

Circuit Court
1447

STATE OF ALABAMA,
PETITIONER

VS.

VICKIE CLAIRE HAYS, ET ALS,
RESPONDENTS

16-111

APPLICATION FOR ORDER OF CONDEMNATION

(Four lane a portion of U. S. 280:
Cahaba River to foot of Double Oak
Mountain)

Filed in the Probate Court of
Shelby County, Alabama, this
28th day of June, 1968.

Conrad M. Fowler, Sr.
Conrad M. Fowler, Sr., Judge of
said Court

Certified a true and complete copy
Har Reunes, Jr.
Register of Circuit Court

Filed this 28 day of June 1968

CONRAD M. FOWLER
Judge of Probate

02/10/1993-03977
02:20 PM CERTIFIED

BOOK 32 PAGE 414

Just # 1993-03977

SHELBY COUNTY JUDGE OF PROBATE

STATE OF ALABAMA,
PETITIONER

VS. .

VICKIE CLAIRE HAYS, a minor, CARABEL N. HAYS NAPP, individually,
and as mother and custodian of Vickie Claire Hays, a minor, and
as Trustee for Vickie Claire Hays, and as Administratrix Cum
Textamento Annexo of the Estate of Earle Murray Hays, deceased,
J. O. NAPP, FAYE QUICK, as Tax Collector of Shelby County, Alabama
MILDRED L. WALD, EDNA J. WALD, ALABAMA MINERAL LAND COMPANY,
a corporation, JACK BRASHER, MRS. JACK BRASHER, MAX GRAY, ESTER
A. GRAY, HUFFSTUTLER-WALTERS OIL COMPANY, INC., a corporation,
FRANK S. BLACKFORD, as Trustee in Bankruptcy of Ram-Jet Manufactur-
ing Company, a corporation, a Bankrupt, BIRMINGHAM TRUST NATIONAL
BANK, a corporation, JAFFE WHOL STEEL COMPANY, a corporation,
HOMEWOOD BUILDING COMPANY, a corporation, JERE GRAY SCHATZ,
INTERSTAE LIFE AND ACCIDENT INSURANCE COMPANY, a corporation,
CYR B. HARDWICK, SERVICE EQUIPMENT COMPANY, a corporation, CHARLES
L. DENABURG, as Trustee of the Bankrupt Estate of L. B. Riddle,
Jr., an individual, d/b/a Riddle's, MALONE FREIGHT LINES, INC.,
a corporation, ETHEL LACEY, W. PAUL LACEY, EUGENE D. LACEY,
MADGE LACEY SEIFERT, MARY LACEY HOYLE, JULIA LACEY JARNIGAN,
MOLLIE E. LACEY, BETTY JO LACEY, EDWARD D. SEIFERT, WILMER R.
HOYLE, WILLIAM JARNIGAN,

RESPONDENTS

STATE OF ALABAMA
SHELBY COUNTY

IN THE PROBATE COURT OF
SHELBY COUNTY, ALABAMA

TO THE HONORABLE CONRAD M. FOWLER, SR., JUDGE OF SAID COURT:

Now comes the State of Alabama, as Petitioner, and files this, its application in the Probate Court of Shelby County, Alabama, for an order of condemnation of the lands and properties herein-after described for public roads and highway purposes, and, as a basis for the relief sought, shows unto the Court as follows:

1. Petitioner is authorized by the Constitution and Laws of the State of Alabama to institute and prosecute this proceeding in its own name for the purposes herein stated, and that Petitioner's Attorney has received specific authority for the bringing of this suit, as required by law.

2. That the Petitioner, State of Alabama, through its State Highway Department, is charged with the duties of constructing, operating, improving, and maintaining certain public roads and highways within the State of Alabama; that one such presently existing public road or highways situated and running through Shelby County, Alabama, is known or designated as U. S. Highway No. 280, and as such is a part of the State of Alabama Public Highway System; that Petitioner now seeks to construct, operate, improve, and maintain said U. S. Highway No. 280--at points within Shelby County, Alabama, where said Highway is presently a two-lane public highway--by making a portion of said highway into a four-lane public highway, and that the State of Alabama Highway Department's project to accomplish said purpose is known or designated as Project No. F-214 (15); that said public road or highway, and the two additional lanes to be constructed as said Project No. F-214 (15), will, on the completion thereof, be available for use by the public; that the acquisition of the lands and properties hereinafter described in Paragraph 3 below

is necessary to effect said Project No. F-214(15), and that said lands and properties will be used after the acquisition thereof to effect said Project, and thereafter for the construction, operation, improvement, and maintenance of said U. S. Highway No. 280 as a four-lane public highway; that by reason of the foregoing, the acquisition of the lands and properties hereinafter described in Paragraph 3 below is in the public interest.

