

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

STATE OF ALABAMA,

PLAINTIFF,

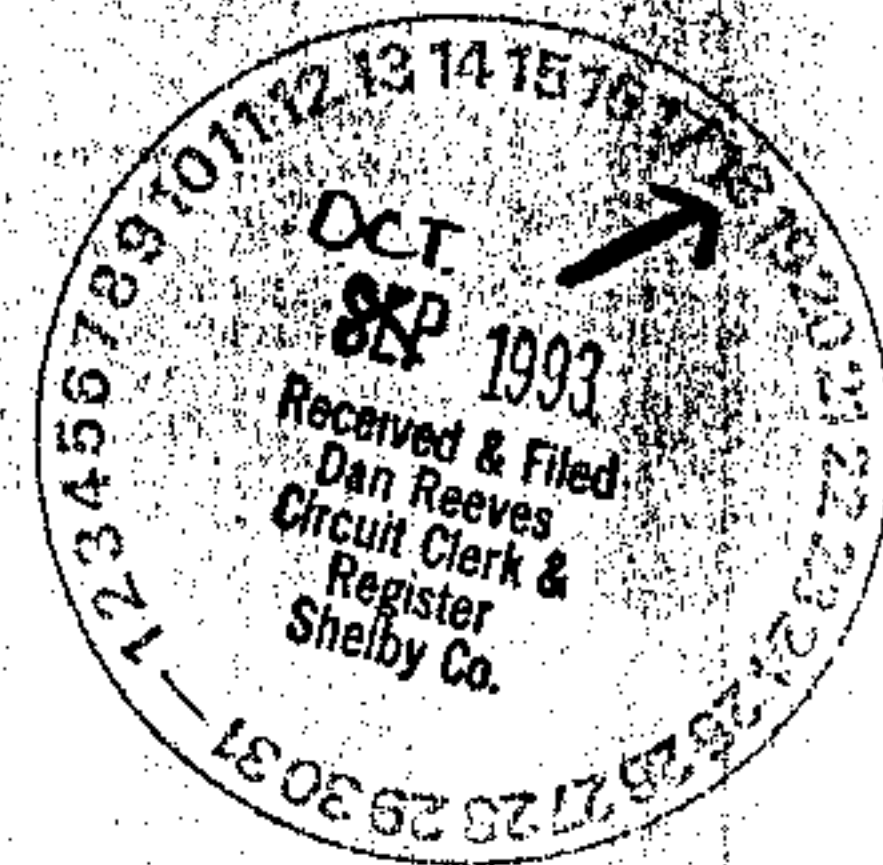
v.

CASE NUMBER: CV: 92-873

DARRYL ANN SCHILLI, TRUSTEE
FOR DAVID M. SCHILLI AND
ROBERT B. SCHILLI, JR.,
MATERIAL DELIVERY
SERVICE, INC., DAS PROPERTIES,
INC., AND ANNETTE SKINNER,
Tax Collector for Shelby County,
Alabama,

DEFENDANTS.

ORDER AND DECREE OF CONDEMNATION



THIS CAUSE was commenced on August 12, 1992, in the Probate Court of Shelby County, Alabama, by filing an application to condemn the property hereinafter described under and pursuant to Section 23 of the Constitution of Alabama, Title 18, Chapter 1, and Title 23-5-45 and 23-3-5 of the Code of Alabama, 1975. DAS Properties, Inc. was added as a Defendant by an Amendment to Complaint for which service was accepted by counsel for the Defendants. The parties, by and through their attorneys of record, have advised the Court that an agreement has been reached in this matter and the parties stipulate as follows:

1. All demands for jury trial are withdrawn with the consent of all parties.
2. An Order of Condemnation may be entered in the Circuit Court of Shelby County, Alabama, in this cause, granting the application for order to condemn the property therein described as prayed in said application and fixing the just compensation in the sum of \$1,500.00.

