 feet to a point, said point lying on the Eastern boundary of said Lot 56; thence run South along said boundary a distance of 124 feet to the Southeast corner of Lot 56 which is the POINT OF BEGINNING, said described property lying within Lot 56 of the Old Town of Bay Minette, Baldwin County, Alabama.

The Housing Authority of the City of Bay Minette, Alabama, does herewith file in the Probate Court of Baldwin County, Alabama, the Court rendering the Final Order or Decree of Condemnation, this it's written Notice of Appeal to the Circuit Court of Baldwin County, Alabama, and said Appeal is taken against each and all claimants to said land described herein, namely, Hasep Kahalley.

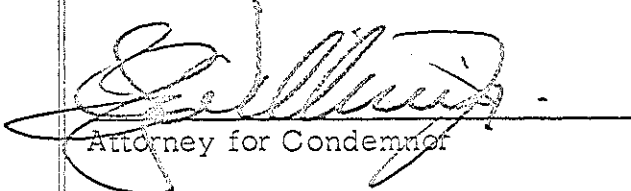
This the 12 day of May, 1972.

THE HOUSING AUTHORITY OF THE
CITY OF BAY MINETTE, ALABAMA

BY: 

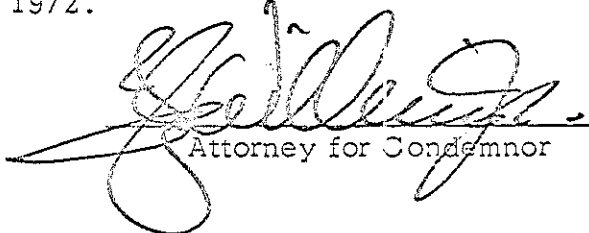
Attorney for The Housing Authority of
the City of Bay Minette, Alabama

Condemnor hereby demands a trial of
this cause by jury.


Attorney for Condemnor

I, the undersigned, Taylor Wilkins, Jr., hereby certify that I have on this day, forwarded a true and exact copy of the foregoing Notice of Appeal to Mr. Norborne Stone, Attorney at Law, Bay Minette, Alabama, attorney of record for the Condemnee, by mailing him a copy of the same in the United States Post Office, properly addressed, with the postage paid thereon.

DONE this 12th day of May, 1972.


Attorney for Condemnor

THE HOUSING AUTHORITY OF THE	X	
CITY OF BAY MINETTE, BALDWIN		
COUNTY, ALABAMA	X	IN THE CIRCUIT COURT OF
CONDEMNOR	X	BALDWIN COUNTY, ALABAMA
VS	X	
HASEP KAHALLEY	X	
CONDEMNEE	X	CASE NO:

STIPULATION

It is hereby stipulated by and between the Petitioner, the Housing Authority of the City of Bay Minette, Alabama, and Hasep Kahalley, Condemnee, both parties to the above styled cause, through their respective attorneys of record, each acting with full authority and stipulating as follows:

I.

That the Petitioner is authorized to institute condemnation proceedings to acquire that certain parcel of property known as Parcels 114-2 and 114-6, more particularly described as follows:

Lot 53 of the Old Town of Bay Minette as per plat thereof recorded in Map Book 1, page 106, Baldwin County Probate Records; AND BEGINNING at the Northeast corner of Lot 54 of the Old Town of Bay Minette as per plat thereof recorded in Map Book 1, page 106, Baldwin County Probate Records, run South, 29° 30' East a distance of 126.6 feet to a point; thence run North, 68° 30' East, a distance of 15 feet to a point, said point located on the boundary line between Lots 54 and 56; thence run in a southwesterly direction approximately 35 feet to the southwest corner of Lot 54; thence run in a northwesterly direction along the southern boundary of Lot 54 a distance of 135 feet, more or less, to the northwest corner of said Lot 54; thence run Northerly along the western boundary of said Lot 54 a distance of 81.2 feet, more or less, to the POINT OF BEGINNING, said parcel lying within Lot 54 of the Old Town of Bay Minette, Baldwin County, Alabama, AND COMMENCING at the southeast corner of Lot 56 of the Old Town of Bay Minette, Alabama, as shown on plat recorded in Map Book 1, page 106, Baldwin County Probate Records, run thence South, 60° West along the south line of said Lot 56 a distance of 90.6 feet; thence run North, 29° 30' West a distance of 24 feet to a point; thence run North, 74° West a distance of 70.2 feet to the northeast corner of Lot 52;

thence run North along the northwestern boundary of Lot 56 a distance of 95 feet to a point; thence run North, 68° 30' East a distance of 90 feet to a point, said point lying on the eastern boundary of said Lot 56; thence run South along said boundary a distance of 124 feet to the southeast corner of Lot 56 which is the POINT OF BEGINNING, said described property lying within Lot 56 of the Old Town of Bay Minette, Baldwin County, Alabama.

II.

That the date of the taking of said property interest was the 6th day of March, 1972, the date on which the application for condemnation was filed in the Probate Court of Baldwin County, Alabama, and devaluation of said property has remained constant since that date.

III.