3. That the tracts of land necessary for use by Petition as a right of way for said public road or highway purposes, and which Petitioner seeks to condemn an easement or right of way in, over, upon, or across for said public road or highway purposes are more particularly described or designated as the following separate paragraphs or "Parcels", beginning with Parcel No. A and continuing through and including Parcel No. G; and that the names and residences of the owners and other parties who claim or who hold any right, title, or interest in each separate "Parcel" are stated, where known, immediately following each said separate "Parcel", as follows, to-wit:

PARCEL NO. A :

DESCRIPTION OF LAND REQUIRED

~~Parcel No. 1~~ as Parcel No. 1
~~and as shown on the right-of-way map of Project No.~~
F-214(15) as recorded in the Office of the Judge of Probate
of Shelby County, Alabama, in Right of Way Map Book No. 3 at
Page 30, and more particularly described as:

PARCEL NO. 1: Beginning at the northeast corner of the SW $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 36, T-18-S, R-2-W; thence southerly along
the east line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$, the east property line,
(crossing the centerline of Project No. F-214(15) at Station
73+78.63) a distance of 339.18 feet to the present northeast
right-of-way line of U. S. Highway No. 280; thence northwest-
erly along the said present northeast right-of-way line a
distance of 505 feet, more or less, to the north line of said
SW $\frac{1}{4}$ of NW $\frac{1}{4}$, the north property line; thence easterly along the
said north property line (crossing the centerline of said
Project at Station 70+08.15) a distance of 358 feet, more or
less, to the point of beginning.

Said strip of land lying in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section
36, T-18-S, R-2-W and containing 1.41 acres, more or less.

PARCEL NO. 2: Commencing at the southeast corner of the SW $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 36, T-18-S, R-2-W; thence westerly along the
south line of said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ a distance of 1140 feet, more or
less, to a point that is 90 feet northeasterly of and at right
angles to the centerline of Project No. F-214(15) and the point
of beginning of the property herein to be conveyed; thence
northwesterly along a curve to the right (concave northeasterly)
having a radius of 5639.58 feet, parallel to the centerline of
said project a distance of 982 feet, more or less, to a point
that is 90 feet northeasterly of and at right angles to the
centerline of said Project at Station 83+00; thence northeast-
erly along a straight line a distance of 60 feet, more or less,
to a point that is 50 feet southerly of and at right angles
to the north property line, said point also being northeasterly
of and at right angles to the centerline of said Project at
Station 82+72; thence easterly parallel to the said north pro-
perty line a distance of 40 feet; thence turn an angles of 90°
00' to the left and run a distance of 50 feet to the said north
property line; thence westerly along the said north property line
(crossing the centerline of said Project at Station 80+16) a dis-

tance of 435 feet, more or less, to the present northeast right-of-way line of U. S. Highway No. 280; thence southeasterly along the said present northeast right-of-way line a distance of 1237 feet, more or less, to the east line of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 36; thence northerly along the east line of said NE $\frac{1}{4}$ of SW $\frac{1}{4}$ a distance of 82.8 feet to the south line of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 36; thence easterly along the south line of said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ (crossing the centerline of said Project at Station 91+35) a distance of 188 feet, more or less, to the point of beginning.

Said strip of land lying in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36, T-18-S, R-2-W and containing 4.78 acres, more or less.

OWNERS OF PARCEL NO. A:

Vickie Claire Hays, a minor
24 Eden Circle
Birmingham, Alabama

J. O. Napp
24 Eden Circle
Birmingham, Alabama

Faye Quick, as Tax Collector
of Shelby County, Alabama
Columbiana, Alabama

Carabel N. Hays Napp, individually,
and as mother and custodian of Vickie
Claire Hays, a minor, and as trustee
for Vickie Claire Hays, and as Admin-
istratrix Cum Testamento Annexo of the
Estate of Earle Murray Hays, deceased,
24 Eden Circle
Birmingham, Alabama

PARCEL NO. B :

DESCRIPTION OF LAND REQUIRED

as Parcel No. 7
~~as shown~~ as shown on the right-of-way map of Project No. F-214(15) as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Right of Way Map Book No. 3 at page 30, and more particularly described as:

PARCEL NO. 1: Commencing at the northwest corner of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 36, T-18-S, R-2-W; thence southerly along the west line of said NE $\frac{1}{4}$ of SE $\frac{1}{4}$, a distance of 592 feet, more or less, to a point that is 90 feet northeasterly of and at right angles to the centerline of Project No. F-214(15) and the point of beginning of the property herein to be conveyed; thence S 61° 17' 47" E, parallel to the centerline of said project a distance of 435 feet, more or less, to a point that is 90 feet northeasterly of and at right angles to the centerline of said Project at Station 110+26; thence northeasterly along a straight line a distance of 140 feet, more or less, to a point on the present northwest right-of-way line of Shelby County Road No. 17 that is northwesterly of and at right angles to the centerline of said County Road at Station 13+08; thence southwesterly along the said present northwest right-of-way line (crossing the centerline of said Project at approximate Station 111+28) a distance of 250 feet, more or less, to the present northeast right-of-way line of U. S. Highway No. 280; thence northwesterly along the said present northeast right-of-way line a distance of 1218 feet, more or less, to the northwest property line; thence northeasterly along the said northwest property line (crossing the centerline of said Project at Station 99+17) a distance of 155 feet, more or less, to a point that is 90 feet northeasterly of and at right angles to the centerline of said project; thence S 61° 17' 47" E, parallel to the centerline of said project a distance of 680 feet, more or less, to the point of beginning.

