

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

THE STATE OF ALABAMA,
Plaintiff,

VS.

SHERMAN INDUSTRIES, INC., record
owner in fee simple of certain
designated real estate; GLIDDEN
COATINGS AND RESINS, INC. holder
of materialmen's lien; AmSOUTH
BANK, as mortgagee; and ANNETTE
SKINNER as Tax Collector of
Shelby County,

Defendants.

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) CASE NO. 29-126
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DECREE OF CONDEMNATION

This cause coming on to be heard on report of Charles Seales,
J.D. "Bud" Falker, and Henry C. Vane, Commissioners
in this cause.

The Plaintiff in this cause having filed in this Court a
Complaint to condemn for use as a right-of-way, certain lands
owned by Sherman Industries, Inc., Glidden Coatings and Resins,
Inc., AmSouth Bank and Annette Skinner, Tax Collector as owners.

Further, the Court having heretofore made an order granting
said Complaint and said order having been made only after due and
legal notice of the filing of said Complaint and of the
appointment of a day for hearing the same had been given to all
owners, lienholders, and other persons alleged to have any
interest in the lands described in the Complaint and said order
having been made only after the proof by legal and competent
evidence of the averments of the Complaint.

Further, the Court having in its order made on the 26th day
of September, 1990, appointed Charles Seales, J.D. "Bud" Falker
and Henry C. Vane, Commissioners to assess and appraise the
damages and compensation to which the owners of said land are
entitled. Further, the Commissioners having filed in this Court
their report showing that after having first been sworn as jurors
are required to be sworn, they proceeded to assess the damages
and compensation to which the owners of the several tracts of
land described in said report and in the original Complaint, in
this cause, for use as rights-of-way for public road or highway
purposes and for such other purposes as are stated in said
Complaint and that after they had viewed said lands and had
received all evidence offered touching the amount of damages and
compensation to which said owners are entitled. Further, that
Commissioners have reported that the amount of damages and
compensation awarded to Sherman Industries, Inc., Glidden Coatings & Resins, Inc.
and AmSouth Bank, N.A. on account of the lands described in the

original Complaint and said report of said Commissioners, being required by the State for rights-of-way, identified in the Complaint for Order of Condemnation and being more particularly described as follows, to wit:

See Exhibit "A"

And it further appearing to the satisfaction of the court that Plaintiff is entitled to have all of the lands described in said report condemned for a right-of-way for public roads and highway purposes and condemned for the uses and purposes stated in the application, in this cause, and that Plaintiff is entitled to have said lands condemned for the purpose of acquiring the easement as stated in the Complaint in this cause.

And it appearing to the satisfaction of the Court that Plaintiff has already paid into the Court the amount of money awarded by said Commissioners to said owners, which said awards are subject to all outstanding valid claims, liens, and leases for the condemnation of the lands described in said report of said Commissioners and described in the original Complaint to condemn, in this cause, and has also paid all the court costs in this cause. It is therefore,

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ORDERED, ADJUDGED AND DECREED by the Court that the lands described herein and in the Complaint filed herein be and the same is hereby condemned for the use of right-of-way and such other uses as set out in the original Complaint filed herein and that the lands and to subject said lands for uses and purposes set forth in the original Complaint herein and said lands are condemned for the uses and purposes herein and above stated as against all parties having an interest therein especially condemned against the interest of Sherman Industries, Inc., Glidden Coatings and Resins, Inc., AmSouth Bank and Annette Skinner, Tax Collector. It is further

ORDERED, ADJUDGED AND DECREED by the Court that the Commissioner's Report is approved and adopted and the compensation due the Defendants is as stated in said Report. It is further

ORDERED by the Court that all papers on this proceeding be recorded.

DONE this 29th day of October, 1990.

Thomas E. Anderson, Jr.
Judge of Probate

Tract 43

EXHIBIT "A"

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Commencing at the southeast corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 6, T-24-N, R-13-E; thence northerly along the east line of said SE $\frac{1}{4}$ of NW $\frac{1}{4}$ a distance of 668 feet, more or less, to a point that is 55 feet southeasterly of and at right angles to the centerline of Project No. OLB-059-025-001 and the point of beginning of the property herein to be conveyed; thence S 84° 57' 30" W parallel with the centerline of said project a distance of 62 feet, more or less, to a point that is 55 feet southeasterly of and at right angles to the centerline of said Project at Station 156+83.01; thence southwesterly along a curve to the right (concave northwesterly) having a radius of 5784.58 feet, parallel with the centerline of said Project a distance of 161 feet, more or less, to a point that is 55 feet southeasterly of and at right angles to the centerline of said Project at Station 155+24.15; thence S 86° 32' 49" W, parallel with the centerline of said Project, a distance of 231 feet, more or less, to the west property line; thence northerly along said west property line a distance of 29 feet, more or less, to present southeast right-of-way line of Alabama Highway No. 25; thence northeasterly along said present southeast right-of-way line a distance of 915 feet, more or less, to the present northwest right-of-way line of Dry Valley Road; thence southwesterly along said present northwest right-of-way line a distance of 156 feet, more or less, to a point that is northwesterly of and at right angles to the traverse of said Road at Station 8+00; thence northwesterly along a line a distance of 20 feet, more or less, to a point that is 40 feet northwesterly of and at right angles to the traverse of said Road at said Station 8+00; thence northwesterly along a line a distance of 96 feet, more or less, to a point that is 55 feet southeasterly of and at right angles to the centerline of said Project at Station 160+50; thence S 84° 57' 30" W, parallel with the centerline of said Project a distance of 305 feet, more or less, to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 6, T-24-N, R-13-E and containing 0.75 acre, more or less.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

90 NOV 26 AM 9:38

JUDGE OF PROBATE

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

90 AUG 17 PM 3:02

JUDGE OF PROBATE

1. Dead Tax	—	\$	—
2. Mtg. Tax	—	\$	—
3. Recording Fee	—	\$	2.50
4. Indexing Fee	—	\$	3.00
5. No Tax Fee	—	\$	—
6. Certified Fee	—	\$	1.00
Total	—	\$	11.50