

STATE OF ALABAMA

Petitioner

VS

GLOVER PACKER, et al

Respondents

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 5087

.-.-.-.-.

TO: STATE OF ALABAMA, (Attention: Telfair Mashburn)

You are hereby notified that notice of appeal was filed
in the Office of the Judge of Probate of Baldwin County,
Alabama on the 21st day of February, 1964 in the above
styled cause.



Judge of Probate



STATE OF ALABAMA,

Petitioner,

vs.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

GLOVER PACKER, IRENE P. ELLIOT,
MOSES PACKER, JOE LEE PACKER,
LEWIS PACKER, FELIX PACKER,
J. V. PACKER, ESKINE PACKER,
NATHANIEL PACKER, MARGARET
PACKER, Individually and as
Administratrix of the Estate
of State Packer, and TRACT
No. 54, Parcels 1 thru 10,

Respondents.

CROSS APPEAL:

Now comes the State of Alabama, Petitioner in the above styled cause, and does hereby file its cross-appeal to the Circuit Court of Baldwin County, Alabama, from the order of condemnation entered in this cause on the 22nd day of January, 1964.

Done this 25th day of March, 1964.

RICHMOND M. FLOWERS,
Attorney General
State of Alabama

STATE OF ALABAMA, BALDWIN COUNTY

Filed 3-25-64

Recorded 3-25-64 book page

J. D. Owen Jr.
Judge of Probate

By J. D. Owen Jr.
Duly appointed Special Assistant
Attorney General for State of Alabama.

Petitioner hereby demands a
trial of this cause by Jury.

J. D. Owen Jr.
Duly appointed Special Assistant
Attorney General for State of Alabama.

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

J. D. Owen Jr.
Duly appointed Special Assistant
Attorney General for State of Alabama.

Filed, and security for costs approved on this the 25th
day of March, 1964.

L. D. Owen Jr.
Probate Judge.

STATE OF ALABAMA

BALDWIN COUNTY

I hereby certify that I delivered a copy of the foregoing cross-appeal to the office of Wilson Hayes, Attorney of Record for Glover Packer, et al., on this the 25th day of March, 1964.

William J. Madaleno
Duly appointed Special Assistant
Attorney General for State of Alabama.

I hereby accept service of a copy
of the above notice of appeal and waive
all further notice in and about said
appeal.

Mar 25, 1964.

Wilson Hayes
Att for Glover Packer et al

FEES OF PROBATE JUDGE		AMOUNT	DATE	FEES OF PROBATE JUDGE		AMOUNT	
<i>Jelfair Mackburn</i>						23	25
63 <i>App. for Com.</i>		7.00		BROUGHT FORWARD,			
<i>When Order of Presentation, \$1.00</i>				Affidavit to Report, 25c			
Affidavit in Petition for Probate, 25c				Recording, per 100 words, 15c			
<i>Recording Petition, per 100 words, 15c</i>		1.50		Appointing Com'r to Divide, and Writ, \$2.00			
<i>Issuing Citation, ent'g Sheriff's Return, 50c</i>		1.50		Approving Division and Order thereon, \$1.00			
<i>App'ting and Notifying Guard. ad Litem, 50c</i>		3.00		App'ting and Notifying Guard. ad Litem, 50c			
<i>Issuing Subpoenas for Witness, 50c</i>		1.50		PARTIAL SETTLEMENT—Affidavit in Acc't, 25c			
<i>Affidavit of Witnesses, 25c</i>				Examining, Stating Acc't and Ap. Hear., \$1.00			
<i>Examining Wit. and order Probating, \$2.00</i>		50		Order to Publish Notice of Sale, 50c			
<i>Issuing Commission to take Deposition, 50c</i>				App'ting and Notifying Guard. ad Litem, 50c			
<i>Filing Interrogatories, 10c</i>		1.00		Examining Vouchers, 10c			
<i>Copy of same, per 100 words, 15c</i>				Administering Affidavits, 25c			
<i>Recording Will, per 100 words, 15c</i>				Making Decree and Order to Record, \$1.50			
<i>Recording Testimony, per 100 words, 15c</i>				Recording same, per 100 words, 15c			
<i>Certificate, without seal, 25c</i>				Filing Claims and giving Receipt, 15c			
<i>Certificate, with seal, 50c</i>				INSOLVENCY—Affidavit in Report, 25c			
<i>Presiding at Trial C't'd Will, per day, \$2.50</i>				Affidavit to Statements, 25c			
LETTERS—Affidavit in Petition, 25c				Recording Rep't and Statem't, 100 words, 15c			
Recording Petition, per 100 words, 15c				Order Appointing Day of Hearing, 25c			
Rec'ding Rel. right to Adm'n'r, 100 words, 15c				Order to Publish Notice of same, 25c			
Granting Letters of Administration, 50c				Order for Citations, 25c			
Issuing and Recording same, 50c				Iss'g Notice to Creditor Day of Hearing, 50c			
Granting Let. of Gu'd'nship, each minor, 75c				Order Sustaining Report, 25c			
Issuing, Filing and Recording same, 50c				Order for Settlement, 25c			
Taking, App., Filing, Rec. Adm. Bonds, \$1.00				Order to Publish Day of Settlement, 25c			
Taking, App. Filing, Guard. Bond, \$1.00				Issuing Notice of Day of Settlement, 25c			
Affidavit of Justification, 25c				Affidavit to Amount of Claims, 25c			
Granting Order of Appraisement, 50c				App'ting and Notifying Guard. ad Litem 50c			
Issuing Order of Appraisement, 25c				SALE OF REAL ESTATE—Affidavit in Petition, 25c			
Recording same, per 100 words, 15c				Recording Petition, per 100 words, 15c			
Order Removing Executor, Adm. Guard. \$2.00				Order App't'g Day of Hear. and Notice, \$1.00			
Order Appointing General Guardian, \$1.00				Order to Publish Notice of same, 50c			
Order Appointing General Administ'r, \$1.00				Issuing Citations, ent'g Sheriff's Return, 50c			
Order Appointing Adm't ad Litem, \$1.00				App'ting and Notifying Guard. ad Litem, 50c			
Recording same (Comm.)		2.00		Issuing Commission to take Deposition, 50c			
<i>O.W. Lyles</i>				Filing Interrogatories, 10c			
<i>Thomas Taylor</i>				Copy of Interrogatories, per 100 words, 15c			
<i>H.B. McDaniel</i>				App't'g Com. to Divide and Issue Writ, \$2.00			
HOMESTEAD—Rec. Pet'n for Com., 100 words, 15c				Affidavit to Report of Same, 25c			
Record, Order for App., per 100 words, 15c				Order Approving Division and Report, \$1.00			
Recording Order for Com., per 100 words, 15c		1.50		Recording same, per 100 words, 15c			
<i>1-20-64 Notice to Commissioners, 50c</i>		1.00		Hearing Applic'n for Dower, Iss'g Writ, \$4.00			
<i>1-22-64 Recording Report of Com., per 100 words, 15c</i>				Exam'g Testim'y and Grant Ord'r to Sell, \$2.00			
<i>2-21-64 Notice of Appeal</i>		1.25		Recording Depositions, per 100 words, 15c			
<i>3-25-64 Affidavit to same, 25c</i>		1.50		Record. Reliq'm't of Dower, 100 words, 15c			
<i>Inventory—Order to Approve and Record, 50c</i>				Recording Report, per 100 words, 15c			
<i>Supplement Inventory—Order App., Rec., 50c</i>				Rec. Paym't Purchase Money, 100 words, 15c			
Affidavit to same, 25c				Making Order on Report of Sale of Land, 75c			
Recording same, per 100 words, 15c				Hear Ap'n to Compel Conveyance, etc., \$2.00			
Recording Decree, per 100 words, 15c				FINAL SETTLEMENT—Affidavit in Account, 25c			
APPRAISEMENT—Order Approving, Rec., 50c				Affidavit to Statement of Heirs, 25c			
Affidavit to same, 25c				Exam'g. Stating and Recording Acc't, \$1.00			
Recording same, per 100 words, 15c				Order to Publish Notice of same, 50c			
SUPPLEMENT APPRAISEMENT—Grant, Order, 50c				App'ting and Notifying Guard. ad Litem, 50c			
Issuing Order of Appraisement, 25c				Examining Vouchers, 10c			
Recording Warrant, per 100 words, 15c				Administering Affidavits, 25c			
Order to Approve Appraisement, 50c				Recording same, per 100 words, 15c			
Affidavit to same, 25c				Decree in Final Settlement, 50c			
Recording same, per 100 words, 15c				<i>Jasper Wilkins (6 Writs)</i>		3.00	
Recording Decree, per 100 words, 15c				SPECIAL PROCEEDINGS—Proceedings for Declaration		7.80	
SALE OF PERISHABLE PROPERTY—Petition, 25c				of Unsound Mind and App. Guard. ad Litem			
Recording same, per 100 words, 15c				\$5.00			
Granting Order of Sale, 50c				Recording Decree Relieving Minors, etc., \$1.00			
Issuing Order of Sale, 25c				Proceed to Perpetuate Testimony, per 100 words,			
App'ting and Notifying Guard. ad Litem, 50c				20c			
Recording, per 100 words, 15c				Other Services Relating Thereto, 75c			
SALE OF PERSONAL PROPERTY—Petition, 25c				Record. Pro'dings Bind'g Out Appren., \$1.00			
Recording same, per 100 words, 15c				For Recording Certificate of Judgment or Decree			
Granting Order of Sale, 50c				Misc. Filing			
Issuing Order of Sale, 25c				<i>Baldwin Times</i>		10.90	
Order to Publish Notice of Sale, 50c				TOTAL PROBATE JUDGE'S FEES.		44.95	
CARRIED FORWARD			23 25				

