

IN THE PROBATE COURT FOR SHELBY COUNTY, ALABAMA

STATE OF ALABAMA,

Plaintiff,

vs.

HAROLD R. WALKER, et al.,

Defendants.

CASE NO. 23-132

I certify this to be a true and correct copy

6/25/92

Probate Judge
Shelby County

1992-29578
12/09/1992-29578
03:52 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
16.50

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This cause coming on to be heard on this day for a final decree confirming the report of the commissioners heretofore appointed by the Court in this cause, and for an order of condemnation in the pursuance thereof, as to the lands described in said petition in said cause which was filed in this Court on the 1st day of December, 1982, and as described in said report; and it appearing to the Court that on the 2nd day of March, 1983, this Court heard the allegations of said application as to the land and party described and named in said application, and did make an order granting said application for condemnation of certain lands, rights, interests and easements therein, as prayed for in said application, and did also, in and by the terms of said decree appoint Tom Lloyd, Charles Seales and J. D. Falkner, three citizens of Shelby County, Alabama, in which county the land sought to be condemned is situated, said men being disinterested, and possessing the qualifications of jurors, to assess the damages and compensation to which the land owner named in said application is entitled, and it further appearing to the court that notice of the appointment of said three persons as commissioners was issued by the Court to the Sheriff of said County as required by law, and also by said Sheriff served on said three persons named as commissioners, on the 29th day of March, 1983, and it further appearing to te Court that said commissioners, Tom Lloyd, Charles Seales and J. D. Falkner, undertook to act and did act as commissioners under said appointment and order hereinabove specified and that before entering upon the discharge of their duties in the premises

they were sworn as jurors are sworn and as provided by law, and that they did thereafter view the lands sought to be condemned, and did thereafter receive all legal evidence offered by the party touching the amount of damages that the owner of said lands did sustain and the amount of compensation each was entitled to receive; and it further appearing to the Court that said commissioners did on the 1st day of April, 1983, make and report in writing to this Court stating the amount of damage and compensation assessed by them for the owners of said land described in said application, which said awards are as follows:

That parcel of land described in Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein.

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

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

It is further ordered, adjudged and decreed by the Court that applicant, State of Alabama, pay all cost in this cause and damages in the amount of \$46,502.50.

It is therefore, ordered, adjudged and decreed by the Court that the rights, easements, ways and rights of way sought to be condemned on, across and over the land described in said application and report of appraisers, and all rights and interest therein described be condemned, granted and awarded to applicant,

said State of Alabama, with the rights and for the use and purposes set forth in said application, and that all right, title and interest prayed for in said application, which is now condemned, granted and awarded to the applicant in and by this decree, be and the same is hereby divested out of the said

