

I certify this to be a true and correct copy Thomas D. Browning

(2)

STATE OF ALABAMA

Plaintiff,

vs.

DENNY E. BARROW, ET AL

Defendants.

Probate Judge 6-25-92
Shelby County

STATE OF ALABAMA

SHELBY COUNTY

PROBATE COURT OF

SHELBY COUNTY

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 Commissioner's report and in the original Petition filed in this Court by the State of Alabama, and it appearing to the Court that on February 6, 1976, this Court heard the allegations of the Petition filed by the State of Alabama in this cause and all legal evidence presented by any interest party and on February 6, 1976, the Court made an order granting said Petition for the condemnation of the property described as follows:

- A. Tract No. 4, Project No. RF 214(19) Denny E. Barrow, et als.
- B. Tract No. 11, Project No. RF 214(19) E. F. Kendrick et als.
- C. Tract No. 19, Project No. RF 214(19) William & Ruth Elliot et als.
- D. Tract No. 29, Project No. RF 214(19) Henry Brasher et als.
- E. Tract No. 35, Project No. RF 214(19) Theodore & Fleacy Brasher et als.

That the Court appointed Thomas Turner, W. D. Osborn
and J. H. Dickert, 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 view the property sought to be condemned and thereafter
received all legal evidence offered by the parties relative to the amount
of damages the owners of said property will sustain and the amount of com-
pensation to which they are entitled; that the Commissioners did on, to-wit:
February 26, 1976, make their report in writing to this Court
stating:

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SHELBY COUNTY JUDGE OF PROBATE

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- A. Tract No. 4, Denny E. Barrow, et als,
The sum of \$8,000.00
- B. Tract No. 11, E. F. Kendrick, et als,
The sum of \$15,000.00
- C. Tract No. 19, William & Ruth Elliot et als,
The sum of \$12,000.00
- D. Tract No. 29, Henry Brasher et al,
The sum of \$900.00
- E. Tract No. 35, Theodore & Flaecy Brasher et als,
The sum of \$25,000.00

There 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 assesment of damages and that they knew nothing of the same prior to thier appointment, and 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, named in the above styled cause, have been deposited in the 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, ADJEDGED, and DECREED, 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 in now condemned, granted and awarded to the applicant in and by this Decree, be and the same in hereby divested out of said Defendants and vested in the applicant., and this is the judgement of the Court.

DONE this day of 28 of April, 1976.
Inst # 1993-03749

Conrad M. Fowler
JUDGE OF THE COURT OF PROBATE
SHELBY COUNTY, ALABAMA

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