

STATE OF ALABAMA

Plaintiff,

vs.

John Doe, Executor of Estate of  
M. L. JOHNSON, R. L. Johnson, et al

Defendants.

(TRACT NO. 2-PARCEL NO. 1)

R. L. Johnson  
Rt. 2, Box 300  
Pelham, Alabama 35124

CONTINUED BELOW

(TRACT NO. 3-PARCEL NO. 2)

Joseph V. Lovoy  
Route 1 Box 451  
Helena, Alabama 35080

Fannie V. Lovoy  
Route 1 Box 451  
Helena, Alabama 35080

AS TO ALL TRACTS:  
Tax Collector  
Shelby County Courthouse  
Columbiana, Alabama

Tax Assessor  
Shelby County Courthouse  
Columbiana, Alabama

APPLICATION FOR ORDER OF CONDEMNATION

Tract No. 2

Haynie Johnson  
Rt. 2, Box 300  
Pelham, Alabama 35214

Lynda J. Cline  
Helena, Alabama

L. E. Cline  
Helena, Alabama

Addie J. Smith  
1402 2nd Avenue South  
Irondale, Alabama 35210

Theron Smith  
1402 2nd Avenue South  
Irondale, Alabama 35210

IN THE PROBATE COURT  
OF SHELBY COUNTY,  
ALABAMA

CASE NO: 20-257

Inst # 1993-03108

02/02/1993-03108  
03:23 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOUG MCD 11.50

Alabama Highway Department  
Project No. ST-1894(2)

Tracts 2, and 3

I certify this to be a true and  
correct copy *Thomas A. Howland*

Probate Judge  
Shelby County

6/25/92

APPLICATION FOR ORDER OF CONDEMNATION

Now comes the State of Alabama, as petition in the above cause, and files this its application, in the Probate Court of Jefferson County, Alabama, for an order of condemnation of the lands and interests in lands described below, and, as a basis for the relief herein sought, shows unto the Court as follows:

1. Petition is authorized by the Constitution and Laws of the State of Alabama to institute and prosecute this proceedings for the purpose stated and specifically by Section 23 of the Constitution of Alabama, Title 19, Chapter 1 and Title 23, Sections 25 1/2 and 145, 1958 Recompiled Code of Alabama.

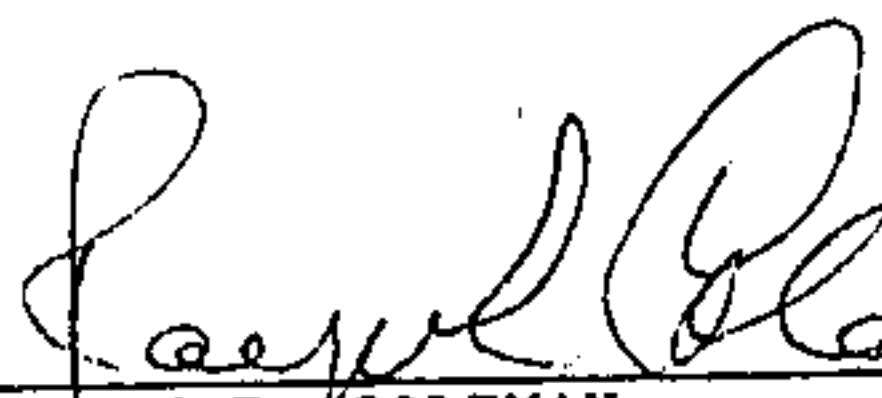
2. The Highway Department of the State of Alabama has ascertained and determined that the acquisitions of the property and property rights herein described are desirable and necessary in the public interest for public use for the construction and maintenance of a public highway.

3. By written direction of the Governor of the State of Alabama and the Attorney General of the State of Alabama, the undersigned, Ralph E. Coleman, has been appointed a Special Assistant Attorney General of the State of Alabama and instructed and authorized to institute and prosecute this action to acquire the properties hereinafter described for the public purpose stated.

4. Petitioner seeks to condemn the fee title to the property and property rights set out and described in Exhibit "A" attached hereto and expressly made a part hereof by reference and adoption for the purpose of constructing, maintaining and repairing public roads thereover or thereunder. Petitioner avers that the lands set out and described in Exhibit A attached are owned by the defendants set out underneath the description of said lands, and petitioner avers that each of the individual defendants is over the age of twenty one (21) years and under no legal disability, unless otherwise specifically recited, and that each resides at the address set opposite his or her name.

