

STATE OF ALABAMA  
Plaintiff

vs.

N. FRANK WORTHAM, EVA MAE  
WORTHAM, MILLER W. LAWRENCE  
and Wife, LURENE H. LAWRENCE  
Defendants

CONDEMNATION

IN THE CIRCUIT COURT OF  
SHELBY COUNTY, ALABAMA  
CASE NO. L-84-73

(Amendment to Judgment Civil Min. Book 14, Page 383)

JUDGMENT

This cause coming on to be heard before the Court and jury on October 6, 1975, with the parties and their counsel present and both announcing ready for trial on the appeal from a final order of condemnation entered in the Probate Court of Shelby County, Alabama, on September 27, 1973.

The Court finds that the parties stipulated and agreed through their respective counsel as follows: That the State of Alabama is authorized by the Constitution and laws to condemn lands and property for public use; That the description contained in Tract No. 47, Parcel 20, of Paragraph 3 of the application for condemnation is true and correct; That the defendants, N. Frank Wortham, Eva Mae Wortham, are the sole owners of the lands described in said application at the time of the trial.

The Court further finds that the commissioners awarded the sum of Nine Thousand Two Hundred Twenty-Two and 00/100 Dollars, as damages and compensation due to the defendants, N. Frank Wortham and Eva Mae Wortham, for the condemnation of their property as first described.

The Court further finds that the plaintiff deposited with the Probate Court of Shelby County, Alabama, the sum of Nine Thousand Two Hundred Twenty-Two and 00/100 Dollars, which sum was transferred to the Clerk of the Circuit Court of Shelby County, Alabama, after an appeal was perfected in connection with said plaintiff's condemnation proceedings.

The Court further finds that the Clerk paid to N. Frank Wortham and Eva Mae Wortham the sum of Seven Thousand Three hundred seventy-five and no/100 Dollars as partial distribution on January 7, 1974, as shown by order of the Court on said date.

WHEREUPON, the Court proceeded to have the issue of damages tried covering the property before before a jury as provided by law and the jury found the issues for the defendants and assessed their damages and compensation in the amount of \$17,770.00.

It is therefore, CONSIDERED, ORDERED AND DECREED BY THE COURT as follows:

1. That the Plaintiff has acquired all the right, title and interest in and to the defendant's property as described in Tract No. 47, Parcel 20 of Paragraph 3 of the application for condemnation and therefore has the right to construct and erect on, across and over the lands so acquired such public roads and highways and for the purposes described in said application, together with all the rights conferred by law to the full enjoyment of such rights and uses including the right to construct and maintain a public road as shown by the right-of-way of Project No. F-214(20) which map is filed in the Office of the Probate Judge of Shelby County, Alabama.

2. That Nine Thousand Two Hundred Twenty Two and no/100 Dollars has heretofore been paid to the Circuit Court of Shelby County, Alabama; that \$7375.00 has heretofore been paid to N. Frank Wortham and Eva Mae Wortham as hereinabove set out; that \$10,395.00 is now due to be paid to defendants in satisfaction of said jury award, plus interest on said \$10,395.00 at 6% from September 27, 1973, to October 7, 1975, the date of the jury verdict which amount if \$1,266.20; and that interest on said \$7,375.00 at 6% from September 27, 1973, to January 7, 1975, amounts of \$564.95; that the amount of interest was stipulated to be determined by the Court does hereby find that the interest in this cause is payable at the rate of 6% per annum from date, said date being determined by the final order of condemnation on September 27, 1973; that the total sum now due to be paid to defendant is \$10,395.00 plus \$1,831.15 interest, making a total of \$12,226.15; that the plaintiff, State of Alabama, shall pay to the Clerk of this Court for the benefit of defendants, N. Frank Wortham

Certified a true and complete copy

Dan Reeves, Jr.  
Register of Circuit Court

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and Eva Mae Wortham, as damages and interest the sum of \$10,379.15, and the Clerk is hereby authorized to pay \$12,226.15 to the said defendants.

3. That upon payment of the total judgment and interest, the plaintiff is released from any further liability arising from said condemnation.

4. That the Clerk of this Court pay over to defendants, N. Frank Wortham and Eva Mae Wortham, or their attorneys of record, the sum of \$12,226.15, this being the balance due by plaintiff to Defendants, N. Frank Wortham and Eva Mae Wortham, including interest in connection with this cause of action.

5. The costs of court are taxed to plaintiff for which execution may issue.

Done and ordered this 22nd day of October, 1975.

Inst. # 1993-04654  
s/ Kenneth F. Ingram  
Circuit Judge

Filed in Office this the 22nd day  
of October, 1975.

Kyle Lansford  
Clerk of Circuit Court of  
Shelby County, Alabama

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