Harold R. Walker
Frances J. Walker

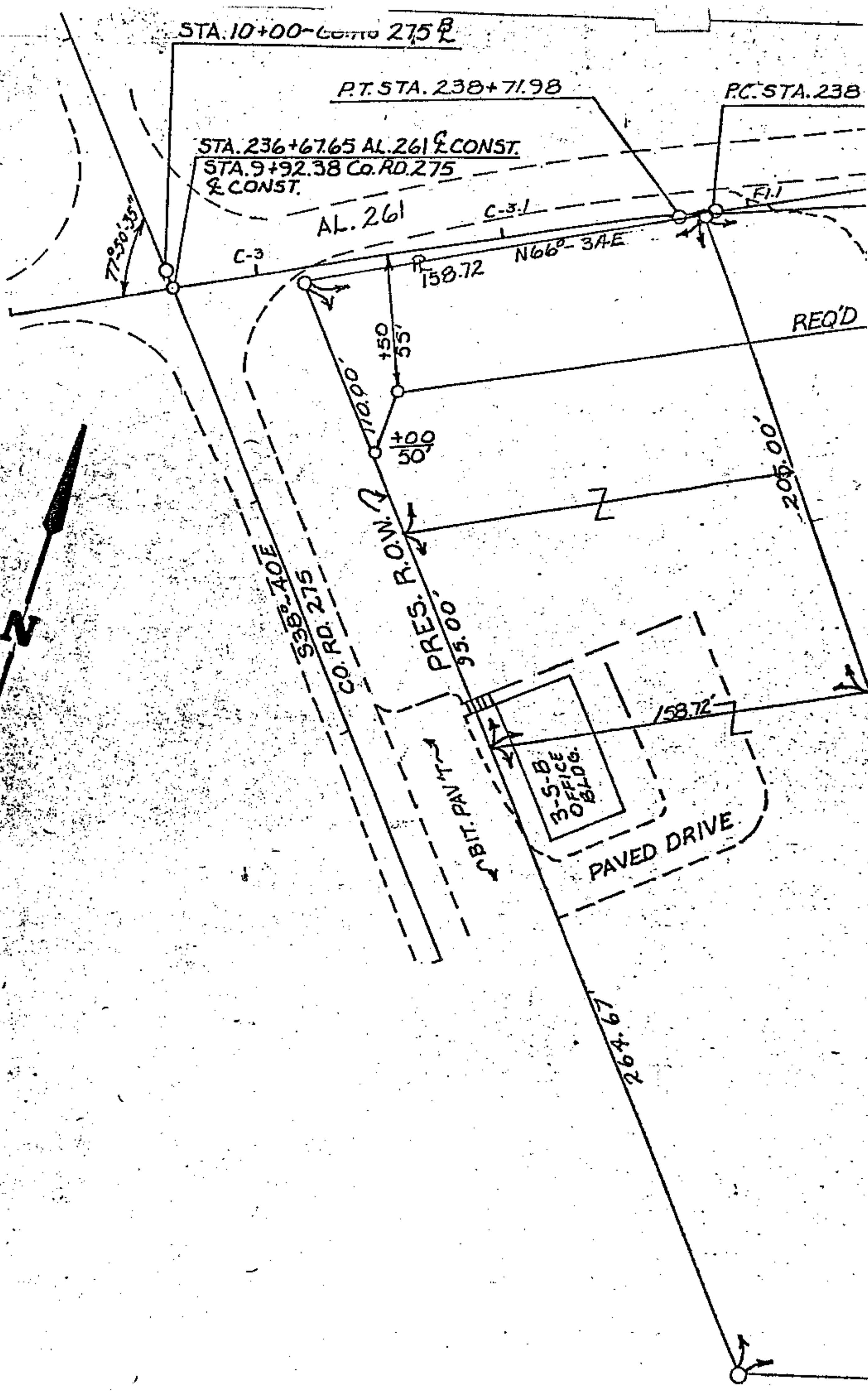
and invested in applicant, State of Alabama; and it is further ordered, adjudged and decreed by the Court that applicant be and is hereby granted as to the party and land named and described in the application and the relief, rights, interest, easements and privileges set out and described and prayed for in said application.

Done this the 9th day of May, 1983.

