

RECEIVED DEC 14 1988

FILED IN OFFICE THIS THE DEC 13 1988 DAY

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

OF _____ 19
Ryle Langford

Circuit Clerk and Register
Shelby County, Alabama

STATE OF ALABAMA,)

Plaintiff,)

vs.)

RANDY L. TRICE, et al.,)

Defendants.)

CASE NO. 88-036

Tract No. 1A

ORDER AND DECREE OF CONDEMNATION

THIS CAUSE was commenced on August 14, 1987, in the Probate Court of Shelby County, Alabama, by filing a complaint to condemn the property hereinafter described under and pursuant to The Constitution and the laws of the State of Alabama. This case is now before this Court, on appeal from the Order of Condemnation made and entered in the Probate Court of this County the 22nd day of December, 1987. The Court is of the opinion and finds that it has jurisdiction of the cause and the parties.

The parties stipulated that the State of Alabama has the lawful right to condemn the property hereinafter described for public highway purposes and that the only issue remaining was the just compensation to be paid by the State to the Defendants.

The parties to this cause announced to the Court that, subject to approval of the Court, they had arrived at an agreement on the valuation issue and further, that all demands for jury trial are withdrawn; an order of condemnation may be entered in the Circuit Court of Shelby County, Alabama, in this cause granting the application for order to condemn the property

R. Bradford Wash

BOOK 349 PAGE 464

therein described as prayed in said petition, and fixing the just compensation at the sum of One Thousand Five Hundred Dollars (\$1,500.00); that all costs to date shall be taxed against the plaintiff, the State of Alabama, and that the party having right, title and interest in and to said property is Randy L. Trice.

It is therefore, ORDERED, ADJUDGED and DECREED by the Court that the complaint for the condemnation of the hereinafter described lands be, and the same hereby is, granted and allowed. As noted, the parties stipulated and agreed and the Court finds and determines that the just compensation to which the Defendant is entitled in this cause should be and is the sum of One Thousand Five Hundred Dollars (\$1,500.00).

And now comes the plaintiff by its attorney and shows unto the Court that it has heretofore deposited with the Judge of Probate of Shelby County, Alabama, the sum of Five Hundred Dollars (\$500.00) as damages and compensation for the condemnation of the lands hereinafter described, which said sum has been transferred and delivered by the Judge of Probate Court of Shelby County, Alabama, to the Clerk of this Court, who now has possession of said funds.

It is hereby ORDERED, ADJUDGED and DECREED by the Court that the State of Alabama is ordered to pay to the Clerk of this Court One Thousand Dollars (\$1,000.00) plus court costs to satisfy this final Order.

It is further ORDERED, ADJUDGED and DECREED by the court that the Clerk of this Court hereby is authorized and directed to pay to the defendant the sum of One Thousand Five Hundred Dollars

(\$1,500.00).

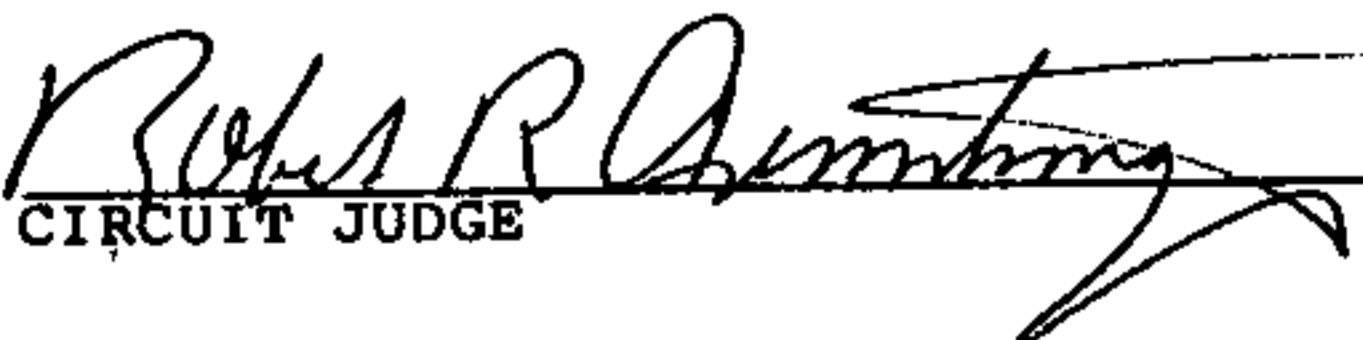
It is further ORDERED, ADJUDGED and DECREED by the court that the plaintiff, State of Alabama, be and hereby is given and awarded and it is hereby transferred and conveyed to the plaintiff, State of Alabama, the hereinafter described lands, for the uses and purposes sought in the petition or application. Said lands being condemned are as follows:

Commencing at the southeast corner of the SE 1/4 of the SE 1/4, Section 33, T-21-S, R-2-W; thence northerly along the east line of said SE 1/4 of SE 1/4 a distance of 1070 feet, more or less, to a point that is 55 feet southwesterly of and at right angles to the centerline of Project No. F-478(1) and the point of beginning of the property herein to be conveyed; thence northwesterly along a curve to the right (concave northeasterly) having a radius of 5821.42 feet, parallel with the centerline of said project a distance of 60 feet, more or less, to a point that is 55 feet southwesterly of and at right angles to the centerline of said project at Station 25190.16; thence N 81° 12' 12" W, parallel with the centerline of said project a distance of 680 feet, more or less, to the west property line; thence northerly along said west property line a distance of 15 feet, more or less, to the present southwest right-of-way line of Alabama Highway No. 70; thence southeasterly along said present southwest right-of-way line a distance of 745 feet, more or less, to the east line of said SE 1/4 of SE 1/4, the east property line; thence southerly along said east property line a distance of 15 feet, more or less, to the point of beginning.

Said strip of land lying in the SE 1/4 of SE 1/4, Section 33, T-21-S, R-2-W and containing 0.257 acre, more or less.

ALL DONE and ORDERED this the 13 day of Dec,

1988.


CIRCUIT JUDGE

BOOK 349 PAGE 466

APPROVED:

BOOK 349 PAGE 467

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

91 JUN 20 AM 10: 25

W. H. ...
JUDGE OF PROBATE

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8.00

7.00

14.00