

STATE OF ALABAMA)
COUNTY OF SHELBY)

STATE OF ALABAMA,

PLAINTIFF,

VS.

ALABAMA DEPARTMENT OF REVENUE; CITY
OF CALERA, ALABAMA; MR. HUGH
MORRISON; and ANNETTE SKINNER, AS
AS TAX COLLECTOR, SHELBY COUNTY,
ALABAMA,

DEFENDANTS.

CASE NO. 31-134

IN THE PROBATE COURT FOR
SHELBY COUNTY, ALABAMA

NOTICE OF ENTRY OF ORDER OF CONDEMNATION

(See ORDER attached)

NOTICE OF RIGHT TO APPEAL

Notice is hereby given that you have the right to appeal the
Order of Condemnation of the Probate Court to the Circuit Court.
You must appeal within thirty (30) days from the date of said
Order of Condemnation.

Dated this the 16th day of February, 1993.

Thomas C. Anderson
JUDGE OF PROBATE
Shelby County, Alabama

Charles L. Sparks
3000 Galleria Tower, Suite 800
B'ham, AL
35244-2305

03/23/1993-07835
12:50 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 MCD 20.00

Inst # 1993-07835

STATE OF ALABAMA)
COUNTY OF SHELBY)

STATE OF ALABAMA,

PLAINTIFF,

vs.

ALABAMA DEPARTMENT OF REVENUE; CITY
OF CALERA, ALABAMA; MR. HUGH
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AS TAX COLLECTOR, SHELBY COUNTY,
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IN THE PROBATE COURT FOR
SHELBY COUNTY, ALABAMA

ORDER OF CONDEMNATION

This is cause coming on to be heard on this day for an Order confirming the report of the Commissioners heretofore appointed in this cause and for an Order of Condemnation pursuant thereto of the lands described in said report and in Plaintiff's Complaint for Condemnation heretofore filed in this cause;

And it appearing to the Court that on, to-wit, the 24th day of November, 1992, this Court heard the allegations of said Complaint and all legal evidence offered by the parties touching the same, and it further appearing that the Court did, on the 13th day of January, 1993, make an Order granting said Complaint and appointing as Commissioners, Charles Seales, J.D. "Buck" Falkner, and Henry Caton, three citizens of Shelby County, Alabama, who were disinterested, possessing the qualifications of jurors, to assess the damages and compensation to which the

Defendants described in Plaintiff's Complaint for Condemnation are entitled, as their respective interests may appear;

And it appearing that said Commissioners properly executed a Wavier of Notice of said appointment as Commissioners in this cause;

And it further appearing to the Court that said Commissioners before entering upon the discharge of their duties in the premises, were sworn as jurors are sworn, and that they did thereafter receive all legal evidence offered by the parties touching the amount of damages the owners of said lands will sustain and the amount of compensation to which each is entitled;

And it further appearing to the Court that said Commissioners did on, to-wit, the 5th day of February, 1993, make a report in writing to this Court stating that after being sworn as required by law, that after viewing the land and holding a hearing after notice to all parties and receiving all legal evidence offered by any party touching the amount of damages and compensation of the owners and parties claiming an interest in the same, assess the amount of damages and compensation to which the owners and interested parties are entitled to be as hereinafter set forth:

<u>Tract #</u>	<u>Defendant</u>	<u>Nature of Interest</u>
45	ALABAMA DEPARTMENT OF REVENUE ATTN: Mr. Larry Doyal Room 4130 Gordon Persons Bldg. Montgomery, AL 36132	Owners \$ <u>2,728.01</u>
45	City of Calera, Alabama ATTN: Ms. Lemayne Payton P. O. Box 177 Calera, AL 35040	Owners \$ <u>2,058.99</u>

Annette Skinner
Tax Collector, Shelby County
Post Office Box 1298
Columbiana, AL 35051

Tax Lien (s)

And it further appearing to the Court that said Commissioners did, simultaneously with the filing of their report, file a Certificate stating and certifying that neither of said Commissioners had ever been consulted, advised with or approached by any person in reference to the value of the lands or the proceedings to condemn the same prior to the assessment of damages and that they knew nothing of the same prior to their appointment and have no interest of any nature whatsoever in said proceedings to condemn said lands;

And it further appearing to the Court that the damages and compensation so ascertained and assessed by said Commissioners and all Court costs have been deposited by the Plaintiff into this Court;

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court,

(a) that the report of the Commissioners be and is hereby approved and confirmed;

(b) that the lands described herein sought to be condemned in Plaintiff's Complaint, be and the same are hereby condemned in fee simple, and granted and awarded to the Plaintiff, the State of Alabama, and that all right, title and interest of said Defendants are hereby divested out of said Defendants and hereby vested in the Plaintiff, the State of Alabama; that all fences, signs, septic tanks, paving, driveways, planters, plants, wells, structures and buildings within the boundaries of said lands be


and are hereby deemed to be a part of the realty and that Plaintiff shall have the right to immediate possession and right of entry in and to said lands;

(c) that the Commissioners be and are hereby awarded the sum ^{as} ~~of Four Thousand Seven Hundred Eighty seven~~ ^{Three} ~~(~~\$4,787.00~~)~~ ^{\$300.00} Dollars ~~each~~ as compensation for services rendered, said sum to be taxed as costs of Court, the same having been heretofore paid by the Plaintiff herein;

(d) that all documents filed in this proceeding be recorded;

(e) that notice of the entry of this Order and of the amount of each Defendant's award be immediately mailed by first class mail to each party whose address is known, together with notice of the right to appeal therefrom to the Circuit Court within thirty (30) days from the date of this Order.

Done and Ordered this the 16th day of February
1993.



JUDGE OF PROBATE
Shelby County, Alabama

COMM. PT (Par. 2)
NE COR.
NEL NW - SW

PT=341+22361

NE COR.
NW - SW

342+G1 AL25.
+ 00 16 1/2

PAR. 1 = 220' 0.1116
REM. "A" = 0.225
AC. 11

$$R = \frac{1091.092}{1 + 50.000} = 991.092$$

Par. No. 1 of 2 = 0.176 Ac.
Par. No. 2 of 2 = 0.073 Ac.
Total = 0.249 Ac.

Rem. Par. "A" = 0.221 Ac.
Rem. Par. "B" = 0.133 Ac.

NW 1/4 ~ SW 1/4 Total = 0.354 Ac.
SEC 21

Commencing Point
(Par. No. 1 of 2)

TRACT NUMBER 45 STATE OF ALABAMA HIGHWAY DEPARTMENT
OWNER: HUGH MORRISON PROJ. NO. S-44-10
----- COUNTY: SHELBY
TOTAL ACREAGE: 0.603 SCALE: 1" = 100'
R/W REQUIRED: 0.249 DATE: 5/22/91
REMAINDER: 0.354 REVISED: 7-31-92

03/23/1993-07835
12:50 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DOB6 MCD 20.00

Inst. # 1993-07835