

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

STATE OF ALABAMA,

PLAINTIFF,

vs.

NITA TURNBLOOM,

DEFENDANT.

CASE NO.

TRACT NO. 3

COMPLAINT FOR CONDEMNATION

Comes now the State of Alabama as Plaintiff in the above-styled cause and files this its Complaint in the Probate Court of Shelby County, Alabama for a Judgment of Condemnation of the lands and interest in lands hereinafter described and as a basis for the relief prayed for shows unto the Court as follows:

FIRST

Plaintiff is authorized by the Constitution and laws of the State of Alabama to institute and prosecute this proceeding for the purposes stated and is not required to give bond for security of costs under the provisions of law.

SECOND

Prior to the commencement of this action, the Highway Director of the State of Alabama found, ascertained and determined that the hereinafter described lands are necessary for use for public road or highway purposes and has authorized and directed the institution

*Prayer A. Whitman Jr.
903 City Fed Bldg
Shelby 35203*

STATE OF ALABAMA vs. NITA TURNBLOOM

CASE NO.

of prosecution of this proceeding to condemn said lands. The property when condemned will be devoted to the public purposes specified.

THIRD

Plaintiff seeks to condemn the fee title to the parcels of land described in Exhibit A, which is attached hereto, and made a part hereof by reference, for public road or highway purposes, with the right to remove all improvements, trees, undergrowth and other obstructions situated on said lands, the right to prevent any person from placing or maintaining any obstructions on said lands, and also the right to enter upon said lands for the purpose of constructing, maintaining and repairing the public improvements constructed or installed thereon.

FOURTH

Plaintiff avers that to the Plaintiff's knowledge the herein named person is the person who is the owner or who claims any interest in the property sought to be taken. The Defendant is over the age of nineteen years and is of no legal disability unless otherwise specifically recited. Said person is identified as follows:

Ms. Nita Turnbloom
Post Office Box 40044
Tuscaloosa, Alabama 35404


STATE OF ALABAMA vs. NITA TURNBLOOM

CASE NO.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this Court will make and enter an Order appointing the day for hearing of this Complaint and will cause notice of this Complaint on and notice of the day set for hearing to be issued to the above named Defendant, as provided by law and the rules of this Honorable Court, and that upon final hearing of this Complaint, this Court will order and decree that the Plaintiff is entitled to acquire said lands or interest in lands for the public purposes herein set forth; and that this Court will appoint appraisers to ascertain and report the damages occasioned by such taking, and the compensation to be allowed the Defendant for such taking; and will make and enter in this cause all such other, further and different orders and decrees as it deems necessary in the premises.

STATE OF ALABAMA


BY:


BRYANT A. WHITMIRE, JR.
Special Assistant Attorney
General for the State of
Alabama


STATE OF ALABAMA

JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Bryant A. Whitmire, Jr., who is known to me and who, being by me first duly sworn, deposes and says that he is a Special Assistant Attorney General of the State of Alabama, and as such is authorized to make this affidavit, that he has read the above and foregoing Complaint for Condemnation, and that the averments of fact contained therein are true and correct.

