

1216

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

CITY OF ALABASTER,

)

PLAINTIFF

)

VS.

)

CASE NO. CV82 085

HOUSING AUTHORITY OF THE TOWN OF)
COLUMBIANA, et al)

DEFENDANTS

FINAL ORDER OF CONDEMNATION

This cause came on to be heard on this day for the Court to enter a decree pursuant to and in conjunction with the opinion rendered in the City of Alabaster versus Housing Authority of the Town of Columbiana, et al, in the State of Alabama Court of Civil Appeals. In said opinion, this Court was instructed to determine the value of the property sought to be condemned by the plaintiff, City of Alabaster. The parties advised the Court that a settlement has been reached as to the value of the property to be taken. The parties advised the Court that the sum of \$150.00 has been paid to the Defendants for the interest and easements in such land described in the Plaintiff's petition as amended and the Court finds that the consent settlement is reasonable and due to be confirmed.

It is therefore ORDERED, ADJUDGED and DECREED by this Court as follows:

1. That the lands hereinafter described and all rights, interest and easements in such land and the rights and interest therein described be condemned, granted and awarded to the Plaintiff, City of Alabaster, with the rights and for the uses and purposes set forth in the petition and amendments thereto and

BARNETT, TINGLE, NOBLE & SEXTON

ATTORNEYS AT LAW

1600 CITY FEDERAL BUILDING

2026 SECOND AVENUE NORTH

BIRMINGHAM, ALABAMA 35203

BOOK 010 PAGE 116

PRAYED

that all right, title and interest ~~paid~~ for in said petition, and as amended, be and are hereby granted and awarded to the Plaintiff, the City of Alabaster, in and by this decree, be and the same are hereby divested out of the Defendants, Housing Authority of the Town of Columbiana, and the United States of America, the owner or owners of an interest in the land described in the Plaintiff's petition and as amended which said property is more particularly described as follows, to-wit:

Description of a 10 Foot Sanitary Sewer Easement the centerline being described as follows:

Part of the SW-1/4 of SW-1/4 of Section 36, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

From the northwest corner of said 1/4-1/4 section, run in an easterly direction along the north line of said 1/4-1/4 section for a distance of 1089.22 feet, more or less, to the centerline of an existing sanitary sewer being the point of beginning, thence turn an angle to the right of 76°06'30" and run in a southeasterly direction along the centerline of said sanitary sewer for a distance of 176.29 feet to an existing sanitary sewer manhole being the point of ending.

2. That the City of Alabaster be and it is hereby vested with title to the easements and rights of ways described above, subject only to any utility easements or easements for public roads and streets which may be of record affecting said real estate.

3. That Plaintiff, City of Alabaster, be and it is hereby granted all the relief, interests, lands, privileges, and easements set out, described and prayed for in its petition as amended and as modified by the Probate Court and this Court as to the length of said easement.

4. That the Plaintiff, City of Alabaster, pay to the Defendants the sum of \$150.00 in total and pay all costs incurred in this cause which said \$150.00 and costs have this day been so paid by the City of Alabaster.

DONE IN OPEN COURT, this 20th day of August, 1984.

Kenneth W. Ingram
CIRCUIT JUDGE

BOOK 010 PAGE 118

FILED IN OFFICE THIS THE 20 DAY
OF August, 1984

Kyle Lanford

Clerk of Circuit Court
Shelby County, Alabama

RECORDING FEES		STATE OF ALA. SHELBY CO.
Recording Fee	\$ <u>7.50</u>	I CERTIFY THIS
Index Fee	<u>1.00</u>	INSTRUMENT WAS FILED
TOTAL	\$ <u>8.50</u>	1984 NOV 29 AM 10:42

Thomas A. Saunders, Jr.
JUDGE OF PROBATE