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BOOK

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

RALPH E. SORRELL and BONNIE B. SORRELL,
Plaintiffs,

vs.

Case No.: 28-68

KEN MITCHELL BUILDERS, INC.,
CENTRAL BANK OF THE SOUTH,
ROBERT E. LEE, individually and
as trustee of the Last Will and
Testament of Tom Lee, deceased,
MARY NELL LITTLEFIELD, in-
dividually and as trustee of
the Last Will and Testament of
Tom Lee, deceased, LOUELLA E.
HONEYCUTT, individually and as
trustee of the Last Will and
Testament of Tom Lee, deceased,
and "unknown claimants", A, B,
C & D, the persons, firms or
corporations who, unknown to
your plaintiffs, after the
exercise of reasonable
diligence, claim any right,
title, interest in or lien or
encumbrance against the
property described herein,

Defendants.

FINAL ORDER

This cause coming to be heard on this day for a final decree confirming the report of the commissioners heretofore appointed by the Court in this cause, and for an order of condemnation in pursuance thereof, as to the lands described in the petition in said cause which was filed in this Court on the 12th day of April, 1989, and as described in said report; and it appearing to the Court that on the 20th day of June, 1989, this Court heard the allegations of said application and all the legal evidence touching the same, as to the land and parties described and named in said application, and did make an order granting said application for condemnation of certain lands, rights, interests and easements therein, as prayed for in said application, and did also, in and by the terms of said decree appoint J. D. "Buck" Falkner, Henry Caton and Teresa Thompson, three (3) citizens of Shelby County, Alabama, in which county the land sought to be condemned is situated, said citizens being disinterested, and possessing the qualifications of jurors, to assess the damages and compensation to which the land owner named in said application is entitled, and it further appearing to the Court that notice of the appointment of said three (3) citizens as commissioners was issued by the Court as required by law, and it further appearing to the Court that said commissioners, J. D. "Buck" Falkner, Henry Caton and Teresa Thompson, undertook to act, and did act, as commissioners under said appointment and order hereinabove specified and that before entering upon the discharge of their duties in the premises they were sworn as jurors are sworn and as provided by law, and that they did thereafter view the lands sought to be condemned, and did thereafter receive all legal evidence offered by the parties touching the amount of damages that the owner of said lands did sustain and the amount of compensation each was entitled to receive; and it further appearing to the Court that said commissioners did make and report in writing to this Court their report dated July 17, 1989, which said report was filed

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James Fuhrman 1

in the Probate Office on July 17, 1989, stating the amount of damage and compensation assessed by them for the owners of said land described in said application, which said awards are as follows: Total amount of damages \$ 27,000.00

Owner: KEN MITCHELL BUILDERS, INC.

Mortgagees: CENTRAL BANK OF THE SOUTH, ROBERT E. LEE, individually and as trustee of the Last Will and Testament of Tom Lee, deceased, MARY NELL LITTLEFIELD, individually and as trustee of the Last Will and Testament of Tom Lee, deceased, LOUELLA E. HONEYCUTT, individually and as trustee of the Last Will and Testament of Tom Lee, deceased.

And it further appearing to the Court that said commissioners did also file along with their award, or report, a certificate that none of them had been consulted, advised with, or approached by any person in reference to the value of the land or the proceedings to condemn the same, prior to the assessment of said damages and that they knew nothing of the same prior to their appointment as such commissioners.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court that the report of said commissioners, together with said application, and all orders and decrees made in said cause, and the pleadings filed therein, be and the same are hereby ordered to be recorded.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that applicants, Ralph E. Sorrell and Bonnie B. Sorrell, pay all costs in this cause.

It further appearing to the Court that the commissioners found that the condemnees were not damaged except as shown hereinabove, and if further appearing to the Court that the court cost in said cause has been paid, all of which was paid by Ralph E. Sorrell and Bonnie B. Sorrell; and the Court finding that Ralph E. Sorrell and Bonnie B. Sorrell have paid into this Court for disbursement to the parties herein named, all sums assessed as damages to each parcel described herein, if any, by the said commissioners heretofore appointed, which said sums are now held by this Court for distribution to the persons, firms or corporations entitled thereto.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the rights, easements, ways and rights of way sought to be condemned on, across and over the land described in said application and report of appraisers, and all rights and interests therein described be condemned, granted and awarded to applicants, said Ralph E. Sorrell and Bonnie B. Sorrell, and with the rights and for the use and purposes set forth in said application, and that all right, title and interest prayed for in said application, which is now condemned, granted and awarded to the applicants in and by this decree, be and the same is hereby divested out of the defendants, Ken Mitchell Builders, Inc., owner, and Robert E. Lee, Mary Nell Littlefield and Louella E. Honeycutt, individually and as trustees for the last will and testament of Tom Lee, deceased, and Central Bank of the South, mortgagees, and invested in applicants, Ralph E. Sorrell and Bonnie B. Sorrell;

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the application be and is hereby granted as to the parties and land named and described in the application and the relief, rights, interest, easements and privileges set out and described and prayed for in said application.

Done this 17th day of July, 1989.

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Thomas A. Snowden, Jr.
Judge of Probate
Shelby County, Alabama

STATE OF ALA. SHELBY
I CERTIFY THIS
INSTRUMENT WAS FILED

89 OCT 10 AM 8:48

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

1. Deed Tax	-----	\$	-----
2. Mtg. Tax	-----	\$	-----
3. Recording Fee	-----	\$	7.50
4. Indexing Fee	-----	\$	6.00
5. Stamp Fee	-----	\$	1.00
6. Notary Stamp Fee	-----	\$	-----
Total	-----	\$	14.50