Said strip of land lying in the N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 36, T-18-S, R-2-W and containing 4.35 acres, more or less.

PARCEL NO. 2: Commencing at the southwest corner of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 36, T-18-S, R-2-W; thence northerly along the west line of said NE $\frac{1}{4}$ of SE $\frac{1}{4}$, a distance of 470 feet, more or less, to a point that is 170 feet southwesterly of and at right angles to the centerline of Project No. F-214(15) and the point of beginning of the property herein to be conveyed; thence N 61° 17' 47" W, parallel to the centerline of said project a distance of 437 feet, more or less, to a point that is 170 feet southwesterly of and at right angles to the centerline of said Project at Station 103+00; thence northwesterly along a straight line a distance of 202 feet, more or less, to a point on the present southwest right-of-way line of U. S. Highway No. 280 that is southwesterly of and at right angles to the centerline of said Project at Station 101+00; thence southeasterly along the said present southwest right-of-way line a distance of 980 feet, more or less, to a point that is 170 feet southwesterly of and at right angles to the centerline of said project; thence N 61° 17' 47" W, parallel to the centerline of said project a distance of 340 feet, more or less, to the point of beginning.

Said strip of land lying in the N $\frac{1}{2}$ of SE $\frac{1}{4}$ Section 36, T-18-S, R-2-W and containing 0.50 acres, more or less.

PARCEL NO. 3: Commencing at the northeast corner of the SE $\frac{1}{4}$, Section 36, T-18-S, R-2-W; thence southerly along the east line of said SE $\frac{1}{4}$, the east property line, a distance of 1208 feet, more or less, to a point that is 150 feet northeasterly of and at right angles to the centerline of Project No. F-214(15) and the point of beginning of the property herein to be conveyed; thence continuing southerly along the said east property line (crossing the centerline of said Project at Station 121+34) a distance of 385 feet, more or less, to a point that is 200 feet southwesterly of and at right angles to the centerline of said project; thence northwesterly along a curve to the right (concave northerly) having a radius of 3474.05 feet, parallel to the centerline of said project a distance of 140 feet, more or less, to the present northeast right-of-way line of U. S. Highway No. 280; thence northwesterly along the said present northeast right-of-way line a distance of 983 feet, more or less, to the present southeast right-of-way line of Shelby County Road No. 17; thence northeasterly along the said present southeast right-of-way line (crossing the centerline of said Project at approximate Station 111+88) a distance of 362 feet, more or less, to a point that is southeasterly of and at right angles to the centerline of said County Road at Station 11+50; thence southeasterly along a straight line, a distance of 20 feet, more or less, to a point that is 50 feet southeasterly of and at right angles to the centerline of said County Road at Station 11+50; thence southwesterly, parallel to the centerline of said County Road a distance of 98 feet; thence southeasterly along a straight line a distance of 142 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 113+00; thence S 61° 17' 47" E, parallel to the centerline of said project a distance of 619.6 feet; thence northeasterly along a curve to the left (concave northerly) having a radius of 3124.05 feet, parallel to the centerline of said project a distance of 142 feet, more or less, to the point of beginning.

Said strip of land lying in the E $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 36, T-18-S, R-2-W and containing 5.22 acres, more or less.

OWNERS OF PARCEL NO. B:

Mildred L. Wald
1052 South 28th Street
Birmingham, Alabama

Edna J. Wald
1052 South 28th Street
Birmingham, Alabama

Faye Quick, as Tax Collector
of Shelby County, Alabama
Columbiana, Alabama

PARCEL NO. C :

DESCRIPTION OF LAND REQUIRED

~~as shown~~ as Parcel No. 2 as shown on the right-of-way map of Project No. F-214(15) as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Right of Way Map Book No. 3 at page 30, and more particularly described as:

Commencing at the northwest corner of the SW $\frac{1}{4}$ of Section 31, T-18-S, R-1-W; thence southerly along the west line of said SW $\frac{1}{4}$, the west property line a distance of 1208 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of Project No. F-214(15) and the point of beginning of the property herein to be conveyed; thence northeasterly along a curve to the left (concave northerly) having a radius of 3124.05 feet, parallel to the centerline of said project a distance of 128 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 122+00; thence northeasterly along a straight line a distance of 308 feet, more or less, to a point that is 300 feet northeasterly of and at right angles to the centerline of said Project at Station 125+00; thence northeasterly along a curve to the left (concave northerly) having a radius of 2974.05 feet, parallel to the centerline of said project a distance of 360 feet, more or less, to a point that is 300 feet northeasterly of and at right angles to the centerline of said Project at Station 129+00; thence southeasterly along a straight line a distance of 492 feet, more or less, to a point that is 125 feet northwesterly of and at right angles to the centerline of said Project at Station 134+00; thence northeasterly along a curve to the left (concave northerly) having a radius of 3124.05 feet, parallel to the centerline of said project a distance of 578 feet, more or less, to a point that is 125 feet northwesterly of and at right angles to the centerline of said Project at Station 139+80.55; thence N 82° 38' 13" E, parallel to the centerline of said project a distance of 919.45 feet; thence southeasterly along a straight line a distance of 103 feet, more or less, to a point that is 100 feet northwesterly of and at right angles to the centerline of said Project at Station 150+00; thence N 82° 38' 13" E, parallel to the centerline of said project a distance of 1100 feet; thence northeasterly along a straight line a distance of 140 feet, more or less, to a point that is 35

