

I certify this to be a true and correct copy

6/25/92

Probate Judge
Shelby County

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STATE OF ALABAMA,

Petitioner

V.

ESTATE OF KATHLEEN ELIZABETH
WYATT, DECEASED, et al.

IN THE

PROBATE COURT

OF

SHELBY

COUNTY, ALABAMA

CASE NO. 23-95

DECREE OF CONDEMNATION

THIS CAUSE was submitted to the Court for a Decree confirming the report of the Commissioners heretofore appointed in said cause and for an order of Condemnation as to the lands described in the Commissioners' Report and in the original Petition filed in this Court by the State of Alabama, and it appearing to the Court that on February 4, 1983 this Court heard

the allegations of the Petition filed by the State of Alabama in this cause and all legal evidence presented by any interested party and on February 14, 1983

the Court made an Order granting said Petition for the condemnation of the property described as follows:

Inst # 1993-02976

See Exhibit A, attached.

02/01/1993-02976
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SHELBY COUNTY JUDGE OF PROBATE
003 HJS

that the Court appointed Hoyt Henderson

J. D. Falkner, and Charles Seales

each being citizens of Shelby County, Alabama, in which the lands sought to be condemned are situated, who were disinterested and who possessed the qualifications of jurors to assess the damages and compensation to which the Defendants in this cause are entitled; and it appearing to the Court that notice of the appointment of the said Commissioners was issued by this Court to the Sheriff of Shelby County and by said Sheriff served on them as required by law; that said Commissioners were sworn and did thereafter receive

all legal evidence offered by the parties relative to the amount of damages the owners of said property will sustain and the amount of compensation to which they are entitled; that the Commissioners did on, to-wit, March
1, 1983 make their report in writing to this court stating
Tract No. 22, \$14,500.00; Tract No. 31, \$1,145.00

to be the amount of damages and compensation assessed by them for the taking and condemnation of said property; and it further appearing to the Court that said Commissioners filed a certificate along with their Award stating none of them has ever been consulted, advised with or approached by any person in reference to the value of the property or the proceedings to condemn the same prior to the assessment of damages and that they knew nothing of the same prior to the assessment of damages and that they knew nothing of the same prior to their appointment, and the Court having considered and understood all of the hereinabove stated matters, it is, therefore

ORDERED, ADJUDGED, and DECREED by the Court that applicant, the State of Alabama, pay all costs incurred in this cause;

And it further appearing to the Court that the damages and compensation so ascertained and assessed by said Commissioners for the Defendants,

Estate of Kathleen Elizabeth Wyatt, J. W. Donahoo

have been deposited in this Court;

And it further appearing to the Court that all things necessary and

required by the laws of the State of Alabama have been done and performed by the applicant;

It is further ORDERED, ADJUDGED, and DECREED, and is the Judgment of this Court, that the property sought to be condemned by said Petition be condemned, granted, and awarded to the applicant, the State of Alabama, and all right, title, and interest prayed for in said Petition which is now condemned, granted, and awarded to the applicant in and by this Decree, be and the same is hereby divested out of said Defendants and vested in the applicant.

DONE this the 22 day of March, 1983.

Thomas C. Snowden Jr.
JUDGE OF THE COURT OF PROBATE
SHELBY COUNTY, ALABAMA

Filed this 22 day of March 1983
THOMAS A. SNOWDEN JR.
Judge of Probate

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