

STATE OF ALABAMA
SHELBY COUNTY

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
AT LAW, CASE NO. 1166

STATE OF ALABAMA,

PETITIONER, APPELLEE

VS.

LAPSLEY HOLCOMBE, ET AL,

DEFENDANTS, APPELLANTS

JUDGMENT OF CONDEMNATION AND ASSESSMENT
OF COMPENSATION ON VERDICT OF JURY

On the 7th day of September, 1965, the State of Alabama duly filed in the Probate Court of Shelby County, Alabama, its application for the condemnation for public use of a right-of-way and easement for the construction and maintenance of a public highway 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 21st day of October, 1965.

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; whereupon on the 13th day of April, 1966, the State of Alabama amended in the Circuit Court of Shelby County, Alabama, its application for the condemnation for public use of a right-of-way and easement for the construction and maintenance of a public highway facility over certain private lands described in said application; 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, 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: 44-

Commencing at the southeast corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24, T-21-S, R-1-W; thence northerly, along the east line of said SE $\frac{1}{4}$ of NW $\frac{1}{4}$, a distance of 193 feet, more or less, to a point that is 60 feet southeasterly of and at right angles to the centerline of Project No. S-1360-A and the point of beginning of the property herein to be conveyed; thence S 62° 04' 52" W, parallel to the centerline of said project, a distance of 281 feet, more or

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Dan Reeves, Jr.
Register of Circuit Court

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less, to a point that is 60 feet southeasterly of and at right angles to the centerline of said project at Station 240+50; thence southwesterly along a straight line, a distance of 53 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 240+00; thence S 62° 04' 52" W, parallel to the centerline of said project, a distance of 103 feet, more or less, to the west property line; thence northerly along the said west 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 N 62° 04' 52" E, parallel to the centerline of said project, a distance of 369 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 240+00; thence easterly, 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 243+50; thence N 62° 04' 52" E, parallel to the centerline of said project, a distance of 797 feet, more or less, to the northeast property line; thence southeasterly along the said northeast property line (crossing the centerline of said project at Station 248+64.0) a distance of 126 feet, more or less, to a point that is 60 feet southeasterly of and at right angles to the centerline of said project; thence S 62° 04' 52" W, parallel to the centerline of said project, a distance of 657 feet, more or less, to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24, T-21-S, R-1-W and containing 2.72 acres, more or less, Shelby County, Alabama.

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 Lapsley Holcombe, et al, Defendants, are entitled for the condemnation of said property for use as a right-of-way and easement for the construction and maintenance of a public highway facility.

Thereupon on the 2nd day of August, 1966, came a jury of good and lawful men, to-wit: J. C. Knox, 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 44 of the Application for Condemnation filed in the Office of the Probate Judge of Shelby County, Alabama on August 2, 1966 at Four Thousand (\$4,000.00) Dollars.

Dated August 2, 1966.

/s/ J. C. Knox
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 \$1,200.00 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

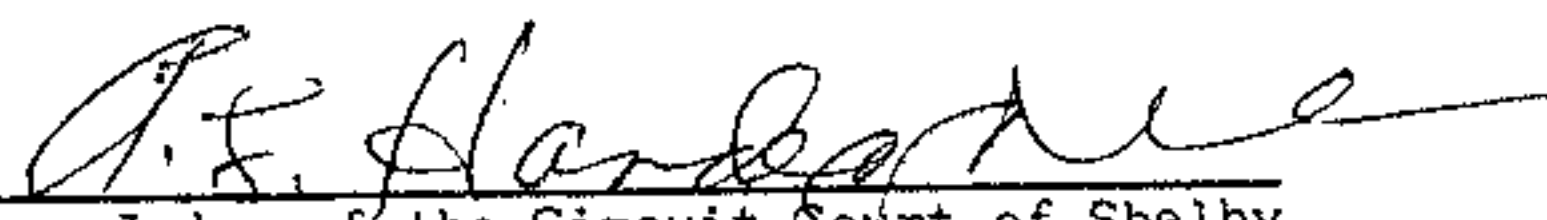
entitled to have and receive of the money held by the said Probate Judge of Shelby County, Alabama the sum of \$1,200.00 and that the defendants are entitled to have and receive the further sum of \$2,800.00, from the applicant. The Judge of Probate Court of Shelby County, Alabama shall pay over to the Clerk of the Circuit Court of Shelby County, Alabama the said sum of \$1,200.00 for disbursement to the parties as hereinabove set forth.

AND IT IS NOW, THEREFORE,

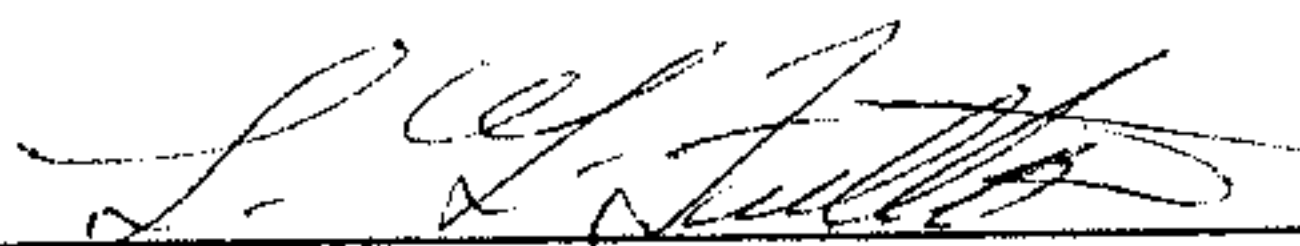
CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court, and it is the judgment of the Court, that the damages and compensation to which Lapsley Holcombe, et al, Defendants are entitled in this cause as just compensation for the condemnation of said right-of-way and easement over said lands be, and the same is hereby, fixed at the sum of Four Thousand (\$4,000.00) Dollars.

CONSIDERED, ORDERED, ADJUDGED AND DECREED further that the said Lapsley Holcombe, et al do have and recover of said The State of Alabama the sum of Four Thousand (\$4,000.00) Dollars, together with the costs of this cause for which let execution issue.

Dated this 2nd day of August, 1966.


Judge of the Circuit Court of Shelby
County, Alabama

Filed in the Office of the Circuit
Clerk this the 2nd day of August, 1966.


Circuit Clerk

Inst # 1993-03990

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