Petitioner avers that said property, when condemned, will be devoted to public road or highway purposes, specified and as authorized by the constitutional and statutory provisions set out above.

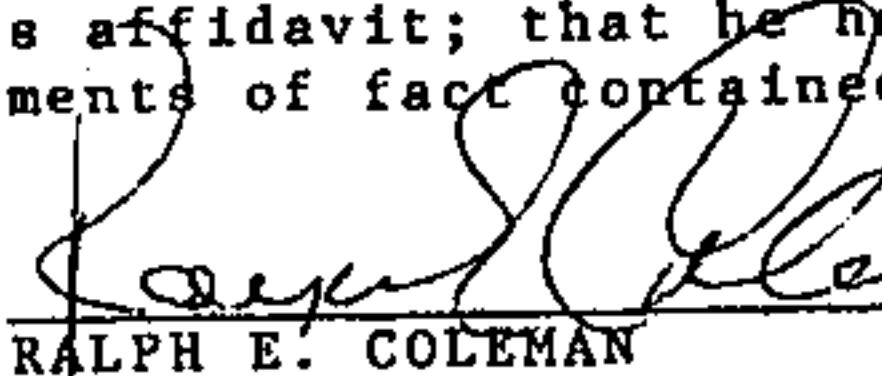
WHEREFORE, PREMISES CONSIDERED, Petitioner prays that this Court will make and enter an order appointing a day for the hearing of this application and will cause to issue to the defendant notice of this application and will cause to issue to the defendant notice of the filing hereof and of the day set for the hearing of same, all as provided by Law, and that, upon final hearing of this petition, this court will order and decree that petitioner is entitled to acquire said property and property rights for the purposes set out herein; that this court will appoint commissioners to ascertain and report the just compensation to be awarded by reason of such taking, and will make and enter a final order of condemnation in this cause and such other and further orders as may be necessary or proper in the premises.



RALPH E. COLEMAN  
Special Assistant Attorney General  
For the State of Alabama  
2175 11th Court South  
Birmingham, Alabama 35205  
Phone: (205) 939-0444

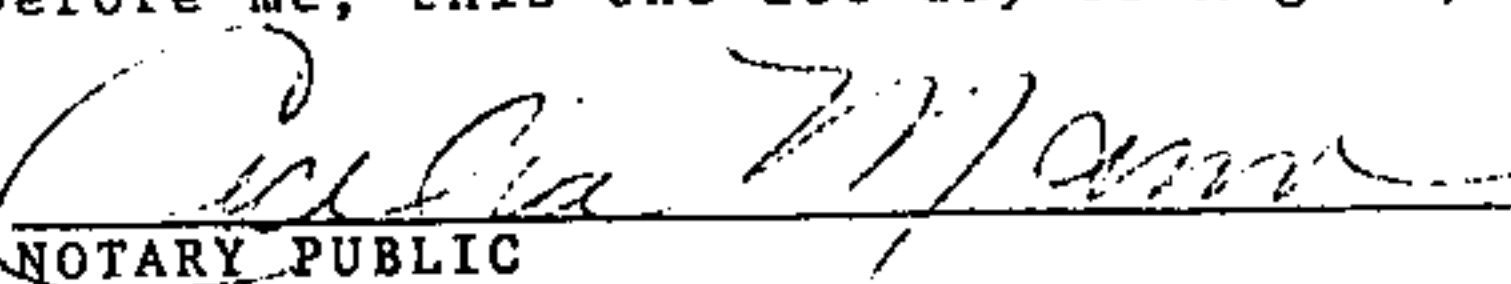
STATE OF ALABAMA  
SHELBY COUNTY

Before me, the undersigned authority, in and for said County, in said State, personally appeared RALPH E. COLEMAN, who is known to me and who being by me first duly sworn, deposes and on oath says that he is Special Assistant Attorney General of the State of Alabama, and as such is authorized to make this affidavit; that he has read the foregoing petition, and that the averments of fact contained therein are true.



RALPH E. COLEMAN

Subscribed to and sworn to before me, this the 1st day of August, 1978.



NOTARY PUBLIC

Filed this 3 day of Aug 1978  
THOMAS A. SNOWDEN JR.  
Judge of Probate

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