STATE OF ALABAMA,

Petitioner,

vs.

GLOVER PACKER, ET AL.,

Respondents

IN THE PROBATE COURT OF

SALDWIN COUNTY, ALABAMA

CASE NO. 5687

FINAL ORDER OF CONDEMNATION:

On the 20 day of January, 1968, came H. B. McGill
O. W. Lyles and Thomas Taylor,

Commissioners heretofore appointed by this Court to assess and ascertain the damages and compensation to which the owners and other parties interested in the tracts of land set forth in the application for condemnation of lands heretofore filed in this cause are entitled and filed their report in writing and under oath, setting forth that they awarded compensation and damages to the said owners and other parties interested in ~~Tract~~ Tract No. 54 Parcels 1 thru 10,
_____, _____, _____, _____, and _____, Project
No. I-65-1(28), in the amount of \$ 4800.00, for ~~Parcel~~ Tract No. 54;
\$ _____, for Parcel No. _____, \$ _____, for Parcel No.
_____, \$ _____, for Parcel No. _____, \$ _____,
for Parcel No. _____, \$ _____, for Parcel No. _____,
\$ _____, for Parcel No. _____; and \$ _____, for Parcel
No. _____.

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

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the property described in the application for condemnation heretofore filed in this cause be, and the same is hereby condemned for the purposes set forth in said application for condemnation upon the payment of the damages and compensation so ascertained, assessed and reported, or the deposit of the same in Court as provided in Section 16 of Title 19 of the Code of Alabama, 1940.

It is FURTHER ORDERED by the Court that said Petitioner

pay all costs of the proceeding.

Done this 22nd day of JANUARY, 1967.

L. D. Brown Jr.

~~W. P. Stuart~~, Judge of Probate.

Baldwin

Baldwin

and as shown on the right-of-way map of Project No. I-65-1(28) as recorded in the Office of the Judge of Probate of Baldwin County:

PARCEL NO. 1: Commencing at the southwest corner of Section 24, T-1-N, R-4-E; thence N 2° 15' E, along the west line of said Section, the west property line, a distance of 2745 feet, more or less, to a point that is 200 feet southeasterly of and at right angles to the centerline of Project No. I-65-1(28) at Station 1574+90 and the point of beginning of the property herein to be conveyed; thence continuing N 2° 15' E along said west property line (crossing the centerline of said Project at Station 1555+82) a distance of 478 feet, more or less, to a point that is 200 feet northwesterly of and at right angles to the centerline of said Project; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 11,659.16 feet, parallel to the centerline of said Project, a distance of 445 feet, more or less, to a point that is 200 feet northwesterly of and at right angles to the centerline of said Project at Station 1561+90; thence northeasterly along a straight line a distance of 110 feet, more or less, to a point that is 150 feet northeasterly of and at right angles to the centerline of said Project at Station 1562+90; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 11,609.16 feet, parallel to the centerline of said Project, a distance of 1595 feet, more or less, to a point that is 150 feet northwesterly of and at right angles to the centerline of said Project at Station 1578+23.14; thence N 70° 45' E, parallel to the centerline of said Project, a distance of 1926.85 feet; thence northwesterly along a straight line a distance of 265 feet, more or less, to a point that is 60 feet southwesterly of and at right angles to the centerline of the relocation of County Road No. 61 at Station 24+00; thence northerly along a straight line (which if extended would intersect a point that is 50 feet southwesterly of and at right angles to the centerline of said relocation at Station 28+00) a distance of 185 feet, more or less, to the north line of Section 24, T-1-N, R-4-E, the north property line; thence easterly along the said north property line a distance of 15 feet, more or less, to the present west right-of-way line of said County Road; thence southerly along said present west right of way line (crossing the centerline of said Project at approximate Station 1597+70) a distance of 1182 feet, more or less, to a point that is 40 feet westerly of and at right angles to the centerline of said relocation at Station 14+00; thence northwesterly along a straight line a distance of 205 feet, more or less, to a point that is 52 feet westerly of and at right angles to the centerline of said relocation at Station 16+00; thence northwesterly along a straight line a distance of 220 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project at Station 1596+50; thence S 70° 45' W, parallel to the centerline of said Project, a dis-

thence of 1826.85 feet; thence southeasterly along a curve to the left (concave southeasterly) having a radius of 11,309.16 feet, parallel to the centerline of said Project, a distance of 1700 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project at Station 1361+00; thence southwesterly along a straight line a distance of 115 feet, more or less, to a point that is 200 feet southeasterly of and at right angles to the centerline of said Project at Station 1360+00; thence southwesterly along a curve to the left (concave southeasterly) having a radius of 11,279.16 feet, parallel to the centerline of said Project, a distance of 540 feet, more or less, to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24, T-1-N, R-4-E and containing 30.18 acres, more or less.