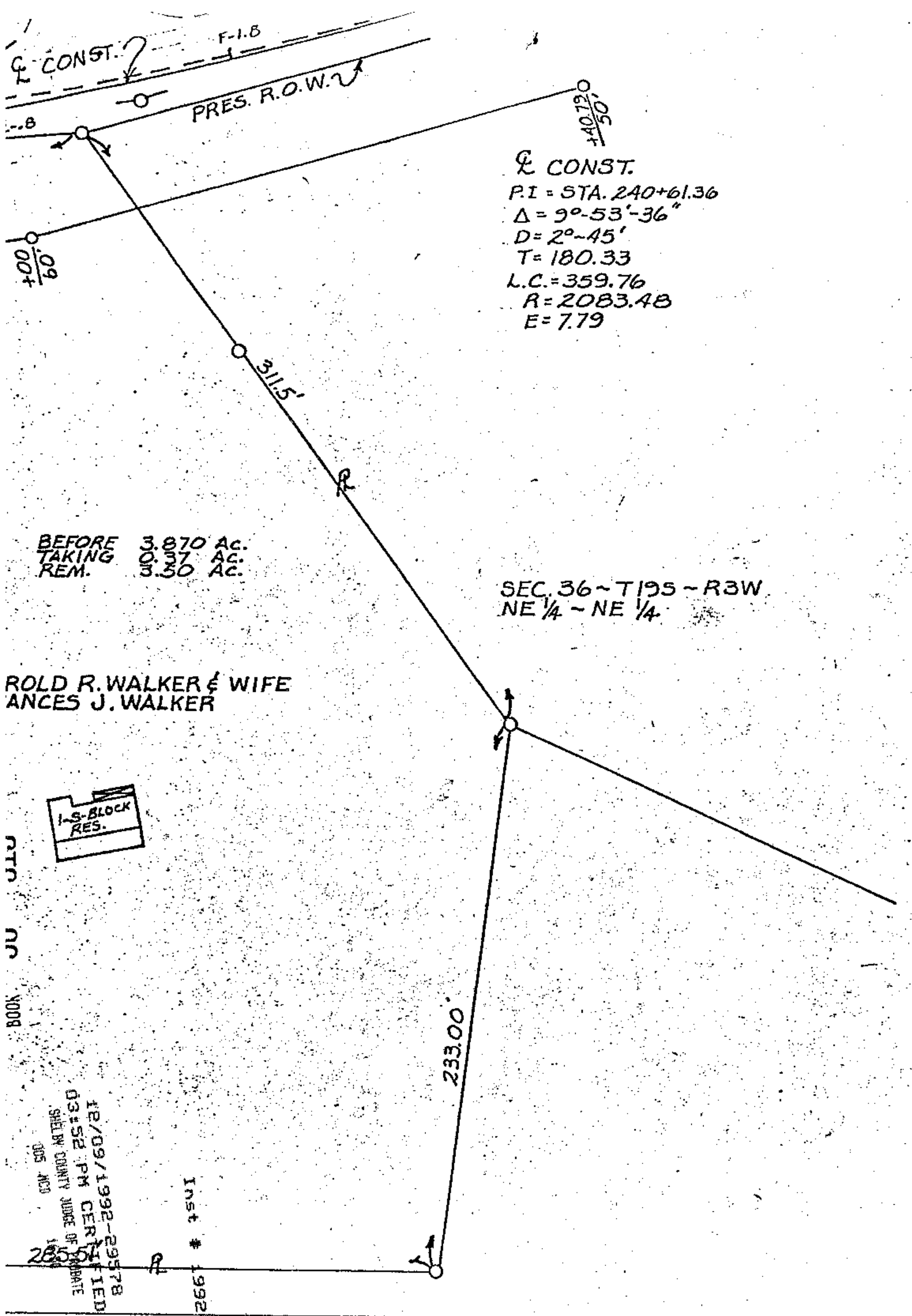
Thomas C. Snowden, Jr.
Judge of Probate

Filed this 9 day of May 1983
THOMAS A. SNOWDEN JR.
Judge of Probate

BOOK 56 512



TRACT NO. 3
OWNER: HAROLD R. WALKER & WIFE
FRANCES J. WALKER
BEFORE: 3.870
TAKING: 0.37
AFTER: 3.50



Q CONST.
 P.I. = STA. 240+61.36
 $\Delta = 90^{\circ}53'36''$
 $D = 2^{\circ}45'$
 $T = 180.33$
 $L.C. = 359.76$
 $R = 2083.48$
 $E = 7.79$

STATE OF ALABAMA
 HIGHWAY DEPARTMENT
 PROJ. RS-5936(102)

SCALE: 1" = 50'
 DATE: _____