10/25/1993-33217
12:28 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
005 MCD 18.50

*Donovan, Jan, Richey
Independence Plaza Suite 510
Birmingham, AL
35209*

3. All costs to date shall be taxed against the Plaintiff, the State of Alabama.
4. That the parties having a right, title and interest in and to said property are Darryl Ann Schilli, Trustee for David M. Schilli and Robert B. Schilli, Jr., DAS Properties, Inc. Material Delivery Service, Inc. and Annette Skinner, Tax Collector for Shelby County, Alabama.

It is therefore, **CONSIDERED, ORDERED, ADJUDGED, AND DECREED** by the Court, that the application for Order of Condemnation of the hereinafter described lands, be and the same is hereby granted and allowed.

It is further **ORDERED, ADJUDGED, AND DECREED** by the Court that, pursuant to the stipulation of the parties, the damages and just compensation to which the several Defendants are entitled in this cause, is the sum of One Thousand Five Hundred Dollars (\$1,500.00). The Clerk of the Court is hereby authorized and directed to pay to the Defendants the sum One Thousand Five Hundred Dollars (\$1,500.00), which is the amount of the final award in this cause.

It is further **ORDERED, ADJUDGED, AND DECREED** by the Court that the Plaintiff, the State of Alabama, be and is hereby given and awarded and there is hereby transferred and conveyed to the Plaintiff, the State of Alabama, in fee, the hereinafter described lands, for the uses and purposes sought in the application of condemnation as hereinafter described as follows:

The following described property, lying and being situated in Shelby County, Alabama, and more particularly described as follows (and as also shown on the right of way map of Project No. ST-44-10 on record in the State of Alabama Highway Department and recorded in the Office of the Judge of Probate of Shelby County, Alabama, and as shown on the Property Plat attached hereto and made a part hereof):

TRACT NO. 7

Commencing at the Southwest corner of SW ¼ of NW ¼, Section 4, T-24-N, R-13-E; thence northerly along the West line of said SW ¼ of NW ¼, a distance of 1020 feet, more or less, to a point that is 35 feet Southeasterly of and at right angles to the centerline of Project No. S-44-10 and the point of beginning of the property herein to be conveyed; thence S 86° 45' 17" W, parallel with the centerline of said project, a distance of 200 feet, more or less, to the West property line; thence Northerly along said West property line a distance of 10 feet, more or less, to the present South right-of-way line of Alabama Highway No. 25; thence Easterly along said South right-of-way line a distance of 260 feet, more or less, to the Southeast property line; thence Southwesterly along said Southeast property line, a distance of 10 feet, more or less, to a point that is 35 feet Southeasterly of and at right angles to the centerline of said project; thence S 86° 45' 17" W, parallel with the centerline of said project, a distance of 55 feet, more or less, to the point of beginning.

Said strip of land lying in the SE ¼ of NE ¼ Section 5, and SW ¼ of NW ¼ Section 4, T-24-N, R-13-E and containing 0.06 acre more or less

The owners, addresses, and interests of said parcel, to whom the funds are to be paid are:

NAME AND ADDRESS:

INTEREST:

Darryl Ann Schilli, Trustee
for David M. Schilli and
Robert B. Schilli, Jr.
13024 Prembrooke Valley Court
St. Louis, MO 63141

Owner

Material Delivery Service, Inc.
Attn: Mr. Robert B. Schilli, Jr.
P. O. Box 679
Alabaster, AL 35007

Lessee

DAS PROPERTIES, INC.
13024 Prembrooke Valley Court
St. Louis, MO 63141

Owner

NAME AND ADDRESS:

Annette Skinner, Tax Collector
Shelby County Courthouse
Shelby County, Alabama

INTEREST:

Future Taxes

DONE and ORDERED this the
19 93.

13th day October,




Circuit Judge

APPROVED BY:



James E. Vann, Special Assistant
Attorney General for the State of
Alabama



Frank C. Ellis, Jr., Attorney for Defendants

