

On this the 15th day of November, 1983, On motion of Plaintiff, case dismissed with prejudice. Costs are presently paid.

s/ R. Armstrong

STATE OF ALABAMA
Plaintiff,
vs.
JIMMY WILSON PARTRIDGE,
Defendant.

CONDEMNATION

CIVIL CASE NO. CV-83-030

1993-05442

Inst

02/25/1993-05442
03:47 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
ONE

On this the 4th day of April, 1983, Order on Pre-trial hearing filed. Case set for trial August
s/ R. Armstrong

On this the 2nd day of August, 1983, Jury and verdict assessing damages in favor of defendant for \$9175.00.

s/ K. Ingram

On this the 2nd day of August, 1983, Judgment for defendant for \$9175.00 and Separate Order of Judgment to be filed which will include interest.

s/ K. Ingram, J.

On this the 16th day of September, 1983, Order of Condemnation as shown by separate paper this day filed.
s/ K. Ingram, Judge

THIS CAUSE being set for trial came on for hearing on the 5th day of August, 1983, and came into Court the Applicant, State of Alabama, by its Attorney, W. Howard Donovan, III, and also came the Respondent, Jimmy Wilson Partridge, and her attorney of record, and all other Respondents having failed to answer, plead or demur to said application for Condemnation heretofore filed in this cause, after having been duly cited of the filing of the same; the Court is of the opinion and finds that it has jurisdiction of the cause and the parties.

THEREUPON the Court was advised of a stipulation between the parties concerning the taking as filed in said cause, and upon consideration of said Application and the stipulation, it is ORDERED, ADJUDGED and DECREED and it is the judgment of the Court that said Application for the Condemnation of said lands described in Exhibit A for public road purposes is hereby granted, and awarded in fee simple title to and all interest therein sought to be acquired be and the same are hereby condemned for the uses and purposes stated and sought in the said Application for Order of Condemnation filed herein.

THEREUPON, a jury having been demanded to assess the damages and compensation to which the owner of said land is entitled, the Court proceeded to have a jury assess the damages and compensation to which the owner of said land is entitled for the condemnation of said lands, and on the 5th day of August, 1983, came a jury of twelve good and lawful men, to-wit: Deborah H. Fleming, Foreman, and eleven others, who being duly empaneled and sworn according to law, upon their oath, do say:

"We, the jury, assess the damages in favor of Defendant in the sum of \$9,175.00.
s/ Deborah H. Fleming, Foreman"

And now comes the Appellant, State of Alabama, by its Attorney and shows unto the Court that it has heretofore in the said case deposited with the Judge of Probate of Shelby County, Alabama, the Total sum of Nine Thousand One Hundred Seventy-Five and no/100 Dollars (\$9,175.00) for damages and compensation for the condemnation of said lands, which said sum has been by said Judge of Probate paid to the Clerk of this Court.

And it being further shown unto the Court that by agreement between the parties hereto, and by order of this Court heretofore entered in this cause dated April 4, 1983, the said \$9,175.00 was invested by the Clerk of this Court in an interest bearing account pursuant to said Order.

It being further shown to the Court that the Respondent is due to receive interest in the amount of the
Certified a true and complete copy

Dan Reeves, Jr.
Register of Circuit Court

jury award from the date of taking, to-wit: November 15, 1982 through September 12, 1983 at the rate of 6% per annum, which amounts to \$458.50, making the total award to the Respondent \$9,633.50.

NOW, THEREFORE, on Motion of the Applicant, State of Alabama, it is ORDERED, ADJUDGED AND DECREED, and it is the judgment of the Court that the lands sought by the Applicant, State of Alabama, to be condemned in fee simple, to-wit:

(See Attached Exhibit "A")

for the public road purposes and use be and the same is hereby condemned, granted and awarded Applicant upon payment of said award and costs to the Clerk of this Court, and said land and all interest therein sought to be acquired herein be and the same are hereby condemned, granted and awarded in fee simple to the Applicant, State of Alabama as conditioned hereinabove, together with the right and authority to clear and remove from said lands any and all improvements situated thereon, and the right and authority to exercise complete use and control of said lands.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED and it is the judgment of the Court that the cost of the Court in this cause incurred be and the same is hereby taxed against the Applicant, State of Alabama for which let execution issue.

Done and Ordered this the 12th day of September, 1993

02/23/1993-05442
03:45 PM CERTIFIED
KENNETH F. INGRAM, CIRCUIT JUDGE
SHELBY COUNTY JUDGE
DOE - HED 9.00