feet southwesterly of and at right angles to the centerline of a county road at Station 13+00; thence northwesterly, parallel to the centerline of said county road a distance of 50 feet; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 10 feet; thence northwesterly, parallel to the centerline of said county road a distance of 100 feet; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 18 feet, more or less, to the present southwest side of said county road; thence southeasterly along the said present southwest side (crossing the centerline of said Project at approximate Station 162+03) a distance of 412 feet, more or less, to the present north right-of-way line of U. S. Highway No. 280; thence westerly along the said present north right-of-way line a distance of 3330 feet, more or less, to a point that is 250 feet southwesterly of and at right angles to the centerline of said project; thence northwesterly along a curve to the right (concave northerly) having a radius of 3524.05 feet, parallel to the centerline of said project a distance of 460 feet, more or less, to a point that is 250 feet southwesterly of and at right angles to the centerline of said Project at Station 125+00; thence northwesterly along a straight line a distance of 210 feet, more or less, to a point that is 200 feet southwesterly of and at right angles to the centerline of said Project at Station 123+00; thence northwesterly along a curve to the right (concave northerly) having a radius of 3474.05 feet, parallel to the centerline of said project a distance of 82 feet, more or less, to the west line of the said $SW\frac{1}{4}$, the west property line; thence northerly along the said west property line (crossing the centerline of said Project at Station 121+34) a distance of 385 feet, more or less, to the point of beginning.

Said strip of land lying in the $W\frac{1}{2}$ of $SW\frac{1}{4}$, the $SE\frac{1}{4}$ of $SW\frac{1}{4}$ and the $W\frac{1}{2}$ of $SE\frac{1}{4}$, Section 31, T-18-S, R-1-W and containing 24.30 acres, more or less.

Also, all our interests in all property situated within the bounds of said right of way of said Project No. F-214 (15), as shown on said right of way map, whether specifically described above, or not.

WITNESSED at the City of Birmingham, Alabama, this 17th day of March, 1954.

owners of Parcel No. 6:

Alabama Mineral Land Company,
a corporation
c/o Mr. Josh Oden
200 South 35th Street
Birmingham, Alabama

Jack Brasher
Route 9
Birmingham, Alabama

Faye Quick, as Tax Collector
of Shelby County
Columbiana, Alabama

Mrs. Jack Brasher, wife
of Jack Brasher
Route 9
Birmingham, Alabama

PARCEL NO. D :

DESCRIPTION OF LAND REQUIRED

as Parcel No. 13
~~shown~~ shown on the right-of-way map of Project No. F-214(15) as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Right of Way Map Book No. 3 at page 30, and more particularly described as:

Commencing at the northeast corner of the SE $\frac{1}{4}$, Section 31, T-18-S, R-1-W; thence southerly along the east line of said SE $\frac{1}{4}$, a distance of 1248 feet, more or less, to the centerline of Project No. F-214(15) at Station 175+58.6; thence southwesterly along a curve to the left (concave southeasterly) having a radius of 2,864.79 feet, along the centerline of said project a distance of 115 feet, more or less, to the east line of the property herein to be conveyed and the point of beginning; thence southerly along the east property line, a distance of 169 feet, more or less, to the present northeast right-of-way line of U. S. Highway No. 280; thence northwesterly along said northeast right-of-way line, a distance of 152 feet, more or less, to the west property line; thence northerly along said west property line (crossing the centerline of said Project at Station 172+91.13) a distance of 148.8 feet to the north property line; thence easterly along said north property line, a distance of 149 feet, more or less, to the east property line; thence southerly along said east property line, a distance of 11 feet, more or less, to the point of beginning.

Said strip of land lying in the E $\frac{1}{2}$ of the SE $\frac{1}{4}$,
Section 31, T-18-S, R-1-W and containing 0.55 acres, more
or less.

~~The Grantors also convey hereby all of their right, title,~~
~~and interest in and to~~ a triangular easement lying adjacent to the
Southeast corner of the above described parcel of land more particularly
described as follows: Commence at the NE corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said
Section 31; thence in a Westerly direction along the North line of said
quarter-quarter section a distance of 116.0 feet; thence 90 deg. left in
a Southerly direction a distance of 72.0 feet to the point of beginning;
thence continue along last described course a distance of 35 feet to a
point in the northerly right of way line of Highway 280; thence in a south-
easterly direction along said right of way line a distance of 50 feet;
thence in a northwesterly direction to the point of beginning.

