

STATE OF ALABAMA
SHELBY COUNTY

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
AT LAW, CASE NO. 1167

STATE OF ALABAMA,
PETITIONER, APPELLEE

VS.

ELOISE WILLIAMS, ET AL,
DEFENDANTS, APPELLANTS

JUDGMENT OF CONDEMNATION AND ASSESSMENT
OF COMPENSATION ON VERDICT OF JURY

Inst # 1993-03989
02/10/1993-03989
02:50 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DOA NCD 14.00

On the 7th day of September, 1965, the State of Alabama duly filed in the Probate Court of Shelby County, Alabama, its application for the condemnation for public use of a right-of-way and easement for the construction and maintenance of a public highway facility over certain private lands described in said application.

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 21st day of October, 1965.

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 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 The State of Alabama is entitled to have the lands described in its said application condemned for use as a right-of-way and easement for the construction and maintenance of public highway, 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 highway facility over the following described lands lying within Shelby County, Alabama, to-wit:

Commencing at the southwest corner of Section 26, T-21-S, R-1-W; thence northerly, along the west line of Section 26, the west property line, a distance of 1095 feet, more or less, to a point that is 60 feet south-easterly of and at right angles to the centerline of Project No. S-1360-A and the point of beginning of the property herein to be conveyed; thence continuing northerly along said west property line (crossing the centerline of said project at approximate Station 131+10) a distance of 155 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said project; thence N 47° 54' E, parallel to the centerline of said project, a distance of 191 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to

Certified a true and complete copy
Dan Reeves, Jr.
Register of Circuit Court

the centerline of said project at Station 133+50; thence northeasterly, along a straight line, a distance of 70 feet, more or less, to a point that is 110 feet northwesterly of and at right angles to the centerline of said project at Station 134+00; thence N 47° 54' E, parallel to the centerline of said project, a distance of 200 feet; thence easterly, along a straight line, a distance of 70 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said project at Station 136+50; thence N 47° 54' E, parallel to the centerline of said project, a distance of 500 feet; thence northeasterly, along a straight line, a distance of 64 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 142+00; thence N 47° 54' E, parallel to the centerline of said project, a distance of 119.55 feet; thence northeasterly along a curve to the left (concave northwesterly) having a radius of 3719.72 feet, parallel to the centerline of said project, a distance of 417 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 147+50; thence northeasterly, along a straight line, a distance of 64 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said project at Station 148+00; thence northeasterly along a curve to the left (concave northwesterly) having a radius of 3759.72 feet, parallel to the centerline of said project, a distance of 440 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said project at Station 152+50; thence northeasterly, along a straight line, a distance of 52 feet, more or less, to a point that is 70 feet northwesterly of and at right angles to the centerline of said project at Station 153+00; thence northeasterly, along a curve to the left (concave northwesterly) having a radius of 3749.72 feet, parallel to the centerline of said project, a distance of 98 feet, more or less, to a point that is 70 feet northwesterly of and at right angles to the centerline of said project at Station 154+00; thence northeasterly, along a straight line, a distance of 52 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said project at Station 154+50; thence northeasterly along a curve to the left (concave northwesterly) having a radius of 3759.72 feet, parallel to the centerline of said project, a distance of 447 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said project at P.T. Station 159+02.60; thence N 24° 09' 15" E, parallel to the centerline of said project, a distance of 295 feet, more or less, to the north property line; thence easterly, along said north property line (crossing the centerline of said project at Station 162+35) a distance of 162 feet, more or less, to a point that is 60 feet southeasterly of and at right angles to the centerline of said project; thence S 24° 09' 15" W, parallel to the centerline of said project, a distance of 405 feet, more or less, to a point that is 60 feet southeasterly of and at right angles to the centerline of said project at P.T. Station 159+02.60; thence southwesterly along a curve to the right (concave northwesterly) having a radius of 3779.72 feet, parallel to the centerline of said project, a distance of 1020 feet, more or less, to a point that is 60 feet southeasterly of and at right angles to the centerline of said project at Station 149+00; thence southwesterly, along a straight line, a distance of 60 feet, more or less, to a point that is 90 feet southeasterly of and at right angles to the centerline of said project at Station 148+50; thence southwesterly, along a curve to the right (concave northwesterly) having a radius of 3909.72 feet, parallel to the centerline of said project, a distance of 545 feet, more or less, to a point that is 90 feet southeasterly of and at right angles to the centerline of said project at P.C. Station 143+19.55; thence S 47° 54' W parallel to the centerline of said project, a distance of 319.55 feet; thence southwesterly, along a straight line, a distance of 58 feet, more or less, to a point that is 60 feet southeasterly of and at right angles to the centerline of said project at Station 139+50; thence S 47° 54' W, parallel to the centerline of said project, a distance of 300 feet; thence southwesterly, along a straight line, a distance of 52 feet, more or less, to a point that is 70 feet southeasterly of and at right angles to the centerline of said project at Station 136+00; thence S 47° 54' W, parallel to the centerline of said project, a distance of 200 feet; thence southwesterly, along a straight line, a distance of 52 feet, more or less, to a point that is 60 feet southeasterly of and at right angles to the centerline of said project at Station 133+50; thence S 47° 54' W, parallel to the centerline of said project, a distance of 292 feet, more or less, to the point of beginning.

