

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

STATE OF ALABAMA

Plaintiff,

v.

RAYMOND ELLIS GORE and BARBARA  
BENSON GORE, owners of the fee;  
G. E. CAPITAL MORTGAGES SERVICES  
mortgagees; ANNETTE D. SKINNER, SHELBY  
COUNTY TAX COLLECTOR; and any and all  
unknown persons, firms, entities or corporations  
holding or claiming any right, title, interest in, lien  
or encumbrance in and to the property described  
in this Complaint,

Defendants.

CASE NO. 39-265

Inst # 2000-42440

12/08/2000-42440  
10:57 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
005 MMB 23.00

**ORDER GRANTING COMPLAINT AND APPOINTING COMMISSIONERS**

This cause came on to be heard on the 14th day of June, 2000, upon the Complaint of the State of Alabama, to condemn certain lands or interests in lands for public road or highway purposes;

And it further appearing to the Court that all defendants who are named in the Complaint have had notice of the filing of the Complaint and of the day set for hearing thereof, as provided by law;

Thereupon, the Court proceeded to hear on the 14th day of June, 2000, the allegations of the Complaint and responsive pleadings filed by the defendants and all evidence thereon offered by the parties, and upon consideration of the same the Court now determines that the allegations of the Complaint have been established and proven by legal evidence as to every party named therein, and that the Complaint should be granted as to the property more particularly described in Exhibit "A" attached hereto; and, further, the Plaintiff is granted the right to enter on Defendant's remaining property, if necessary, for the purpose of removing any structure located wholly or partially on the property in Exhibit "A".

Order Granting Complaint/Appointing Commissioners

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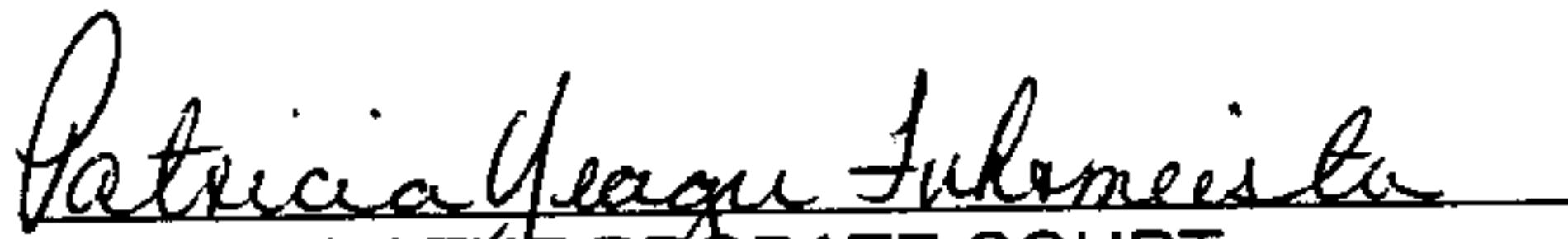
39-265

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that the Complaint be and the same is hereby granted as to all parties named therein. And the Court now coming to appoint commissioners to assess the damages and compensation to which the defendants are entitled for the structures, lands or interests in lands sought to be condemned by the plaintiff, and it appearing to be Court that Jim Strickland, Corley Ellis and Johnny Lowe, are citizens of Shelby County, Alabama, the county in which the structures and lands sought to be condemned are located, and that each of them possesses the qualifications of jurors under the laws of the State of Alabama and is disinterested in the proceeding;

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that Jim Strickland, Corley Ellis, and Johnny Lowe, are hereby appointed commissioners to assess the damages and compensation to which the defendants, as owners and parties holding or claiming some interest in the lands described in the Complaint are entitled.

It is further ordered that notice of the appointment of the commissioners be served upon each of such commissioners and that they report to this Court, in writing, the amount of damages and compensation so ascertained and assessed by them as being due said owners of, or the owners of an interest in, said structures and lands within the time prescribed by law.