OWNERS OF PARCEL NO. D:

Max Gray
3001 Dolly Ridge Road
Birmingham, Alabama

Ester A. Gray
3001 Dolly Ridge Road
Birmingham, Alabama

Huffstutler-Walters Oil Company,
Inc., a corporation
3000 5th Ave. South
Birmingham, Alabama

Faye Quick, as Tax Collector
of Shelby County
Columbiana, Alabama

Frank S. Blackford,
as Trustee in Bankruptcy
of Ram-Jet Manufacturing Company,
a corporation, A Bankrupt
Frank Nelson Building
Birmingham, Alabama

Jere Gray Schatz
3016 Dolly Ridge Road
Birmingham, Alabama

Birmingham Trust National Bank,
a corporation
112 North 20th Street
Birmingham, Alabama

✓ Interstate Life and Accident
Insurance Company, a corporation
701 20th Street South
Birmingham, Alabama

Jaffe Whol Steel Company,
a corporation
c/o McGowen and McGowen
Attorneys At Law
Massey Building
Birmingham, Alabama

✓ Cyr B. Hardwick
4106 Georgia Road
Birmingham, Alabama

Homewood Building Company,
a corporation
c/o McGowen and McGowen
Attorneys At Law
Massey Building
Birmingham, Alabama

✓ Service Equipment Company, a
corporation
c/o McGowen and McGowen
Attorneys At Law
Massey Building
Birmingham, Alabama

✓ Charles L. Denaburg, as Trustee
of the Bankrupt Estate of L. B.
Riddle, Jr., an individual, d/b/a
Riddle's
Brown Marx Building
Birmingham, Alabama

PARCEL NO. E:

DESCRIPTION OF LAND REQUIRED

~~herein~~ as shown ^{as Parcel No. 13A} on the right-of-way map of Project No. F-214(15) as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Right of Way Map Book No. 3 at page 30, and more particularly described as:

Commencing at the northeast corner of the SE $\frac{1}{4}$ of Section 31, T-18-S, R-1-W; thence southerly along the east line of said SE $\frac{1}{4}$, the east property line, a distance of 1118 feet, more or less, to a point that is 125 feet northerly of and at right angles to the centerline of Project No. F-214(15) and the point of beginning of the property herein to be conveyed; thence continuing southerly along the said east property line (crossing the centerline of said Project at Station 175+58.6) a distance of 332 feet, more or less, to the present northeast right-of-way line of U. S. Highway No. 280; thence northwesterly along the said present northeast right-of-way line a distance of 120 feet, more or less, to the west property line; thence northerly along the said west property line (crossing the centerline of said Project at approximate Station 174+39) a distance of 180 feet, more or less, to the south property line; thence westerly along said south property line, a distance of 149 feet, more or less, to the western-most property line; thence northerly along said western-most property line, a distance of 58 feet, more or less, to a point that is 80 feet northwesterly of and at right angles to the centerline of said project; thence northeasterly along a spiral curve to the right (concave southeasterly) having a spiral angle of 4° 00', parallel to the centerline of said project a distance of 130 feet, more or less, to a point that is 80 feet northwesterly of and at right angles to the centerline of said Project at Station 174+31.4; thence northeasterly along a straight line, a distance of 142 feet, more or less, to the point of beginning.

Said strip of land lying in the E $\frac{1}{2}$ of the SE $\frac{1}{4}$,
Section 31, T-18-S, R-1-W and containing 0.97 acres, more
or less.

OWNERS OF PARCEL NO. E

Jere Gray Schatz
3016 Dolly Ridge Drive
Birmingham, Alabama

Max Gray
3001 Dolly Ridge Road
Birmingham, Alabama

Frank S. Blackford, as
Trustee in Bankruptcy of
Ram-Jet Manufacturing
Company, a corporation,
a bankrupt
Frank Nelson Building
Birmingham, Alabama

Birmingham Trust National Bank,
a corporation
112 North 20th Street
Birmingham, Alabama

Jaffe Whol Steel Company,
a corporation
c/o McGowen and McGowen
Attorneys At Law
Massey Building
Birmingham, Alabama

Homewood Building Company,
a corporation
c/o McGowen and McGowen
Attorneys At Law
Massey Building
Birmingham, Alabama

Faye Quick, as Tax Collector
of Shelby County
Columbiana, Alabama

Ester A. Gray
3001 Dolly Ridge Road
Birmingham, Alabama

Interstate Life and Accident
Insurance Company, a corporation
701 20th Street South
Birmingham, Alabama

Cyr B. Hardwick
4106 Georgia Road
Birmingham, Alabama

Service Equipment Company, a
corporation
c/o McGowen and McGowen
Attorneys At Law
Massey Building
Birmingham, Alabama

Charles L. Denaburg, as Trustee
of the Bankrupt Estate of L. B.
Riddle, Jr., an individual, d/b/a
Riddle's
Brown Marx Building
Birmingham, Alabama

PARCEL NO. F:

DESCRIPTION OF LAND REQUIRED

as Parcel No. 14.
— as shown on the right-of-way map of Project No. F-214(15) as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Right of Way Map Book No. 3 at page 30, and more particularly described as:

PARCEL NO. 1: Commencing at the northwest corner of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 32, T-18-S, R-1-W; thence southerly along the west line of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$, a distance of 1118 feet, more or less, to a point that is 125 feet northerly of and at right angles to the centerline of Project No. F-214(15) and the point of beginning of the property herein to be conveyed; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 2989.79 feet, parallel to the centerline of said project a distance of 355 feet, more or less, to a point that is 125 feet northeasterly of and at right angles to the centerline of said Project at Station 179+00; thence southeasterly along a straight line a distance of 110 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of said Project at Station 180+00; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 2944.79 feet, parallel to the centerline of said project a distance of 120 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of said Project at Station 181+18; thence northeasterly along a straight line a distance of 155 feet, more or less, to a point on the present northwest right-of-way line of Shelby County Road No. 27 that is 40 feet northwesterly of and at right angles to the centerline of said County Road at Station 13+30; thence southwesterly along the said present northwest right-of-way line (crossing the centerline of said Project at approximate Station 182+08) a distance of 440 feet; thence northwesterly along a straight line a distance of 125 feet, more or less, to a point that is 165 feet southwesterly of and at right angles to the centerline of said Project at Station 180+70; thence northwesterly along a curve to the left (concave southwesterly) having a radius of 2699.79 feet, parallel to the centerline of said project a distance of 445 feet, more or less, to a point that is 165 feet southwesterly of and at right angles to the centerline of said Project at Station 176+00; thence turn an angle of 90° 00' to the left and run a distance of 58 feet, more or less, to the present northeast right-of-way line of U. S. Highway No. 280; thence northwesterly along the said present

northeast right-of-way line a distance of 38 feet, more or less, to the west line of the SW $\frac{1}{4}$ of Section 32, T-18-S, R-1-W, the west property line; thence northerly along the said west property line (crossing the centerline of said Project at Station 175+58.6) a distance of 332 feet, more or less, to the point of beginning.

Said strip of land lying in the W $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 32, T-18-S, R-1-W and containing 4.21 acres, more or less.

PARCEL NO. 2: Commencing at the southeast corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 32, T-18-S, R-1-W; thence westerly along the south line of said SE $\frac{1}{4}$ of SW $\frac{1}{4}$, the south property line, a distance of 135 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of Project No. F-214(15) and the point of beginning of the property herein to be conveyed; thence continuing westerly along the said south property line (crossing the centerline of said Project at Station 204+69.9) a distance of 123 feet, more or less, to the present northeast right-of-way line of U. S. Highway No. 280; thence northwesterly along the said present northeast right-of-way line a distance of 255 feet, more or less, to a point that is 150 feet southwesterly of and at right angles to the centerline of said project; thence northwesterly along a curve to the left (concave southwesterly) having a radius of 2714.79 feet, parallel to the centerline of said project a distance of 1725 feet, more or less, to a point that is 150 feet southwesterly of and at right angles to the centerline of said Project at Station 183+73; thence southwesterly along a straight line a distance of 150 feet, more or less, to a point on the present southeast right-of-way line of Shelby County Road No. 27 that is 40 feet southeasterly of and at right angles to the centerline of said Road at Station 17+40; thence northeasterly along the said present southeast right-of-way line (crossing the centerline of said Project at approximate Station 182+90) a distance of 420 feet; thence southeasterly along a straight line a distance of 132 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of said Project at Station 184+00; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 2944.79 feet, parallel to the centerline of said project a distance of 1732 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of said Project at Station 201+00; thence southeasterly along a straight line a distance of 105 feet, more or less, to a point that is 100 feet northeasterly of and at right angles to the centerline of said Project at Station 202+00; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 2964.79 feet, parallel to the centerline of said project a distance of 103 feet, more or less, to a point that is 100 feet northeasterly of and at right angles to the centerline of said Project at Station 203+00; thence southeasterly along a straight line a distance of 105 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of said Project at Station 204+00; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 2944.79 feet, parallel to the centerline of said project a distance of 130 feet, more or less, to the point of beginning.

Said strip of land lying in the S $\frac{1}{2}$ of SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, T-18-S, R-1-W and containing 11.94 acres, more or less.

PARCEL NO. 3: Commencing at the northwest corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 5, T-19-S, R-1-W; thence southerly along the west line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$, the west property line, a distance of 257 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of Project No. F-214(15) and the point of beginning of the property herein to be conveyed; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 2944.79 feet, parallel to the centerline of said project a distance of 207 feet, more or less, to the center of a branch, the southeast property line; thence southwesterly along the said southeast property line a distance of 23 feet, more or less, to the present northeast right-of-way line of U. S. Highway No. 280; thence northwesterly along the said present northeast right-of-way line a distance of 170 feet, more or less, to the west line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$ the west property line; thence northerly along the said west property line a distance of 36 feet, more or less, to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 5, T-19-S, R-1-W and containing 0.12 acres, more or less.

Also, all our interests in all property situated within the bounds of said right of way of said Project No. F-214 (15), as shown on said right of way map, whether specifically described above, or not.