This conveyance is made for the purpose of a controlled access facility and adjacent service road or roads and the grantor hereby releases and relinquishes to the grantees any and all abutter's rights appurtenant to grantor's remaining property in and to said controlled access facility, provided however, that there is hereby reserved along a line (described as beginning at a point that is 60 feet westerly of and at right angles to the centerline of the relocation of County Road No. 61 at Station 24+00; thence northerly along a straight line (which if extended would intersect a point that is 50 feet westerly of and at right angles to the centerline of said relocation at Station 28+00) a distance of 185 feet, more or less, to the point of ending and also along a line described as beginning at a point that is 52 feet westerly of and at right angles to the centerline of said relocation at Station 16+00; thence southeasterly along a straight line a distance of 205 feet, more or less, to a point, on the present southeast right of way line of said County Road that is 40 feet westerly of and at right angles to the centerline of said relocation at Station 14+00 and the point of ending) the right of ingress to and egress from such remaining property to and from said service road or roads which will be accessible to the controlled access facility only at such points as may be established by public authority.

PARCEL NO. 2: Beginning at the northeast corner of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24, T-1-N, R-4-E; thence southerly along the east line of said NE $\frac{1}{4}$ of NE $\frac{1}{4}$, the east property line (crossing the centerline of Project No. I-65-1(28) at approximate Station 1398+55) a distance of 1365 feet, more or less, to the southeast corner of said property; thence westerly along the south property line a distance of 30 feet, more or less, to a point, on the present northeast right of way line of County Road No. 61, that is 41 feet northeasterly of and at right angles to the centerline of the relocation of said County Road at Station 12+21; thence N 1° 15' W, along said present northeast right of way line (crossing the centerline of said Project at approximate Station 1398+15) a distance of 1350 feet, more or less, to the north line of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24, T-1-N, R-4-E, the north property line; thence easterly along said north property line a distance of 45 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of Section 24, T-1-N, R-4-E and containing 1.15 acres, more or less.

PARCEL NO. 3: A temporary easement to a strip of land necessary for the disposal of mank and being more fully described as follows: Beginning at a point that is 150 feet northwesterly of and at right angles to the centerline of Project No. I-65-1(28) at Station 1373+00; thence southwesterly along a curve to the left (concave southeasterly) having a radius of 11,609.16 feet, parallel to the centerline of said Project, a distance of 450 feet, more or less, to a point that is 150 feet northwesterly of and at right angles to the centerline of said Project at Station 1370+75; thence northwesterly along a straight line a distance of 145 feet, more or less, to a point that is 250 feet northwesterly of and at right angles to the centerline of said Project; thence northwesterly along a curve to the right (concave southeasterly) having a radius of 11,709.16 feet, parallel to the centerline of said Project, a distance of 540 feet, more or less, to a point that is 250 feet northwesterly of and at right angles to the centerline of said Project at Station 1375+00; thence turn an angle of 90° 00' to the right and run a distance of 100 feet to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of Section 24, T-1-N, R-4-E and containing 1.09 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 4: A temporary easement to a strip of land necessary for the disposal of muck and being more fully described as follows: Beginning at a point that is 150 feet southeasterly of and at right angles to the centerline of Project No. I-65-1(28) at Station 1366+05; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 11,309.16 feet, parallel to the centerline of said Project, a distance of 880 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project at Station 1374+00; thence turn an angle of 90° 00' to the right and run a distance of 100 feet; thence southeasterly along a curve to the left (concave southeasterly) having a radius of 11,309.16 feet, parallel to the centerline of said Project, a distance of 930 feet, more or less, to a point that is 250 feet southeasterly of and at right angles to the centerline of said Project at Station 1365+47; thence northeasterly along a straight line a distance of 115 feet, more or less, to the point of beginning.

Said strip of land lying in the S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 24, T-1-N, R-4-E and containing 2.26 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 5: A temporary easement to a strip of land necessary for the disposal of unsatisfactory material and being more fully described as follows: Beginning at a point that is 200 feet northeasterly of and at right angles to the centerline of Project No. I-65-1(28) at Station 1378+00; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 11,659.16 feet, parallel to the centerline of said Project, a distance of 25 feet, more or less, to a point that is 200 feet northeasterly of and at right angles to the centerline of said Project at Station 1378+23.14; thence S 75° 45' E, parallel to the centerline of said Project, a distance of 1810 feet, more or less, to a point that is 200 feet northeasterly of and at right angles to the centerline of said Project and 30 feet easterly of and at right angles to the centerline of a detour road; thence southerly and parallel to the centerline of said detour road, a distance of 55 feet, more or less, to a point that is 150 feet northeasterly of and at right angles to the centerline of said Project; thence S 70° 45' W, parallel to the centerline of said Project, a distance of 1730 feet, more or less, to a point that is 150 feet northeasterly of and at right angles to the centerline of said Project at Station 1378+23.14; thence southeasterly along a curve to the left (concave southeasterly) having a radius of 11,609.16 feet, parallel to the centerline of said Project, a distance of 25 feet, more or less, to a point that is 150 feet northeasterly of and at right angles to the centerline of said Project at Station 1378+00; thence turn an angle of 90° 00' to the right and run a distance of 50 feet to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24, T-1-N, R-4-E and containing 2.09 acres, more or less.

It being understood and agreed that upon completion of said Project that all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 6: A temporary easement to a strip of land necessary for the disposal of unsatisfactory material and being more fully described as follows: Beginning at a point that is 150 feet southeasterly of and at right angles to the centerline of Project No. I-65-1(28) at Station 1378+00; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 11,309.16 feet, parallel to the centerline of said Project, a distance of 25 feet, more or less, to a point that is

centerline of Project No. 1-65-1(25) which equals Station 7490.11 on the centerline of said detour road; thence southerly along the centerline of said detour road a distance of 160 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project and the point of beginning of the property herein to be conveyed; thence $N 70^{\circ} 45' E$, parallel to the centerline of said Project a distance of 105 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project at Station 1396+90; thence southeasterly along a straight line a distance of 220 feet, more or less, to a point that is 52 feet westerly of and at right angles to the centerline of the relocation of County Road No. 61 at Station 16+00; thence southerly along a straight line a distance of 205 feet, more or less, to a point, on the present west right of way line of said County Road, that is 40 feet westerly of and at right angles to the centerline of said relocation at Station 14+00; thence southerly along said present west right of way line (crossing the centerline of said detour road at approximate Station 1460) a distance of 125 feet, more or less, to a point that is 30 feet southeasterly of and at right angles to the centerline of said detour road at approximate Station 065; thence northeasterly along a curve to the left (concave southeasterly) having a radius of 276.48 feet, parallel to the centerline of said detour road, a distance of 140 feet, more or less, to a point that is 30 feet southeasterly of and at right angles to the centerline of said detour road at Station 2425; thence northerly along a curve to the right (concave northeasterly) having a radius of 316.48 feet, parallel to the centerline of said detour road, a distance of 150 feet, more or less, to a point that is 30 feet westerly of and at right angles to the centerline of said detour road at Station 1+90; thence northerly and parallel to the centerline of said detour road a distance of 160 feet, more or less, to a point that is 30 feet westerly of and at right angles to the centerline of said detour road and 150 feet southeasterly of and at right angles to the centerline of said Project; thence $N 70^{\circ} 45' E$, parallel to the centerline of said Project, a distance of 30 feet, more or less, to the point of beginning.

