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6-25-92

Probate Judge
Shelby County

STATE OF ALABAMA

vs.

ANNIE PEARL DORSEY LEWIS, et al

IN THE COURT OF PROBATE OF
SHELBY COUNTY, ALABAMA

18-69

FINAL ORDER OF CONDEMNATION

This cause coming on to be heard on this day for a decree confirming the report of the commissioners heretofore appointed in this cause, and for an order of condemnation in the pursuance thereof as to the lands and interests described in the application heretofore filed in this cause;

And it appearing to the Court that on, to-wit, the 15th day of March, 1973, this Court heard the allegations of said application as to the parties and lands named and described in said application and all legal evidence offered by the parties touching the same, and did make an order granting said application for the condemnation of certain lands, rights and interests therein described, and did also in and by said order and decree appoint Harold Rubin, J. B. Blatzer and Don Richards, three citizens of said County of Shelby, in which county the lands sought to be condemned are situated, possessing the qualification of jurors, and who are disinterested, to assess the damages and compensation to which the owners of the lands described in said application are entitled;

And it further appearing to the Court that notice of the appointment of said three named persons as commissioners was issued by this Court to the Sheriff of said County of Shelby, as required by law, and by said Sheriff served on said three named persons as commissioners within five days from the receipt thereof by him;

And it appearing to the Court that said commissioners, before entering upon the discharge of their duties in the premises, were sworn as jurors are sworn, and that they did thereafter receive all legal evidence offered by the parties touching the amount of damages the owners of or the owners of an interest in said lands will sustain and the amount of compensation they are entitled to receive;

And it further appearing to the Court that said commissioners did on, to-wit, the 23 day of March, 1973, make their report in writing to this Court, stating the amount of damages and compensation ascertained and assessed by them for the owners of, or the owners of an interest in the lands described in said application, as follows:

To: Annie Pearl Dorsey Lewis, Rosie Bud Dorsey, Solomon Dorsey, Irene Dorsey, the sole and surviving heirs at law, or devisees under the Will of Carl Dorsey, deceased, whose names, ages and addresses are unknown and cannot be ascertained after most diligent inquiry, the sole owners of the lands described in Tract No. 3, Paragraph 3 - \$ 1,980.00

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

It is, therefore, ordered, adjudged and decreed by the Court that the said report of commissioners be and the same is hereby ordered to be recorded, together with said application and all the orders and decrees made in the cause and the pleadings filed therein.

And it further appearing to the Court that the damages and compensation so ascertained and assessed by said commissioners for the said defendants, the owners of or the owners of an interest in the lands described in said application, have been deposited in money in this Court by the applicant, State of Alabama;

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It is further ordered, adjudged and decreed by the Court that the applicant, the State of Alabama, pay all costs incurred in this cause.

And it further appearing to the satisfaction of the Court that all things necessary and required by the Code of Alabama of 1940 as recompiled as to condemnations, have been done and performed by the applicant.

It is further ordered, adjudged and decreed by the Court that the lands sought to be condemned in said application and the rights and interests therein described, be and they are hereby condemned, granted and awarded to said applicant, State of Alabama, and that all rights, title and interests prayed for in said application in and to said land which are now condemned, granted and awarded to the applicant in and by this decree, be and the same are hereby divested out of the said defendants, the owners of or the owners of an interest in the lands described in said application and vested in the applicant;

And it is further ordered, adjudged and decreed by the Court that the applicant be and it is hereby granted and awarded the property sought to be condemned in said application and that all right, title and interest prayed for in said petition, which is now condemned, granted and awarded to applicant in and by this decree, be and the same is hereby divested out of the said defendants and vested in the applicant, State of Alabama;

Done in open court, this the 10 day of April, 1973.

Conrad M. Fowler
Judge of the Court of Probate
of Shelby County, Alabama

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