OWNERS OF PARCEL NO. F:

Malone Freight Lines, Inc.,
a corporation
c/o Mr. Josh Oden
200 South 35th Street
Birmingham, Alabama

Faye Quick, as Tax Collector
of Shelby County
Columbiana, Alabama

PARCEL NO. G :

DESCRIPTION OF LAND REQUIRED

~~follows:~~ and as shown/as Parcel No. 15 on the right-of-way map of Project No. F-214(15) as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Right of Way Map Book No. 3 at page 30, and more particularly described as:
PARCEL NO. 1: Commencing at the southwest corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 5, T-19-S, R-1-W; thence easterly along the south line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$, the south property line a distance of 92 feet, more or less, to a point that is 140 feet southwesterly of and at right angles to the centerline of Project No. F-214(15) and the point of beginning of the property herein to be conveyed; thence northwesterly along a 400 foot spiral curve to the left (concave southwesterly) having a spiral angle of 4° 00', parallel to the centerline of said project a distance of 242 feet, more or less, to a point that is 140 feet southwesterly of and at right angles to the centerline of said Project at Station 216+00; thence northwesterly along a straight line a distance of 92 feet, more or less, to a point that is 200 feet westerly of and at right angles to the centerline of said Project at Station 215+29.31; thence northwesterly along a curve to the left (concave southwesterly) having a radius of 2664.79 feet, parallel to the centerline of said project a distance of 398 feet, more or less, to a point that is 200 feet southwesterly of and at right angles to the centerline of said Project at Station 211+00; thence northeasterly along a straight line a distance of 105 feet, more or less, to a point that is 160 feet southwesterly of and at right angles to the centerline of said Project at Station 210+00; thence northwesterly along a curve to the left (concave southwesterly) having a radius of 2704.79 feet, parallel to the centerline of said project a distance of 582 feet, more or less, to the present southwest right-of-way line of U. S. Highway No. 280; thence southeasterly along the said present southwest right-of-way line a distance of 1477 feet, more or less, to the south line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$, the south property line; thence westerly along the said south property line a distance of 38 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 5, T-19-S, R-1-W and containing 3.49 acres, more or less.

PARCEL NO. 2: Commencing at the southeast corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 5, T-19-S, R-1-W; thence westerly along the south line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$, a distance of 1015 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of Project No. F-214(15) and the point of beginning of the property herein to be conveyed; thence continuing westerly along the south line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$, the south property line (crossing the centerline of said Project at Station 218+72) a distance of 107 feet, more or less, to the present northeast right-of-way line of U. S. Highway No. 280; thence northwesterly along the said present northeast right-of-way line (crossing the centerline of said Project at approximate Station 213+68) a distance of 883 feet, more or less, to the center of a branch, the northwest property line; thence northeasterly along the said northwest property line a distance of 23 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of said project; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 2944.79 feet, parallel to the centerline of said project a distance of 558 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of said Project at Station 215+29.31; thence southeasterly along a 400 foot spiral curve to the right (concave southwesterly) having a spiral angle of 4° 00' parallel to the centerline of said project a distance of 360 feet, more or less, to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 5, T-19-S, R-1-W and containing 1.66 acres, more or less.

PARCEL NO. 3: Commencing at the northeast corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 5, T-19-S, R-1-W; thence southerly along the east line of said NE $\frac{1}{4}$ of NW $\frac{1}{4}$, the east property line a distance of 240 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of Project No. F-214(15) and the point of beginning of the property herein to be conveyed; thence southerly along the said east property line a distance of 38 feet, more or less, to the present northeast right-of-way line of U. S. Highway No. 280; thence northwesterly along the said present northeast right-of-way line (crossing the centerline of said Project at approximate Station 205+30) a distance of 378 feet, more or less, to the north line of said NE $\frac{1}{4}$ of NW $\frac{1}{4}$, the north property line; (crossing the centerline of said Project at Station 204+69.9) a distance of 130 feet, more or less, to a point that is 80 feet northeasterly of and at right angles to the centerline of said project; thence southeasterly along a curve to the right (concave southwesterly) having a radius of 2944.79 feet, parallel to the centerline of said project a distance of 270 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 5, T-19-S, R-1-W and containing 0.32 acres, more or less.

Also, all our interests in all property situated within the bounds of said right of way of said Project No. F-214 (15), as shown on said right of way map, whether specifically described above, or not.

OWNERS OF PARCEL NO. G :

✓ Ethel Lacey Route 1 Leeds, Alabama	Faye Quick, as Tax Collector of Shelby County Columbiana, Alabama
✓ W. Paul Lacey Route 1 Leeds, Alabama	✓ Mollie E. Lacey Route 1 Leeds, Alabama
✓ Eugene D. Lacey Route 1 Leeds, Alabama	Betty Jo Lacey Route 1 Leeds, Alabama
✓ Madge Lacey Seifert Columbiana, Alabama	Edward D. Seifert Columbiana, Alabama
Mary Lacey Hoyle Route 1 Vincent, Alabama	Wilmer R. Hoyle Route 1 Vincent, Alabama
Julia Lacey Jarnigan Route 2, Box 246 Red Bay, Alabama	William Jarnigan Route 2, Box 246 Red Bay, Alabama

4. That Petitioner further shows that diligent search has been made of the records in the Office of the Judge of Probate of Shelby County, Alabama, and diligent inquiry has been made to ascertain the names, ages, and places of residence of the owners of the lands and properties herein sought to be condemned and of any other parties who claim or who hold any right, title, or interest therein, and that Petitioner is informed and believes, and upon such information and belief, avers, that the said lands and properties are owned, claimed, and held by the Parties as are named Respondent in this proceeding and as set forth in Paragraph 3 above, and by no others, and that all of said parties named as Respondents are each over the age of twenty-one years and are each under no legal disability unless and except as stated specifically in said Paragraph 3; Petitioner further alleges that the lands and properties herein sought to be condemned will be devoted, when condemned, to the public road or highway purposes as set forth herein.