Said strip of land lying in the $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of Section 24, T-1-N, R-4-E and containing 1.29 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCELS NO. 2. A temporary easement to a strip of land necessary for the disposal of rock and being more fully described as follows: Beginning at a point that is 150 feet northeasterly of and at right angles to the centerline of Project No. 1-65-1(25) at Station 1370+00; thence southeasterly along a curve to the left (concave southeasterly) having a radius of 11,609.16 feet, parallel to the centerline of said Project, a distance of 305 feet, more or less, to a point that is 150 feet northeasterly of and at right angles to the centerline of said Project at Station 1365+00; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 100 feet; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 11,709.16 feet, parallel to the centerline of said Project, a distance of 405 feet, more or less, to a point that is 250 feet northeasterly of and at right angles to the centerline of said Project; thence southeasterly along a straight line a distance of 135 feet, more or less, to the point of beginning.

Said strip of land lying in the $NE\frac{1}{4}$ of Section 24, T-1-N, R-4-E and containing 1.02 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 10: An easement to a strip of land necessary for the constructing and maintenance of a drainage ditch and being more fully described as follows: Commencing at the southeast corner of Section 24, T-1-N, R-4-E; thence N $2^{\circ} 15' E$, along the west line of said Section, the west property line, a distance of 290 feet, more or less, to Station 1359462 on the centerline of Project No. 2-45-1(25); thence northeasterly along a curve to the right (concave southeasterly) having a radius of 11,459.16 feet, along the centerline of said Project a distance of 1418 feet; thence turn an angle of $95^{\circ} 00'$ to the left and run a distance of 150 feet to the point of beginning of the property herein to be conveyed; thence northeasterly along a straight line a distance of 200 feet to a point that is 200 feet northeasterly of and at right angles to the centerline of said Project at Station 1359460; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 11,739.16 feet, parallel to the centerline of said Project, a distance of 50 feet, more or less, to a point that is 200 feet northeasterly of and at right angles to the centerline of said Project at station 1369477; thence southeasterly along a straight line a distance of 200 feet to a point that is 150 feet northeasterly of and at right angles to the centerline of said Project at Station 1370473; thence southeasterly along a curve to the left (concave southeasterly) having a radius of 11,609.16 feet, parallel to the centerline of said Project, a distance of 50 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of Section 24, T-1-N, R-4-E and containing 0.25, acres, more or less.

STATE OF ALABAMA,	I	
Petitioner,	I	
vs.	I	IN THE PROBATE COURT OF
GLOVER PACKER, IRENE P. ELLIOT,	I	BALDWIN COUNTY, ALABAMA
MOSES PACKER, JOE LEE PACKER,	I	
LEWIS PACKER, FELIX PACKER, J. V.	I	CASE NO: _____
PACKER, ERSKINE PACKER, NATHANIEL	I	
PACKER, MARGARET PACKER, individ-	I	
ually, and as Administratrix of	I	
the Estate of State Packer, and	I	
BALDWIN COUNTY, a Political Sub-	I	
division of the State of Alabama,	I	
Respondents.	I	

APPLICATION FOR CONDEMNATION

TO THE HONORABLE W. R. STUART, JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA:

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

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

2. That said public highway has been designated by the State Highway Director as a part of the State Highway System and also known as Project No. I-65-1 (28), Baldwin County, Alabama.

3. That said public highway begins with Escambia County, Alabama Line and runs to Alabama State Highway No. 59.

4. The right of way over the property and lands hereinafter described as ~~Tract No. 54~~ Tract No. 54, Parcels 1 thru 10.

and as set out in the right of way map on Project No. I-65-1(28) on file in the State Highway Department and in the Office of the Judge of Probate of Baldwin County, Alabama, has been deemed necessary by the State Highway Director in order to facilitate the flow of traffic and promote public safety.

5. That said tract(s) of land is necessary for use by Petitioner as a right of way for such public highway and in which Petitioner seeks to condemn as easement(s) or right of way(s) are

STATE OF ALABAMA, BALDWIN COUNTY
 Filed Oct 22, 1963
 Recorded
 W. R. Stuart
 Judge of Probate

located wholly within Baldwin County, Alabama, and are (is) described in Exhibit "A" attached hereto.

6. That the right of way or easement which Petitioner seeks to condemn for highway purposes is set out and described in the right of way map on Project I-65-1(28), which is on file in the State Highway Department and in the Office of the Judge of Probate of Baldwin County, Alabama.

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

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

9. That Margaret Packer is the widow of State Packer, and was appointed Administratrix of his estate by this Court and is over 21 years of age and a resident of Baldwin County, Alabama; that Glover Packer, Lewis Packer, Erskine Packer are over 21 years of age, and are children of State Packer & residents of Baldwin County, Alabama; that Joe Lee Packer is over 21 years of age, is a child of State Packer, residing at 53 Tin Top Alley, Magazine Point, Mobile County, Ala; that Irene P. Elliot, a daughter is over 21 years of age & a resident of Detroit, Michigan; that Moses Packer, a son, is over 21 years of age & is a resident of New York City, New York; that Felix Packer, a son, is over 21 years of age and a resident of California; that J. V. Packer, a son, is over 21 years of age and a resident of North Carolina; that Nathaniel Packer, a son is over 21 years of age and a resident of Ayon Park, Florida; that all of the above are owners of the property sought to be condemned.

WHEREFORE, the premises considered, your Petitioner respectfully prays:

1. That an order be made appointing a day for the hearing of this application and that notice of the filing thereof and of the day set for the hearing thereof be given to the Respondents.

2. That this Court will appoint Commissioners to ascertain and report the compensation and damages occasioned by such taking.

3. That upon a final hearing of this petition an order and decree be made by this Court condemning the easement for the right of way as set out in the right of way map on Project No. I-65-1(28), over the lands as set out in Exhibit "A" of this

application, all for the uses and purposes of a public highway for the State of Alabama.

RICHMOND M. FLOWERS,
Attorney General
State of Alabama

By: Telfair J. Mashburn
Duly appointed Special Assistant
Attorney General for The State
of Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, J. Connor Owens, Jr., a Notary Public Baldwin County, Alabama, personally appeared Telfair J. Mashburn, Assistant Attorney General of the State of Alabama, who is personally known to me in his official capacity as an Assistant Attorney General of the State of Alabama, and also being first duly sworn, deposes and says that the allegations of the foregoing application for condemnation are true and correct.

Telfair J. Mashburn

Sworn to and subscribed before me on this
the 21 day of October, 1963.

J. Connor Owens, Jr.
Notary Public, Baldwin County, Alabama

~~531~~

ORDER OF PROBATE COURT

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

IT IS ORDERED that the same be and is hereby set for hearing on the 14th day of November, 1963 at 9:00 A.M. o'clock.

