

STATE OF ALABAMA
SHELBY COUNTY

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
AT LAW, CASE NO. 1154

STATE OF ALABAMA,
PETITIONER

VS.

WILLIAM W. BARNETT AND VIRGINIA
R. BARNETT, et al,
DEFENDANTS

JUDGMENT OF CONDEMNATION AND ASSESSMENT
OF COMPENSATION ON CONSENT OF THE PARTIES

On the 8th day of December, 1965, the State of Alabama duly filed in the Probate Court of Shelby County, Alabama, its application for the condemnation for public use a right-of-way and easement for the construction and maintenance of a public control access facility over certain private lands described in said application and exhibits thereto.

In the Probate Court due and appropriate proceedings, as required by law, were had, resulting in an order of condemnation of said right-of-way and easement over said lands by the Probate Court of Shelby County, Alabama on the 28th day of February, 1966.

Thereupon, in the manner and form as prescribed by law, and within the time required by law, the defendants in said proceedings appealed to the Circuit Court of Shelby County, Alabama, from said order of condemnation, the defendants demanding a trial by jury; and the Court now proceeds to hear said matter, trying the cause de novo as required by law. The Court, being of opinion that the said State of Alabama is entitled to have the lands described in its said application and exhibits condemned for use as a right-of-way and easement for the construction and maintenance of a public control access facility, it is, therefore,

CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that a right-of-way and easement for the construction and maintenance of a public control access facility over the following described lands lying within Shelby County, Alabama, to-wit:

Certified a true and complete copy

Dan Keener, Jr.
Register of Circuit Court

Inst # 1993-03987
02/10/1993-03987
02:50 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 11.50

Section 34, T-21-S, R-1-E; thence easterly along the north line of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, a distance of 1,145 feet, more or less, to a point that is 100 feet northwesterly of and at right angles to the centerline of Project No. F-412(4) and the point of beginning of the property herein to be conveyed; thence easterly along the north line of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 34, the north property line, (crossing the centerline of said Project at Station 488+69) a distance of 205 feet, more or less, to a point that is 100 feet southeasterly of and at right angles to the centerline of said Project; thence S 10° 52' W, parallel to the centerline of said Project, a distance of 1,200 feet, more or less, to a point that is 100 feet southeasterly of and at right angles to the centerline of said Project at Station 476+85; thence southeasterly along a straight line a distance of 132 feet, more or less, to a point on the present north right-of-way line of a county road that is 40 feet northerly of and at right angles to the centerline of said road at Station 82+25; thence westerly along said present north right-of-way line (crossing the centerline of said Project at approximate Station 475+70) a distance of 405 feet; thence northeasterly along a straight line a distance of 155 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 476+60; thence N 10° 52' E, parallel to the centerline of said Project, a distance of 1,184 feet, more or less, to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 34, T-21-S, R-1-E and containing 7.04 acres, more or less.

is hereby condemned for the purpose set forth in the application and exhibits filed in the Probate Court in this cause.

Thereupon the Court proceeds to have assessed in open Court the damages and compensation to which William W. Barnett and Virginia R. Barnett are entitled for the condemnation of said property as a right-of-way and easement for the construction and maintenance of a public control access facility; and the same being Twenty Five Hundred (\$2,500.00) Dollars, by consent and agreement of the parties in this cause; and by written consent and agreement withdrew the demand for trial by jury in this cause.

AND IT IS NOW, THEREFORE,

CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court, and it is the judgment of the Court, that the damages and compensation to which William W. Barnett and Virginia R. Barnett are entitled in this cause as just compensation for the condemnation of said right-of-way and easement over said lands be, and the same is hereby, fixed at the sum of Twenty Five Hundred (\$2,500.00) Dollars.

And now comes the applicant by its Attorney of Record and shows unto the Court that it has heretofore deposited with the Judge of the Probate Court of Shelby County, Alabama, the sum of \$2,306.00 in money for such defendants as damages and compensation for the condemnation of the lands described in Item II of Exhibit "B" of the said application.

AND IT IS NOW, THEREFORE,

CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that the defendants are entitled to have and receive of the money held by the said Probate Judge of Shelby County, Alabama the sum of \$2,306.00; and that the defendants are entitled to have and receive the further sum of \$194.00 from the applicant. The Judge of the Probate Court of Shelby County, Alabama shall pay over to the Clerk of the Circuit Court of Shelby County, Alabama the said sum of \$2,306.00 for disbursement to the parties as hereinabove set forth.

AND IT IS NOW, THEREFORE,

CONSIDERED, ORDERED, ADJUDGED AND DECREED further that the said William W. Barnett and Virginia R. Barnett do have and recover of said The State of Alabama the sum of Twenty Five Hundred (\$2,500.00) Dollars, together with the costs of this cause for which let execution issue.

Dated this 14 day of April, 1966

Filed in the Office of the Circuit
Clerk this 14 day of April, 1966.

L. G. Fulk
Circuit Clerk

A. S. Henderson
Judge of the Circuit Court of Shelby
County, Alabama
003 MCD 11.50