

STATE OF ALABAMA,  
  
Petitioner,  
  
v.  
  
JAMES C. EARNEST, et. al.,  
  
Defendants.

IN THE PROBATE COURT  
OF  
SHELBY COUNTY, ALABAMA  
CASE NO. 23-88

Inst # 1993-03105

02/02/1993-03105  
03:23 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
11:50  
003 MCO

REPORT OF COMMISSIONERS

TO THE HONORABLE JUDGE OF SAID COURT:

The undersigned Commissioners, heretofore appointed by this Honorable Court, hereby report unto your Honor that we have viewed the real estate sought to be condemned in this proceeding described as follows, to-wit: 48A, 45I, 64, 45F, 47 and have received all legal evidence offered by any party relative to the amount of damages the owners of said real estate will sustain, and hereby fix the amount of compensation to which the owners are entitled to the sum of

As to Tract 48A - \$225.00  
As to Tract 45I - \$2,050.00  
As to Tract 64 - \$12,586.00  
As to Tract 45F - \$150.00  
As to Tract 47 - \$12,555.00

We certify that none of us has been consulted, advised with or approached by any person with reference to the value of the real estate, or the proceedings to condemn the said real estate prior to the assessment of damages and that we knew nothing of the same prior to our appointment.

IN WITNESS WHEREOF, we have hereunto set our hands this the 6th day of December, 1982.

COMMISSIONERS:

Filed this 6 day of Dec 1982  
THOMAS A. SNOWDEN JR.  
Judge of Probate

J. (Buck) Fellers  
Charles Fellers  
Thomas A. Snowden

I certify this to be a true and correct copy  
6/25/92  
Probate Judge  
Shelby County

STATE OF ALABAMA,	)	
	)	
Petitioner,	)	
	)	IN THE PROBATE COURT
v.	)	OF
	)	SHELBY COUNTY, ALABAMA
JAMES C. EARNEST, ET AL.,	)	CASE NO. 23-88
Defendants.	)	
	)	

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 November 16, 1982 this Court heard the allegations of the Petition filed by the State of Alabama in this cause and all legal evidence presented by an interested party and on November 16, 1982 the Court made an order granting said Petition for the condemnation of the property described as follows:

Tracts 45-F, 45-I, 47, 64, and 48-A of Project No. F-248(17) of the State of Alabama Highway Department, Shelby County, Alabama,

that the Court appointed Robert Dow, Buck Falker, and Charles Seales, 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, December 6, 1982 make their report in writing to this Court stating:

Tract 45-F - One Hundred Fifty and no/100 Dollars (\$150.00)  
 Tract 45-I - Two Thousand Fifty and no/100 Dollars (\$2,050.00)  
 Tract 47 - Twelve Thousand Five Hundred Fifty-Five and no/100 Dollars (\$12,555.00)  
 Tract 64 - Twelve Thousand Five Hundred Sixty-Eight and no/100 Dollars (\$12,586.00)  
 Tract 48-A - Two Hundred Twenty-Five and no/100 Dollars (\$225.00)

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

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the proceedings to condemn 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,

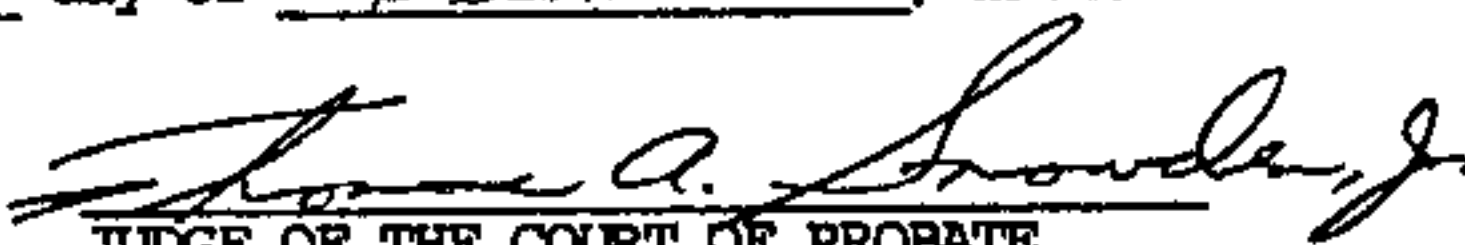
James C. Earnest, Phemie C. Earnest, Gerald Vick, Betty Jo Vick, M. B. Lawley, William W. Jessup, Mollie W. Jessup, E. Ray Large, Stanford J. Skinner, Trimm Building Corp. Inc, First Alabama Bank, Birmingham Trust National Bank, Dale Corley, Hugo A. Hoehn, Margaret D. Hoehn, Curtis Strickland, Joyce Strickland, Jeffco Finance & Discount Co., L. N. Wyatt, Jr., Ronnie Wyatt, Donnie Wyatt, Terry Wyatt, Faye Quick

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 17 day of December, 1982.

  
JUDGE OF THE COURT OF PROBATE  
Shelby County, Alabama

Filed this 17 day of Dec 1982  
THOMAS A. SNOWDEN JR.  
Judge of Probate

Inst # 1993-03105

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