IT IS FURTHER ORDERED that notice of the application for condemnation and of the date set for the hearing thereof be given to Respondents at least ten (10) days before the hearing of this application. and to non-resident Respondents by publication as required by law.

Dated this 22nd day of October, 1963.

W. R. Stuart
W. R. Stuart, Probate Judge
By: Harry M. Deane Chief Clerk
By: _____

STATE OF ALABAMA, I
Petitioner, I
vs. I
GLOVER PACKER, IRENE P. ELLIOT, I
MOSES PACKER, JOE LEE PACKER, I
LEWIS PACKER, FELIX PACKER, J. V. I
PACKER, ERSKINE PACKER, NATHANIEL I
PACKER, MARGARET PACKER, individ- I
ually, and as Administratrix of I
the Estate of State Packer, and I
BALDWIN COUNTY, a Political sub- I
division of the State of Alabama, I
Respondents. I

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

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

YOU ARE HEREBY COMMANDED to serve the following
notice upon ERSKINE PACKER, Perdido, Alabama

You will take notice that on the 22 day of
October, 1963, an application or petition was filed in
this court by the State of Alabama, ~~a copy of which petition is~~
~~attached hereto~~, setting forth its desire to condemn for certain
purposes therein stated, certain lands belonging to Glover Packer,
et al., and as set out in the right of way map on Project No. I-65-1(28)
on file in the State Highway Department and in the Office of the Judge
of Probate of Baldwin County, Alabama.
a description of said lands being specifically set forth in said
application or petition filed in this court and said application or
petition prays that this Court will make and enter an order appoint-
ing a day for hearing of said application and for such other and
further orders and procedures as may be necessary. You will take
further notice that the Court has appointed the 14th day of
December, 1963, at 7:00 pm 'clock, to hear said
application or petition, at which time you may appear and contest the
same if you so desire to do.

WITNESS my hand this 22 day of October,
19 63.

Received 23 day of Oct 1963
and on 25 day of Oct 1963

I served a copy of the within Notice
on Corbin Tucker

By service on _____

TAYLOR WILKINS, Sheriff
By W. H. Zeller D. S.

Perdido

Sheriff claims 26 miles at
Ten Cents per mile Total \$ 2.60

TAYLOR WILKINS, Sheriff
BY Zeller
DEPUTY SHERIFF

STATE OF ALABAMA,

Petitioner,

vs.

GLOVER PACKER, IRENE P. ELLIOT,
MOSES PACKER, JOE LEE PACKER,
LEWIS PACKER, FELIX PACKER, J. V.
PACKER, ERSKINE PACKER, NATHANIEL
PACKER, MARGARET PACKER, individ-
ually, and as Administratrix of
the Estate of State Packer, and
BALDWIN COUNTY, a Political Sub-
division of the State of Alabama,

Respondents.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO: _____

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

YOU ARE HEREBY COMMANDED to serve the following
notice upon MARGARET PACKER, individually, and as Administratrix
of the Estate of State Packer, Deceased, Perdido, Alabama

You will take notice that on the 22 day of
October 1963, an application or petition was filed in
this court by the State of Alabama, ~~as copy of which petition is~~
~~attached hereto~~ setting forth its desire to condemn for certain
purposes therein stated, certain lands belonging to Glover Packer,
et al., and as set out in the Right of way map on Project No. I-65-1(28)
on file in the State Highway Department and in the Office of the Judge
of Probate of Baldwin County, Alabama.

a description of said lands being specifically set forth in said
application or petition filed in this court and said application or
petition prays that this Court will make and enter an order appoint-
ing a day for hearing of said application and for such other and
further orders and procedures as may be necessary. You will take
further notice that the Court has appointed the 14 day of
November, 1963, at 9:00 AM o'clock, to hear said
application or petition, at which time you may appear and contest the
same if you so desire to do.

WITNESS my hand this 22 day of October,
1963.

Received 23 day of Oct 1963
and 25 day of Oct 1963
at the within Notary
on Margaret Parker
Ind. as Adm. of Est.
By [Signature] of State Parker

TAYLOR WILKINS, Sheriff
By W. A. Salter D. S.
Reichsdo

Sheriff claims 26 miles at
Ten Cents per mile Total \$ 2.60
TAYLOR WILKINS, Sheriff
BY Salter
DEPUTY SHERIFF

STATE OF ALABAMA,	I	
Petitioner,	I	
vs.	I	IN THE PROBATE COURT OF
GLOVER PACKER, IRENE P. ELLIOT,	I	BALDWIN COUNTY, ALABAMA
MOSES PACKER, JOE LEE PACKER,	I	
LEWIS PACKER, FELIX PACKER, J. V.	I	CASE NO: _____
PACKER, ERSKINE PACKER, NATHANIEL	I	
PACKER, MARGARET PACKER, individ-	I	
ually, and as Administratrix of	I	
the Estate of State Packer, and	I	
BALDWIN COUNTY, a Political Sub-	I	
division of the State of Alabama,	I	
Respondents.	I	

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

YOU ARE HEREBY COMMANDED to serve the following
notice upon JOE LEE PACKER, 53 Tin Top Alley, Magazine Point, Alabama.

You will take notice that on the 22 day of
October, 1963, an application or petition was filed in
this court by the State of Alabama, ~~xxx copy of which petition is xxx~~
~~attached hereto,~~ setting forth its desire to condemn for certain
purposes therein stated, certain lands belonging to GLOVER PACKER,
ET AL., and as set out in the right of way map on Project No. I-65-1(28)
on file in the State Highway Department and in the Office of the Judge
of Probate of Baldwin County, Alabama.

a description of said lands being specifically set forth in said
application or petition filed in this court and said application or
petition prays that this Court will make and enter an order appoint-
ing a day for hearing of said application and for such other and
further orders and procedures as may be necessary. You will take
further notice that the Court has appointed the 14th day of
November, 1963, at 9:00 AM o'clock, to hear said
application or petition, at which time you may appear and contest the
same if you so desire to do.

WITNESS my hand this 22 day of October,
1963.

3939

11/14

59/ps

EXECUTED

This 24th day of Oct 1963

by serving a copy of the writ on

Joe Lee Packer
RAY D. BRIDGES, Sheriff
By J B Smith D.S.

RECEIVED

OCT 24 1963

SHERIFF'S OFFICE

my

STATE OF ALABAMA,

Petitioner,

vs.

