

STATE OF ALABAMA

SHELBY COUNTY

IN THE CIRCUIT COURT OF

SHELBY COUNTY, ALABAMA

AT LAW, CASE NO. 1165

STATE OF ALABAMA,

PETITIONER

VS.

FRANK ELLIS, SR. AND WIFE,
CHRISTINE ELLIS, et al,

DEFENDANTS

Inst. # 1993-03984

02/10/1993-03984
02:50 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

JUDGMENT OF CONDEMNATION AND ASSESSMENT
OF COMPENSATION ON VERDICT OF JURY

On the 8th day of December, 1965, the State of Alabama duly filed in the Probate Court of Shelby County, Alabama, its application for the condemnation for public use a right-of-way and easement for the construction and maintenance of a public control access facility over certain private lands described in said application.

In the Probate Court due and appropriate proceedings, as required by law were had, resulting in an order of condemnation of said right-of-way and easement over said lands by the Probate Court of Shelby County, Alabama, on the 28th day of February, 1966.

Thereupon in the manner and form as prescribed by law, and within the time required by law, the Defendants in said proceedings appealed to the Circuit Court of Shelby County, Alabama, from said order of condemnation, the Defendants demanding trial by jury; and the Court now proceeds to hear said matter, trying the cause de novo as required by law. The Court, being of opinion that the said The State of Alabama is entitled to have the lands described in its said application condemned for use as a right-of-way and easement for the construction and maintenance of a public highway facility, it is, therefore,

CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that a right-of-way and easement for the construction and maintenance of a public highway facility over the following described lands lying within Shelby County, Alabama, to-wit:

Certified a true and complete copy

COPY

Dan Reeves, Jr.
Register of Circuit Court

tion 24, T-21-S, R-1-W; thence southerly, along the west line of said NE $\frac{1}{4}$ of SW $\frac{1}{4}$, the west property line, a distance of 307 feet, more or less, to a point on a line (which extends from a point that is 80 feet northwesterly of and at right angles to the centerline of Project No. S-1360-A at Station 227+50 to a point that is 60 feet northwesterly of and at right angles to the centerline of said project at Station 228+00) and the point of beginning of the property herein to be conveyed; thence continuing southerly along said west property line (crossing the centerline of said project at Station 227+44) a distance of 154 feet, more or less, to a point that is 70 feet southeasterly of and at right angles to the centerline of said project; thence N 62° 04' 52" E, parallel to the centerline of said project, a distance of 1038 feet, more or less, to a point that is 70 feet southeasterly of and at right angles to the centerline of said project at Station 237+50; thence northeasterly, along a straight line, a distance of 52 feet, more or less, to a point that is 80 feet southeasterly of and at right angles to the centerline of said project at Station 238+00; thence N 62° 04' 52" E, parallel to the centerline of said project, a distance of 98 feet, more or less, to the east property line; thence northerly along said east property line (crossing the centerline of said project at Station 239+20) a distance of 170 feet, more or less, to a point that is 80 feet northwesterly of and at right angles to the centerline of said project; thence S 62° 04' 52" E, parallel to the centerline of said project, a distance of 135 feet, more or less, to a point that is 80 feet northwesterly of and at right angles to the centerline of said project at Station 238+00; thence southwesterly, along a straight line, a distance of 54 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said project at Station 237+50; thence S 62° 04' 52" W, parallel to the centerline of said project, a distance of 300 feet; thence southwesterly, along a straight line, a distance of 53 feet, more or less, to a point that is 75 feet northwesterly of and at right angles to the centerline of said project at Station 234+00; thence S 62° 04' 52" W, parallel to the centerline of said project, a distance of 200 feet; thence southwesterly, along a straight line, a distance of 53 feet, more or less, to a point that is 60 feet northwesterly of and at right angles to the centerline of said project at Station 231+50; thence S 62° 04' 52" W, parallel to the centerline of said project, a distance of 350 feet; thence southwesterly, along a straight line (which if extended would intersect a point that is 80 feet northwesterly of and at right angles to the centerline of said project at Station 227+50) a distance of 24 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24, T-21-S, R-1-W and containing 3.65 acres, more or less.

is hereby condemned for the purposes set forth in the application filed in the Probate Court in this cause.

Thereupon the Court proceeds to have assessed by a jury the damages and compensation to which Frank Ellis, Sr. and wife, Christine Ellis is entitled for the condemnation of said property for use as a right-of-way and easement for the construction and maintenance of a public control access facility.

Thereupon on the 14th day of April, 1966 came a jury of good and lawful men, to-wit: Henry Francis Blake, and eleven others, who, being duly empaneled and sworn according to law, upon their oaths, do say: "We the jury, hereby assess and fix the damages and compensation to the owners of the property described in Exhibit "B", Item 2, Tract 43 of the Application for Condemnation filed in the Office of the Probate Judge of Shelby County, Alabama on August 26, 1965 at Thirty Six Hundred^{Fifty} (\$3,650.00) Dollars.

Dated April 14, 1966.

/s/ Henry Francis Blake
Jury Foreman

And now comes the applicant by its Attorney of Record and shows unto the Court that it has heretofore deposited with the Judge of the Probate Court, Shelby County, Alabama, the sum of \$450.00 in money for such defendants as damages and compensation for the condemnation of the lands described in Item II of Exhibit "B" of said application.

AND IT IS NOW, THEREFORE,

CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that the defendants are entitled to have and receive of the money held by the said Probate Judge of Shelby County, Alabama the sum of \$450.00 and that the defendants are entitled to have and receive the further sum of \$3,200.00, from the applicant. The Judge of Probate Court of Shelby County, Alabama shall pay over to the Clerk of the Circuit Court of Shelby County, Alabama the said sum of \$450.00 for disbursement to the parties as hereinabove set forth.

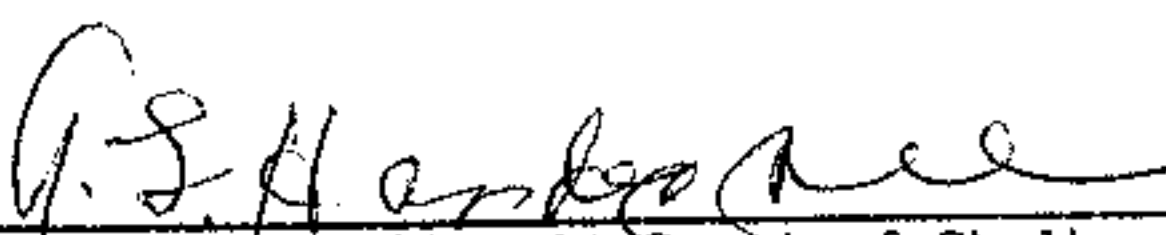
AND IT IS NOW, THEREFORE,

CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court, and it is the judgment of the Court, that the damages and compensation to which Frank Ellis, Sr. and wife, Christine Ellis are entitled in this cause as just compensation for the condemnation of said right-of-way and easement over said lands be, and the same is hereby, fixed at the sum of Thirty Six Hundred^{Fifty} (\$3,650.00) Dollars.

CONSIDERED, ORDERED, ADJUDGED AND DECREED further that the said Frank Ellis, Sr. and wife, Christine Ellis do have and recover of said The State of Alabama the sum of

Thirty Six Hundred (\$3,600.00) Dollars, together with the costs of this cause for which let execution issue.

Dated this 18th day of April, 1966.


Judge of the Circuit Court of Shelby
County, Alabama

Filed in the Office of the Circuit
Clerk this the 18 day of April, 1966.


Circuit Clerk

Inst # 1993-03984

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SHELBY COUNTY JUDGE OF PROBATE