That these proceedings are properly before this Court, and a trial by jury of the question of damages and compensation has been properly demanded and the Petitioner, and Condemnee, Hasep Kahalley, are the only parties to have or assert any right, title or interest in or to the lands or interest therein sought to be acquired.

IV.

That the Condemnee had due notice of this trial and all proceedings herein and expressly enter their appearance in this Court.


V.

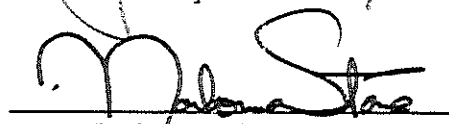
That the only issue in this proceeding is the damages and compensation if any, to which the Condemnee is entitled for the lands and interest in lands sought to be acquired by the Condemnor for the uses herein stated.

FILED

JUL 24 1972

EUNICE B. BLACKMON CIRCUIT
CLERK


Taylor Wilkins, Jr.
Attorney for Condemnor


Norborne Stone
Attorney for Condemnee

THE HOUSING AUTHORITY OF THE	X	
CITY OF BAY MINETTE, BALDWIN		
COUNTY, ALABAMA	X	IN THE CIRCUIT COURT OF
CONDEMNOR	X	BALDWIN COUNTY, ALABAMA
VS	X	
HASEP KAHALLEY	X	
		CASE NO:
CONDEMNEE	X	

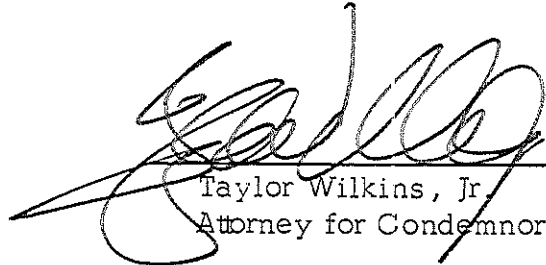
AMENDMENT

Comes now the Petitioner, The Housing Authority of the City of Bay Minette, Alabama, and hereby amends Paragraph 3 of its Petition for Condemnation heretofore filed in this matter as follows:

3. That the parcel (s) of land necessary for public use and the uses and purposes as set forth herein and is authorized as herein set forth above, which the Petitioner seeks to condemn are set out and described as follows:

Lot 53 of the Old Town of Bay Minette as per plat thereof as recorded in Map Book 1, page 106, Baldwin County Probate Records; AND BEGINNING at the Northeast corner of Lot 54 of the Old Town of Bay Minette as per plat thereof as recorded in Map Book 1, Page 106, Baldwin County Probate Records, run South, 29° 30' East a distance of 126.6 feet to a point; thence run North, 68° 30' East a distance of 15 feet to a point, said point located on the boundary line between Lots 54 and 56; thence run in a Southwesterly direction approximately 35 feet to the Southwest corner of Lot 54; thence run in a Northwesterly direction along the Southern boundary of Lot 54 a distance of 135 feet, more or less, to the Northwest corner of said Lot 54; thence run Northerly along the Western boundary of said Lot 54 a distance of 81.2 feet, more or less, to the POINT OF BEGINNING, said parcel lying within Lot 54 of the Old Town of Bay Minette, Baldwin County, Alabama, AND COMMENCING at the Southeast corner of Lot 56 of the Old Town of Bay Minette, Alabama, as shown on plat recorded in Map Book 1, page 106, Baldwin County Probate Records; run thence South, 60° West along the South line of said Lot 56 a distance of 90.6 feet; thence run North, 29° 30' West a distance of 24 feet to a point; thence run North, 74° West a distance of 70.2 feet to the Northeast corner of Lot 52; thence run North along the Northwestern boundary of Lot 56 a distance of 95 feet to a point; thence run North, 68° 30' East a distance of 90 feet to a point, said point lying on the Eastern boundary of said Lot 56; thence

run South along said boundary a distance of 124 feet to the Southeast corner of Lot 56 which is the POINT OF BEGINNING, said described property lying within Lot 56 of the Old Town of Bay Minette, Baldwin County, Alabama.


Taylor Wilkins, Jr.
Attorney for Condemnor

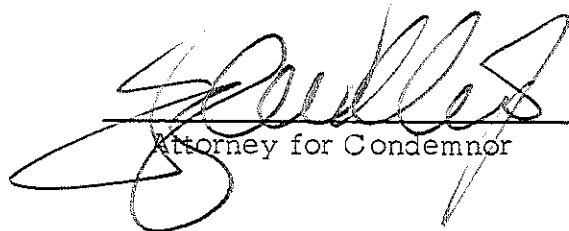
I, the undersigned Taylor Wilkins, Jr., hereby certify that I have on this day forwarded a true and exact copy of the foregoing Amendment to Mr. Norborne Stone, Attorney at Law, Bay Minette, Alabama, attorney of record for the Condemnee, by mailing a copy of the same in the United States Post Office, properly addressed, with the postage paid thereon.

DONE this the 24 day of July, 1972.

FILED

JUL 24 1972

EUNICE B. BLACKMON CIRCUIT
CLERK


Attorney for Condemnor