Said strip of land lying in the $W\frac{1}{2}$ of $SW\frac{1}{4}$, $NE\frac{1}{4}$ of $SW\frac{1}{4}$, and the $SE\frac{1}{4}$ of $NW\frac{1}{4}$, Section 26, T-21-S, R-1-W and containing 10.12 acres, more or less.

is hereby condemned for the purposes set forth in the application filed in the Probate Court in this cause.

Thereupon the Court proceeds to have assessed by a jury the damages and compensation to which Eloise Williams, et al, defendants, are entitled for the condemnation of said property for use as a right-of-way and easement for the construction and maintenance of a public highway facility.

Thereupon on the 3rd day of August, 1966, came a jury of good and lawful men, to-wit: Alfred Butler, and eleven others, who, being duly empaneled and sworn according to law, upon their oaths, do say: "We, the jury, hereby assess and fix the damages and compensation to the owners of the property described in Exhibit "B", Item 2, Tract 14 of the Application for Condemnation filed in the Office of the Probate Judge, Shelby County, Alabama on 7th day of September, 1965 at Twenty Five Hundred (\$2,500.00) Dollars.

Dated August 3, 1966.

/s/ Alfred Butler
Jury Foreman

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, Shelby County, Alabama, the sum of \$1,012.00 in money for such defendants as damages and compensation for the condemnation of the lands described in Item II of Exhibit "B" of said Application.

AND IT IS NOW, THEREFORE,

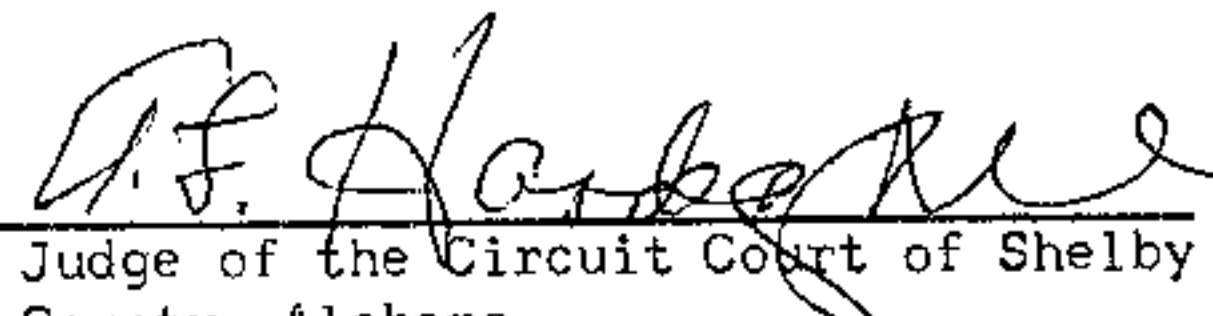
CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that the defendants are entitled to have and receive of the money held by the said Probate Judge of Shelby County, Alabama the sum of \$1,012.00 and that the defendants are entitled to have and receive the further sum of \$1,488.00, from the applicant. The Judge of Probate Court of Shelby County, Alabama shall pay over to the Clerk of the Circuit Court of Shelby County, Alabama the said sum of \$1,012.00 for disbursement to the parties as hereinabove set forth.

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 Eloise Williams, et al 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.

CONSIDERED, ORDERED, ADJUDGED AND DECREED further that the said Eloise Williams, et al 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 3rd day of August, 1966.


Judge of the Circuit Court of Shelby
County, Alabama

Filed in the Office of the Circuit
Clerk this the 3rd day of August, 1966.


Circuit Clerk

Inst # 1993-03989

02/10/1993-03989
02:50 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 14.00