

I certify this to be a true and correct copy

4/25/92

Probate Judge  
Shelby County

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STATE OF ALABAMA,

Petitioner

V.

RALPH W. DARBY, et al.

IN THE

PROBATE COURT

OF

SHELBY

COUNTY, ALABAMA

CASE NO. 23-94

DECREE OF CONDEMNATION

THIS CAUSE was submitted to the Court for a Decree confirming the report of the Commissioners heretofore appointed in said cause and for an order of Condemnation as to the lands described in the Commissioners' Report and in the original Petition filed in this Court by the State of Alabama, and it appearing to the Court that on 7th April, 1983 this Court heard

the allegations of the Petition filed by the State of Alabama in this cause and all legal evidence presented by any interested party and on 15th April, 1983

the Court made an Order granting said Petition for the condemnation of the property described as follows:

Tract # 19, 24, 25, 26, and 30

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SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 11.50

that the Court appointed Charles Seales,

Hoyt Henderson

, and

Charlotte Draper

each being citizens of Shelby County, Alabama, in which the lands sought to be condemned are situated, who were disinterested and who possessed the qualifications of jurors to assess the damages and compensation to which the Defendants in this cause are entitled; and it appearing to the Court that notice of the appointment of the said Commissioners was issued by this Court to the Sheriff of Shelby County and by said Sheriff served on them as required by law; that said Commissioners were sworn and did thereafter receive

all legal evidence offered by the parties relative to the amount of damages the owners of said property will sustain and the amount of compensation to which they are entitled; that the Commissioners did on, to-wit, May 3, 1983

                     make their report in writing to this court stating                       
\$96,074.50

776  
56  
BOOK to be the amount of damages and compensation assessed by them for the taking and condemnation of said property; and it further appearing to the Court that said Commissioners filed a certificate along with their Award stating none of them has ever been consulted, advised with or approached by any person in reference to the value of the property or the proceedings to condemn the same prior to the assessment of damages and that they knew nothing of the same prior to the assessment of damages and that they knew nothing of the same prior to their appointment, and the Court having considered and understood all of the hereinabove stated matters, it is, therefore

ORDERED, ADJUDGED, and DECREED by the Court that applicant, the State of Alabama, pay all costs incurred in this cause;

And it further appearing to the Court that the damages and compensation so ascertained and assessed by said Commissioners for the Defendants,

Tract 19 \$48,796.00; Tract 24 \$35,270.00; Tract 25 \$3,395.00

Tract 26 \$8,100.00; Tract 30 \$513.50


have been deposited in this Court;

And it further appearing to the Court that all things necessary and

required by the laws of the State of Alabama have been done and performed by the applicant;

It is further ORDERED, ADJUDGED, and DECREED, and is the Judgment of this Court, that the property sought to be condemned by said Petition be condemned, granted, and awarded to the applicant, the State of Alabama, and all right, title, and interest prayed for in said Petition which is now condemned, granted, and awarded to the applicant in and by this Decree, be and the same is hereby divested out of said Defendants and vested in the applicant.

DONE this the 23rd day of May, 19 83.

  
JUDGE OF THE COURT OF PROBATE  
SHELBY COUNTY, ALABAMA

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SHELBY COUNTY Judge of Probate  
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Filed this 23 day of May 1983  
THOMAS A. SNOWDEN JR.  
Judge of Probate