GLOVER PACKER, IRENE P. ELLIOT,
MOSES PACKER, JOE LEE PACKER,
LEWIS PACKER, FELIX PACKER, J. V.
PACKER, ERSKINE PACKER, NATHANIEL
PACKER, MARGARET PACKER, individ-
ually, and as Administratrix of
the Estate of State Packer, and
BALDWIN COUNTY, a Political Sub-
division of the State of Alabama,

Respondents.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO: _____

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

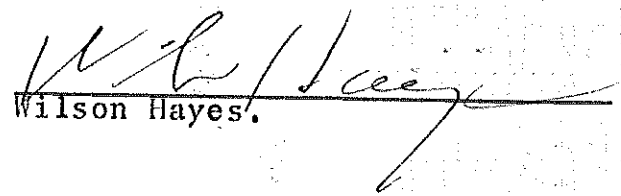
YOU ARE HEREBY COMMANDED to serve the following
notice upon LEWIS PACKER, Perdido, Alabama

You will take notice that on the 22 day of
October, 19 63, an application or petition was filed in
this court by the State of Alabama, ~~xxxxxx~~ ~~copy of which petition is a~~
~~attached hereto~~, setting forth its desire to condemn for certain
purposes therein stated, certain lands belonging to Glover Packer, et al.,
and as set out in the right of way map on Project No. I-65-1(28) on
file in the State Highway Department and in the Office of the Judge
of Probate of Baldwin County, Alabama.

a description of said lands being specifically set forth in said
application or petition filed in this court and said application or
petition prays that this Court will make and enter an order appoint-
ing a day for hearing of said application and for such other and
further orders and procedures as may be necessary. You will take
further notice that the Court has appointed the 14 day of
November, 19 63, at 9:00 AM o'clock, to hear said
application or petition, at which time you may appear and contest the
same if you so desire to do.

WITNESS my hand this 22 day of October,
19 63.

I, Wilson Hayes, Attorney for
the Estate of State Packer,
and Attorney for Lewis Packer,
do hereby accept service of
the foregoing notice for Lewis
Packer, and do hereby waive the
10 days notice required.
Dated this 14th day of
November, 1963.


Wilson Hayes.

Received 23 day of Oct 1963
and on _____ day of _____ 19____
I served a copy of the within Notice
on Lewis Packer
By service on _____
TAYLOR WILKINS, Sheriff
By _____ D. S.

Returned 25 day of Oct 1963
Not found in my county after dilligent search and in-
quiry. as to Lewis Packer
Taylor Wilkins, Sheriff
By W. G. Gilbert
Deputy Sheriff

STATE OF ALABAMA,

Petitioner,

vs.

GLOVER PACKER, IRENE P. ELLIOT,
MOSES PACKER, JOE LEE PACKER,
LEWIS PACKER, FELIX PACKER, J. V.
PACKER, ERSKINE PACKER, NATHANIEL
PACKER, MARGARET PACKER, individ-
ually, and as Administratrix of
the Estate of State Packer, and
BALDWIN COUNTY, a Political Sub-
division of the State of Alabama,

Respondents.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO: _____

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

YOU ARE HEREBY COMMANDED to serve the following
notice upon GLOVER PACKER, Perdido, Alabama

You will take notice that on the 22 day of
October, 1963, 19____, an application or petition was filed in
this court by the State of Alabama, ~~xxx copy of which petition is x~~
~~attached hereto~~, setting forth its desire to condemn for certain
purposes therein stated, certain lands belonging to Glover Packer,
et al., and as set out in the right of way map on Project No. I-65-1(28)
on file in the State Highway Department and in the Office of the Judge
of Probate of Baldwin County, Alabama.

a description of said lands being specifically set forth in said
application or petition filed in this court and said application or
petition prays that this Court will make and enter an order appoint-
ing a day for hearing of said application and for such other and
further orders and procedures as may be necessary. You will take
further notice that the Court has appointed the 14 day of
November, 1963, at 9:00 AM o'clock, to hear said
application or petition, at which time you may appear and contest the
same if you so desire to do.

WITNESS my hand this 22 day of October,
1963.

I, Wilson Hayes, Attorney for the Estate of State Packer, and attorney for Glover Packer, do hereby accept service of the foregoing notice for Glover Packer, and do hereby waive the 10 days notice required.

Dated this 14th day of November, 1963.

Wilson Hayes
Wilson Hayes.

Received 23 day of Oct 1963
and on _____ day of _____ 19____
I served a copy of the within notice
on Glover Packer
By service on _____
TAYLOR WILKINS, Sheriff
By _____ D. S.

Returned 25 day of Oct 1963
Not found in my county after diligent search and inquiry, as to Glover Packer
Taylor Wilkins, Sheriff
By W. P. Albert
Deputy Sheriff

STATE OF ALABAMA,

Petitioner,

vs.

GLOVER PACKER, IRENE P. ELLIOT,
MOSES PACKER, JOE LEE PACKER,
LEWIS PACKER, FELIX PACKER, J. V.
PACKER, ERSKINE PACKER, NATHANIEL
PACKER, MARGARET PACKER, individ-
ually, and as Administratrix of
the Estate of State Packer, and
BALDWIN COUNTY, a Political Sub-
division of the State of Alabama,

Respondents.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO: _____

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

YOU ARE HEREBY COMMANDED to serve the following
notice upon BALDWIN COUNTY, a Political Subdivision of the
State of Alabama

You will take notice that on the 22 day of
October, 19 63, an application or petition was filed in
this court by the State of Alabama, ~~xxxxcopyxxofxxwhichxxpetitionxxisxx~~
~~xxxxxxxxxxxxxxxx~~ attached hereto, setting forth its desire to condemn for certain
purposes therein stated, certain lands belonging to Glover Packer
et al., as set out in the right of way map on Project No. I-65-1(28)
on file in the State Highway Department and in the Office of the Judge
of Probate of Baldwin County, Alabama.

a description of said lands being specifically set forth in said
application or petition filed in this court and said application or
petition prays that this Court will make and enter an order appoint-
ing a day for hearing of said application and for such other and
further orders and procedures as may be necessary. You will take
further notice that the Court has appointed the 14 day of
November, 19 63, at 9:00 AM o'clock, to hear said
application or petition, at which time you may appear and contest the
same if you so desire to do.

WITNESS my hand this 12th day of October,

19 63.

RECEIVED

NOV 10 1963

CLERK OF DISTRICT COURT

NOV 10 1963

Received 23 day of Oct 1963
and on 26 day of Oct 1963
I send a copy of the within Notice
on Baldwin County
by service on John D. Shalley

TAYLOR WILKINS, Sheriff
By W. A. Talbot D. S.
O m m

NOTICE TO SHOW CAUSE TO SEIZE THE CORPSE OF
JAMES EARL RAY

TO THE CLERK OF DISTRICT COURT
IN AND FOR THE COUNTY OF BALDWIN, ALABAMA
I, TAYLOR WILKINS, Sheriff of Baldwin County, Alabama, do hereby certify that the within notice was duly served on the person named therein on the day and date above stated.