5. Petitioner further shows that the said rights of way which are sought to be condemned over each of said separate tracts of land described or designated as Parcels No. A through and including Parcel No. G of Paragraph 3 above are now located and staked out on the ground and are otherwise shown and described by a map or plat or survey made thereof by the State of Alabama Highway Department now on file in the Office of the Judge of Probate of Shelby County, Alabama, at page 30 of Right of Way Map Book 3, said page 30 of Right of Way Map Book Number 3 of the Judge of Probate of Shelby County, Alabama, being by reference hereto made a part hereof.

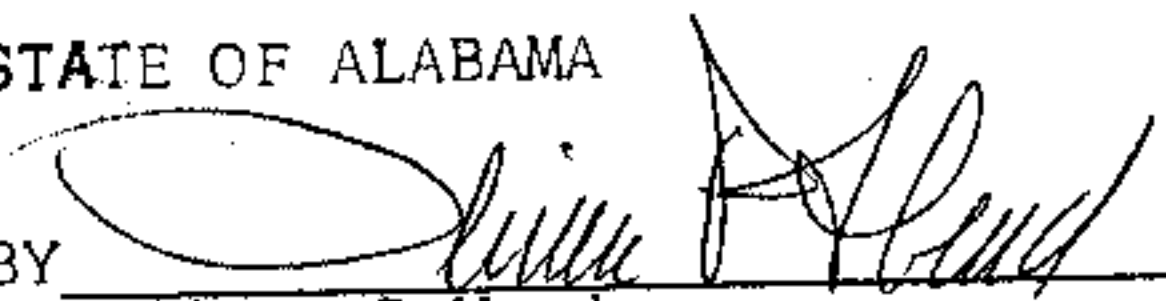
6. That Petitioner further shows that it has made bona fide efforts prior to this ^{date} to agree with the owners and claimants of said lands and properties described or designated as Parcel No. A through and including Parcel No. G of Paragraph 3 above as to the damages and compensation to be allowed and paid for said lands and properties herein sought to be condemned, and that Petitioner

has failed to come to any such agreement with said owners and claimants, the Respondents in this proceeding, and that Petitioner has heretofore taken all steps necessary and all proceedings required by law to initiate this proceeding.

THE PREMISES CONSIDERED, Petitioner prays that this Court will make and enter an order appointing a day for the hearing of this Petition and will cause issuance of notice to the Respondents set out in Paragraph 3 above of the filing of said Petition and of the day set for the hearing thereof, all as provided by law, and that a guardian ad litem be appointed to represent and defend the interest of any Respondent hereto who may be under legal disability, as required by law, and that, upon final hearing of this Petition, this Court will order and decree that Petitioner is entitled to acquire the lands and properties herein sought to be condemned for the public purposes as set out herein, and will appoint Commissioners to ascertain and report the damages occasioned by such taking, and the compensation to be allowed the Respondents for such taking, as provided by law; and that upon payment into Court of the compensation assessed by said Commissioners, a judgment or decree be rendered condemning for public road or highway purposes an easement or right of way in, over, upon, or across each of said separate tracts of land described or designated as Parcel No. A through and including Parcel No. G of paragraph 3 above, to effect said public road or highway, and that this Court will make and enter in this proceeding all such other and further orders and decrees as may be necessary or proper in the premises..

STATE OF ALABAMA

BY


Oliver P. Head

As Special Assistant Attorney
General for the State of Alabama

STATE OF ALABAMA


SHELBY COUNTY

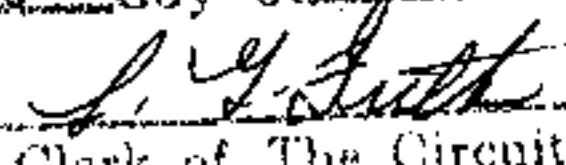
Before me, the undersigned authority in and for said County,
in said State, personally appeared Oliver P. Head, who is known

to me and who, being by me first duly sworn, deposes and says on oath that he is a Special Assistant Attorney General for the State of Alabama and as such is authorized to make this affidavit; that affiant has read the above Application For Order of Condemnation, and that affiant is informed and believes, and upon such information and belief says, that the averments contained therein are true.


Oliver P. Head

Sworn to and subscribed before me
this 28th day of June, 1968.


Notary Public

FILED IN OFFICE
This 8 day of Jan 1968

Clerk of The Circuit Court
of Shelby County, Ala

Inst # 1993-03977

02/10/1993-03977
02:20 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
024 MCD 64.00