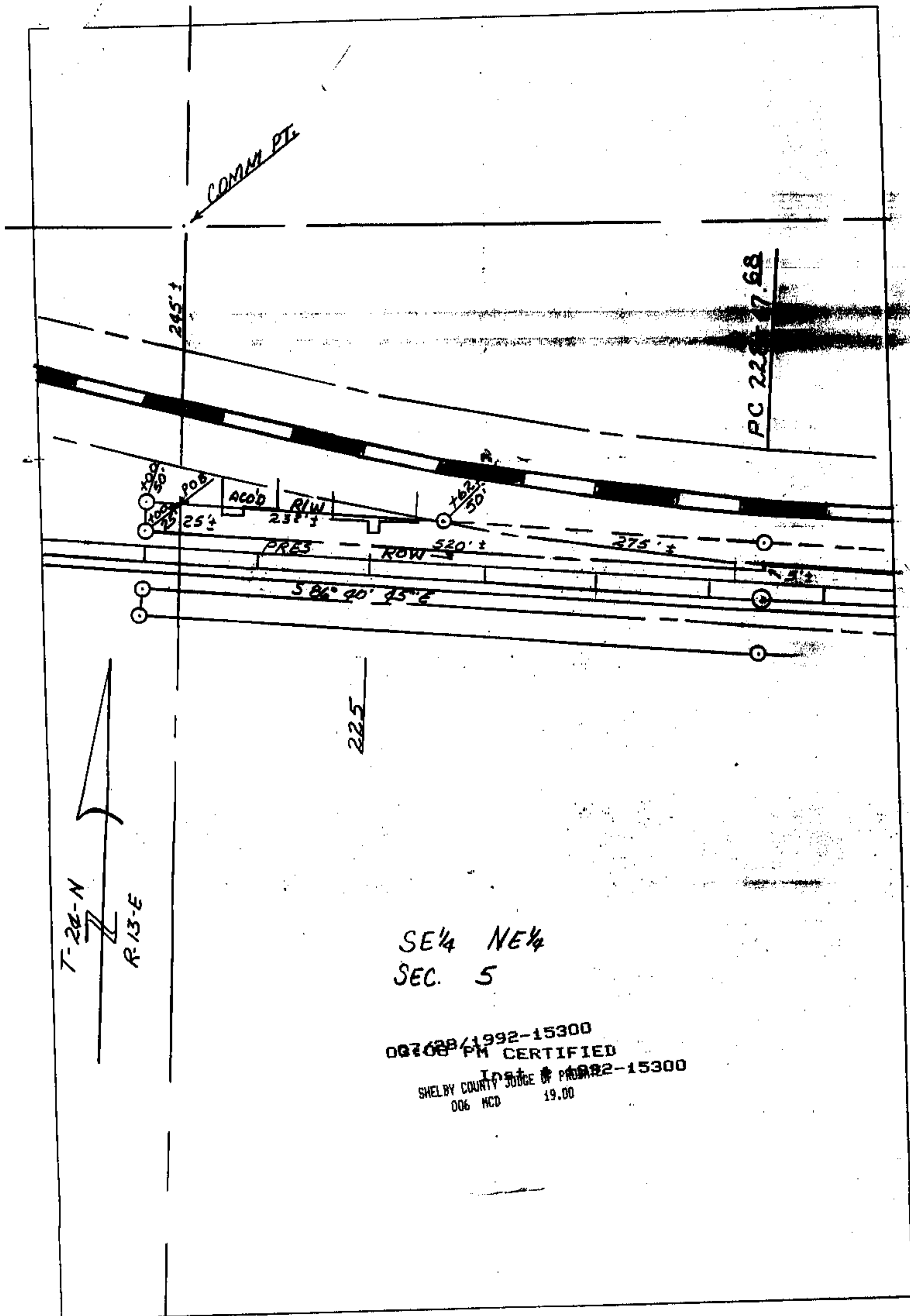

BRYANT A. WHITMIRE, JR.

Sworn to and Subscribed before me on this the 8th day of
July, 19 92.


NOTARY PUBLIC

Bryant A. Whitmire, Jr.
903 City Federal Building
Birmingham, Alabama 35203
(205) 324-6631

Commencing at the northwest corner of the SE 1/4 of NE 1/4 Section 5, T-24-N, R-13-E; thence southerly along the west line of said SE 1/4 of NE 1/4 a distance of 245 feet, more or less, to a point that is 50 feet northeasterly of and at right angles to the centerline of Project No. S-44-10 and the point of beginning of the property herein to be conveyed; thence continuing southerly along said west line, the west property line, a distance of 25 feet, more or less, to a point on the present north right-of-way line of Alabama Highway No. 25; that is 25 feet northeasterly of and at right angles to the centerline of Project No. S-44-10; thence N 86° 40 feet 45 inches W, along said present north right-of-way line and parallel with the centerline of said project, a distance of 520 feet, more or less, to a point that is 25 feet northeasterly of and at right angles to the centerline of said project at Station 228+47.68; thence turn an angle of 90° 00 feet to the left and run a distance of 5 feet, more or less, to the present south right-of-way line of the Southern Railroad; thence westerly along said present south right-of-way line a distance of 275 feet, more or less, to a point that is 50 feet northeasterly of and at right angles to the centerline of said project; thence N 86° 40 feet 45 inches W, parallel with the centerline of said project a distance of 232 feet, more or less, to the point of beginning.



TRACT NUMBER 3 STATE OF ALABAMA HIGHWAY DEPARTMENT
 OWNER: NITA TURNBLOOM PROJ. NO. S-44-10
 COUNTY: SHELBY
 TOTAL ACREAGE: 0.307 SCALE: 1" = 100'
 R/W REQUIRED: 0.219 DATE: 5/13/91