Witness my hand and the seal of said County at Baldwin, Alabama, this 23rd day of October, 1963.
TAYLOR WILKINS, Sheriff

NOTICE TO SHOW CAUSE TO SEIZE THE CORPSE OF
JAMES EARL RAY

STATE OF ALABAMA,	I	
Petitioner,	I	
vs.	I	IN THE PROBATE COURT OF
	I	BALDWIN COUNTY, ALABAMA
ESTATE OF STATE PACKER, ET AL.,	I	
Defendants.	I	CASE NO. _____
	I	
	I	
	I	

ORDER OF PROBATE JUDGE GRANTING APPLICATION FOR
CONDEMNATION AND APPOINTING COMMISSIONER:

This cause having heretofore been set for hearing on the
14th day of November, 1963, at 9:00 A.M. o'clock, as set
 forth in the application of the State of Alabama to condemn the right
 of way or easement on ~~Rxxxxxx~~ Tract #54, Parcels 1 thru 10,
 Project I-65-1(28), as specified in said application for condemnation
 over the lands therein described for the uses and purposes of a
 public road or highway for the State of Alabama, and it appearing to
 the Court that notice of the filing of said application for condem-
 nation and of the day set for the hearing of the same has been given
 to the owners and interested parties by service of a notice upon them
 for more than ten (10) days prior to this date, nor by publication
 as required by law;
 WHEREUPON, after examination of said application and after
 hearing the evidence in support thereof, the Court is of the opinion
 that the allegations contained in said application are true and that
 it is necessary to condemn the easement or right of way over the
 lands as described in said application, all for the uses and purposes
 of a public road or highway in and for the State of Alabama, and no
 cause having been shown why such application should not be granted;

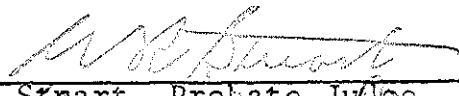
IT IS THEREFORE, ORDERED, ADJUDGED and DECREED by the
 Court that the prayer of said application for condemnation be granted
 and that the easement or right of way over the lands described in
 said application is hereby condemned for the uses and purposes of a
 public road or highway in Baldwin County,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

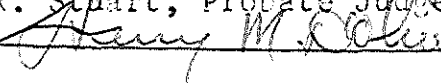
It is FURTHER ORDERED by the Court that O. W. Lyles
Thomas Taylor and H. B. McGill,
 who are resident citizens of Baldwin County, Alabama, possessing the
 qualifications of jurors and who are disinterested in these

proceedings (each of these facts being ascertained by the Court) be and they are hereby appointed Commissioners to view said property and hear any evidence offered by interested parties and report to the Court within Twenty (20) days after their appointment, the amount of damages and compensation to which the owners and interested parties are entitled to receive for the condemnation of said right of way.

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

Done this 14th day of November, 1963.



W. R. Spart, Probate Judge.
By:  Chief Clerk
By: _____

STATE OF ALABAMA,	I	
Petitioner,	I	
vs.	I	IN THE PROBATE COURT OF
	I	
ESTATE OF STATE PACKER, ET AL.,	I	BALDWIN COUNTY, ALABAMA
Defendants.	I	CASE NO: _____
	I	
	I	
	I	

COMMISSIONS:

TO: O. W. LYLES

 THOMAS TAYLOR _____, and
 H. B. MCGILL _____

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

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

You may view the lands to be subjected and you must receive all legal evidence offered by any party touching the amount of damage or compensation the owner of said lands and interested parties will sustain and are entitled to receive. Any person interested in the proceedings may be present in person or by attorney at any of these proceedings which you may have.

You must, within twenty (20) days from the day of your appointment, which is this date, make a report in writing to the Court, stating the amount of damage and compensation ascertained

and assessed by you for the owners and parties interested in the tracts of land, and file a certificate along with your award that none of you have been consulted, advised with or approached by any person with reference to the value of the lands or the proceedings to condemn the same prior to the assessment of damages, and that you knew nothing of the same prior to your appointment.

Given under my hand and seal of office this 14th day of November, 1963.

W. R. Stuart
W. R. Stuart, Judge of Probate.
By: Harry M. Colvine Chief Clerk

STATE OF ALABAMA)
BALDWIN COUNTY)

We, and each of us, do solemnly swear that we will well and truly try the cause now pending and submit it to our decision, said case being styled State of Alabama vs. Estate of State Packer, et al., et al., and Baldwin County, a political subdivision of the State of Alabama, and that we are not directly, nor indirectly, interested in the issues to be tried, and that we are not biased or prejudiced against either of said parties, and that we will render such compensation to the respondents as to us shall seem just and proper in the premises, so help us God.

O. W. Lyle
H. B. McMillan
Thos. W. Lyle

Sworn to and subscribed before me
this 14th day of November, 1963.

W. R. Stuart
W. R. Stuart, Judge of Probate.
By: Harry M. Colvine Chief Clerk



NOTICE TO SHERIFF:

STATE OF ALABAMA)

BALDWIN COUNTY)

You are hereby COMMANDED to notify: _____
THOMAS TAYLOR

_____ BAY MINETTE, ALABAMA _____

that in a proceeding in this Court styled State of Alabama vs.
Estate of State Packer, _____, et al
and Baldwin County, a political subdivision of the State of Alabama,
in which the State of Alabama sought to condemn a certain right of
way or easement over certain lands in this County for the purposes
of a public highway or road as stated in the application for con-
demnation in this cause, this Court rendered a decree condemning the
right of way or easement over the lands therein sought, and appoint-
ed them to view said property sought to be condemned, hear evidence
and assess such damages and compensation as the owners and interest-
ed parties are entitled to recover for the taking of the same for
said public uses and purposes.

You are hereby commanded to serve a copy of the commission
hereto attached upon each of said commissioners within five (5) days
from the receipt hereof, and make return as to how you have execut-
ed this mandate.

Done this 14th day of November, 1963.

W. R. Stuart
W. R. Stuart, Judge of Probate.
By: Amy M. Doherty Chief Clerk

By: _____

Received 21 day of Nov. 1963
and on 25 day of Nov. 1963
I served a copy of the within notice
on Thomas Taylor

By service on _____

TAYLOR WILKINS, Sheriff
By W. A. Albert D. S.
Owner

Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

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Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

Notice of Sale of Real Estate

(1)

1/1

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1/1

NOTICE TO SHERIFF:

STATE OF ALABAMA }
BALDWIN COUNTY }

You are hereby COMMANDED to notify: _____

H. B. MCGILL

PERDIDO, ALABAMA

that in a proceeding in this Court styled State of Alabama vs.
Estate of State Packer, et al
and Baldwin County, a political subdivision of the State of Alabama,
in which the State of Alabama sought to condemn a certain right of
way or easement over certain lands in this County for the purposes
of a public highway or road as stated in the application for con-
demnation in this cause, this Court rendered a decree condemning the
right of way or easement over the lands therein sought, and appoint-
ed them to view said property sought to be condemned, hear evidence
and assess such damages and compensation as the owners and interest-
ed parties are entitled to recover for the taking of the same for
said public uses and purposes.

You are hereby commanded to serve a copy of the commission
hereto attached upon each of said commissioners within five (5) days
from the receipt hereof, and make return as to how you have execut-
ed this mandate.

Done this 14th day of November, 1963.

W. R. Stuart
W. R. Stuart, Judge of Probate.

By: Harry M. McElaine Chief Clerk

By: _____

Received 21 day of Nov 1963
and on 21 day of Nov 1963
I served a copy of the within Notice
on H. B. Mc Gill

By service on _____

Sheriff claims 26 miles at

Ten Cents per mile Total \$ 2.60

TAYLOR WILKINS, Sheriff

BY W. A. Salbert
DEPUTY SHERIFF

TAYLOR WILKINS, Sheriff

By W. A. Salbert D. S.

Perkins

NOTICE TO SHERIFF:

STATE OF ALABAMA)
)
BALDWIN COUNTY)

You are hereby COMMANDED to notify: _____

O. W. LYLES

BAY MINETTE, ALABAMA

that in a proceeding in this Court styled State of Alabama vs.