**DONE** and **ORDERED** this the 15th day of June, 2000.

  
JUDGE OF THE PROBATE COURT  
OF SHELBY COUNTY, ALABAMA

cc: Ayn Traylor-Sadberry, Esq.  
Raymond Ellis Gore  
Barbara Benson Gore  
G. E. Capital Mortgages Services  
Annette D. Skinner, Shelby County Tax Collector

EXHIBIT "A"

A part of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Section 11, Township 21 South, Range 3 West, identified as Tract No. 40, Project No. STPAA-458(1), Shelby County, Alabama, and being more fully described as follows:

Commence at the southeast corner of said Northeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$ ; thence north along the east line of said Northeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$ , a distance of 917 feet, more or less, to a point on a line which extends from a point that is 80 feet easterly of and at right angles to the centerline of said project at Station 515+60.54, to a point that is 151 feet easterly of and at right angles to said centerline at Station 519+18 and the point of beginning of the property herein conveyed; thence southwesterly along said line which, if extended, would intersect said point that is 80 feet easterly of and at right angles to the centerline of said project at Station 515+60.54, a distance of 42 feet, more or less, to the south property line; thence west along said south property line a distance of 208 feet, more or less, to a point on a line which extends from a point that is 75 feet westerly of and at right angles to the centerline of said project at Station 518+00, to a point that is 90 feet westerly of and at right angles to said centerline at Station 520+19.46; thence northerly along said line a distance of 148 feet, more or less to said point that is 90 feet westerly of and at right angles to said centerline at Station 520+19.46; thence northwesterly a distance of 88 feet, more or less, to a point on the northeast property line that is 105.64 feet westerly of and at right angles to said centerline; thence southeasterly along said northeast property line a distance of 290 feet, more or less, to the east line of said Northeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$ , the east property line; thence south along said east line a distance of 97 feet, more or less, to the point of beginning. Containing 0.963 acre, more or less.

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STATE OF ALABAMA,  
Plaintiff,

Case No. 39-265

vs.

RAYMOND ELLIS GORE and BARBARA  
BENSON GORE, OWNERS OF THE FEE;  
G.E. CAPITAL MORTGAGES SERVICES,  
mortgagees; ANNETTE D. SKINNER,  
SHELBY COUNTY TAX COLLECTOR; and any  
and all unknown persons, firms, entities or  
corporations holding or claiming any right, title,  
interest in, lien or encumbrance in and to the  
property described in this Complaint,  
Defendants.

ORDER ON PAYMENT OF AWARD

The State of Alabama having paid into Court, on August 24, 2000, the sum of \$176,699.00, such being the amount assessed by the Commissioners heretofore appointed to determine the amount of damages and compensation to which the owners and other interested parties were entitled (and which such amount includes costs of court), it is ORDERED that each respondent and defendant be notified.

It is further ORDERED that each defendant or respondent claiming an interest in said funds set forth the extent of such interest in writing, to the Court within 30 days.