ESTATE OF STATE PACKER, et al

and Baldwin County, a political subdivision of the State of Alabama, in which the State of Alabama sought to condemn a certain right of way or easement over certain lands in this County for the purposes of a public highway or road as stated in the application for condemnation in this cause, this Court rendered a decree condemning the right of way or easement over the lands therein sought, and appointed them to view said property sought to be condemned, hear evidence and assess such damages and compensation as the owners and interested parties are entitled to recover for the taking of the same for said public uses and purposes.

You are hereby commanded to serve a copy of the commission hereto attached upon each of said commissioners within five (5) days from the receipt hereof, and make return as to how you have executed this mandate.

Done this 14th day of November, 1963.

W. R. Stuart, Judge of Probate.

By: _____

Received 21 day of Nov. 1963
and on 21 day of Nov 1963
I served a copy of the within Notice
on O. W. Lyles

By service on _____

TAYLOR WILKINS, Sheriff

By W. A. Galt

STATE OF ALABAMA,

Petitioner,

VS.

GLOVER PACKER, ET AL,

Respondents.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

NO. 5087

PETITION TO INTERVENE

Now comes C. M. Byrd and shows unto the court and your honor that he has under lease from the owners thereof all or part of the property which the petitioner seeks to condemn in this cause, although he has not been made a party thereto and that he is entitled to share in the proceeds of the award to be made to the said respondents.

Wherefore, the said C. M. Byrd prays that he be allowed to intervene in the said cause and be made a party respondent and prays that the court will ascertain what amount or what portion of the award made to the other respondent should be paid to your petitioner.

DATED this 9th day of December, 1963.


Attorney for C. M. Byrd

* * * * *

ORDER

This cause coming on to be heard is submitted on the petition of C. M. Byrd from which it appears that he should be allowed to intervene in this cause and be made a party respondent thereto: It is, therefore, ordered by the court that the said C. M. Byrd be allowed to intervene in said cause and to be made a party respondent thereto.

ORDERED this 9th day of December, 1963.


Judge
By:  Chief Clerk

STATE OF ALABAMA,

Petitioner,

VS.

GLOVER PACKER, ET AL,

Respondents.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

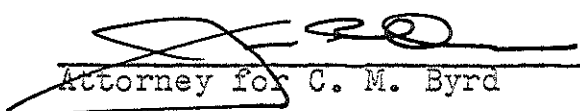
NO. 5087

PETITION TO INTERVENE

Now comes C. M. Byrd and shows unto the court and your honor that he has under lease from the owners thereof all or part of the property which the petitioner seeks to condemn in this cause, although he has not been made a party thereto and that he is entitled to share in the proceeds of the award to be made to the said respondents.

Wherefore, the said C. M. Byrd prays that he be allowed to intervene in the said cause and be made a party respondent and prays that the court will ascertain what amount or what portion of the award made to the other respondent should be paid to your petitioner.

DATED this 9th day of December, 1963.


Attorney for C. M. Byrd

* * * * *

ORDER

This cause coming on to be heard is submitted on the petition of C. M. Byrd from which it appears that he should be allowed to intervene in this cause and be made a party respondent thereto: It is, therefore, ordered by the court that the said C. M. Byrd be allowed to intervene in said cause and to be made a party respondent thereto.

ORDERED this 9th day of December, 1963.


Judge
By:  Chief Clerk

STATE OF ALABAMA, I
 Petitioner, I
 vs. I IN THE PROBATE COURT OF
 I
 GLOVER PACKER, ET AL., I BALDWIN COUNTY, ALABAMA
 I
 Respondents. I CASE NO: 5087
 I
 I

REPORT OF COMMISSIONERS:

TO THE HONORABLE W. R. STUART, JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA:

Come the undersigned, H. B. McGill, O. W. Lyles and

Thomas Taylor,

the Commissioners duly appointed to assess the damages to ~~xxxxxx~~ Tract
 Numbers: 54, Parcels 1 thru 10,

of Project No. I-65-1(28), to which the owner and other parties in-
 terested in the parcels of land set forth and described in the
 original application for condemnation of lands filed in this cause,
 are entitled for the condemnation of such lands, and having been duly
 sworn as jurors are sworn, and having viewed the lands described in
 said application for condemnation, and having set a time and place
 for the hearing of the evidence to be offered by any party touching
 the amount of damages the owners of the lands and other parties in-
 terested therein will sustain and the amount of compensation they are
 entitled to receive, and having received all legal evidence offered,
 do hereby state that the amount of damages and compensation has been
 ascertained and assessed by the undersigned, according to law and
 that the said owners of said Parcels of land and other parties in
 interested therein are entitled to receive as damages and compen-
 sation for the condemnation of their property, the following amount:

Project No. I-65-1(28),	^{TRACT} Parcel No. <u>54</u>	\$ <u>4800⁰⁰</u>
Project No. I-65-1(28),	Parcel No. _____	\$ _____
Project No. I-65-1(28),	Parcel No. _____	\$ _____
Project No. I-65-1(28),	Parcel No. _____	\$ _____
Project No. I-65-1(28),	Parcel No. _____	\$ _____
Project No. I-65-1(28),	Parcel No. _____	\$ _____
Project No. I-65-1(28),	Parcel No. _____	\$ _____
Project No. I-65-1(28),	Parcel No. _____	\$ _____

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

Carl W. Lytle
Commissioner.
W. J. Mc Gill
Commissioner.
Thomas W. Lytle
Commissioner.

Sworn to and subscribed before me
this 20th day of JANUARY, 1963.

W. R. Stuart
W. R. Stuart, Judge of Probate.
By: Harry M. Olive Chief Clerk

STATE OF ALABAMA

B

Petitioner

VS

GLOVER PACKER, IRENE P. ELLIOT,
MOSES PACKER, JOE LEE PACKER,
LEWIS PACKER, FELIX PACKER, J.V.
PACKER, ERSKINE PACKER, NATHANIEL
PACKER, MARGARET PACKER, individ-
ually, and as Administratrix of
the Estate of State Packer, and
BALDWIN COUNTY, a Political Sub-
division of the State of Alabama

Respondents

IN THE PROBATE COURT OF


BALDWIN COUNTY, ALABAMA

CASE NO: 5087

NOTICE OF APPEAL

Comes now Glover Packer, Irene P. Elliot, Moses Packer,
Joe Lee Packer, Lewis Packer, Felix Packer, J. V. Packer,
Erskine Packer, Nathaniel Packer, Margaret Packer, individually
and as Administratrix of the Estate of State Packer, Respondents
in the above styled cause and prays for and takes an appeal to
the Circuit Court of Baldwin County, Alabama from the order of
condemnation entered in said cause on the 22nd day of January,
1964.

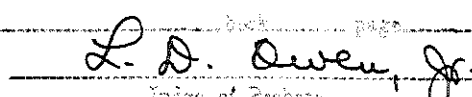
Done this the 21st day of February, 1964.


Attorney for Appellants

STATE OF ALABAMA, BALDWIN COUNTY

Filed 2-21-64 X

Recorded book page


Judge of Probate
oe