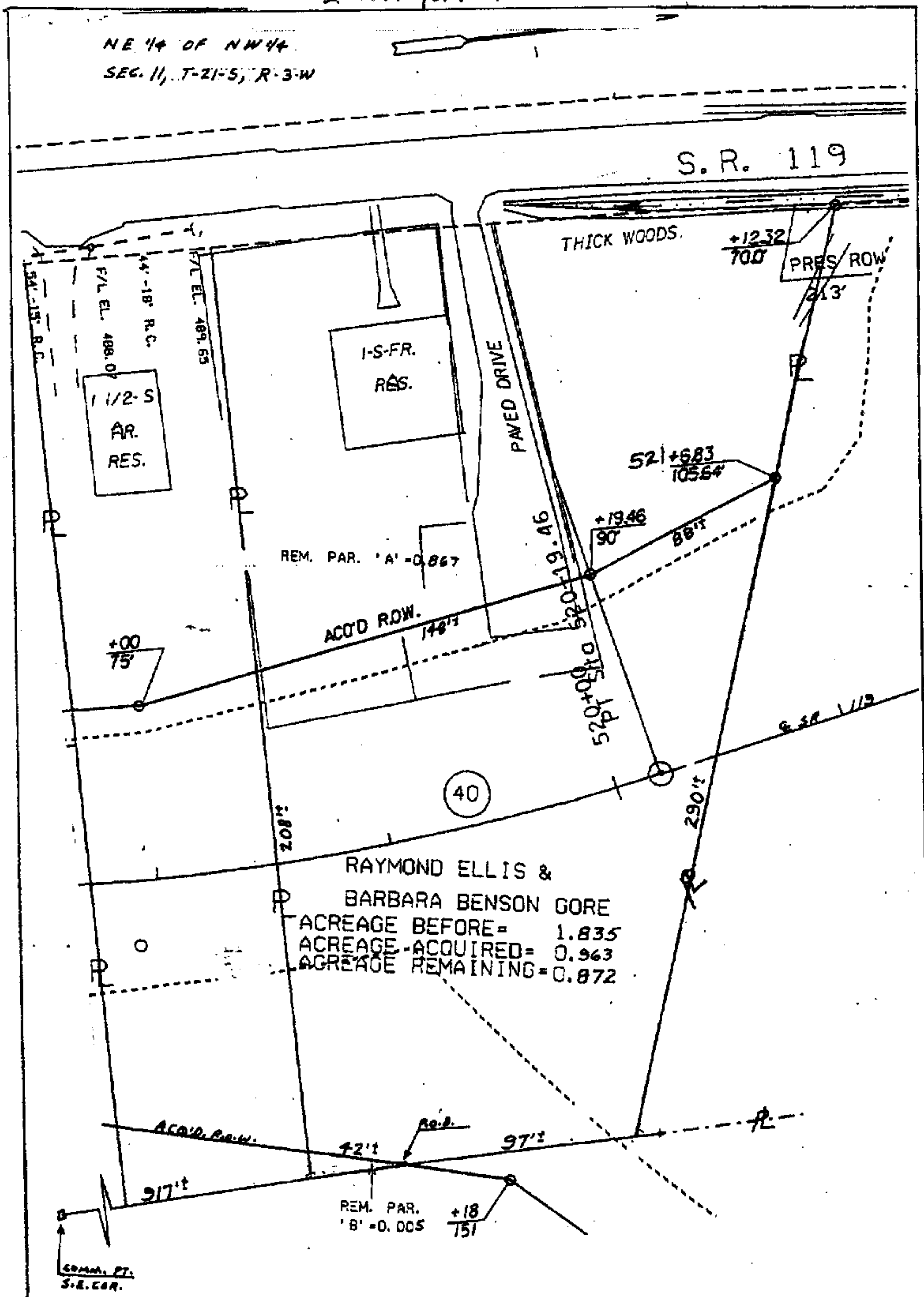
DONE and ORDERED this 24 day of Aug, 2000.

  
PATRICIA YEAGER FUHRMEISTER  
Judge of Probate

cc: Ayn Traylor-Sadberry, Esq.  
Raymond Ellis Gore  
Barbara Benson Gore  
G.E. Capital Mortgages Services  
Annette D. Skinner



Exhibit B



TRACT NUMBER <u>40</u>	ALABAMA DEPARTMENT OF TRANSPORTATION
OWNER: <u>RAYMOND ELLIS AND BARBARA BENSON GORE</u>	PROJECT NO. STPAA-458 (1)
TOTAL ACREAGE: <u>1.835</u>	SHELBY COUNTY
R/W REQUIRED: <u>0.963</u>	SCALE: 1" = <u>50'</u>
REMAINDER: <u>0.872</u>	DATE: <u>12-12-97</u>
	REVISED: <u>7-21-98, 9-1-98, 11-12-99</u>

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