

Inst # 1997-00838

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) CASE NO. 29-134
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I certify this is a correct copy of the original.

Patricia Gray Patricia Gray

1-9-97

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This cause coming on to be heard on report of Henry Caton,
J. D. Faulkner, and Charles Seals, Commissioners
in this cause.

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evidence of the averments of the Complaint.

Further, the Court having in its order made on the 14th day of November, 1990, appointed J. D. Faulkner, Charles Seals, and Henry Caton, Commissioners to assess and appraise the damages and compensation to which the owners of said land are entitled. Further, the Commissioners having filed in this Court their report showing that after having first been sworn as jurors are required to be sworn, they proceeded to assess the damages and compensation to which the owners of the several tracts of land described in said report and in the original Complaint, in

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this cause, for use as rights-of-way for public road or highway purposes and for such other purposes as are stated in said Complaint and that after they had viewed said lands and had received all evidence offered touching the amount of damages and compensation to which said owners are entitled. Further, that Commissioners have reported that the amount of damages and compensation awarded to Defendants named on application and dated Aug. 24, 1990 on account of the lands described in the original Complaint and said report of said Commissioners, being required by the State for rights-of-way, identified in the Complaint for Order of Condemnation and being more particularly described as follows, to wit:

See Exhibit "A"

And it further appearing to the satisfaction of the court that Plaintiff is entitled to have all of the lands described in said report condemned for a right-of-way for public roads and highway purposes and condemned for the uses and purposes stated in the application, in this cause, and that Plaintiff is entitled to have said lands condemned for the purpose of acquiring the easement as stated in the Complaint in this cause.

And it appearing to the satisfaction of the Court that Plaintiff has already paid into the Court the amount of money awarded by said Commissioners to said owners, which said awards are subject to all outstanding valid claims, liens, and leases for the condemnation of the lands described in said report of said Commissioners and described in the original Complaint to condemn, in this cause, and has also paid all the court costs in this cause. It is therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the lands described herein and in the Complaint filed herein be and the same is hereby condemned for the use of right-of-way and such other uses as set out in the original Complaint filed herein and that the lands and to subject said lands for uses and purposes set forth in the original Complaint herein and said lands are condemned for the uses and purposes herein and above stated as against all parties having an interest therein especially condemned against the interest of The Heirs of O. C. Harris, the Heirs of Clara Harris, as record fee simple owners of certain designated real estate Patricia Spigner and Geraldine Johnson in possession of designated real estate; J. H. Dickey, General Contractor; Guaranty Acceptance Corporation and Central State Bank, mortgagees and Annette Skinner, Tax Collector. It is further

ORDERED, ADJUDGED AND DECREED by the Court that the Commissioner's Report is approved and adopted and the compensation due the Defendants is as stated in said Report. It is further

ORDERED by the Court that all papers on this proceeding be recorded.

DONE this 6th day of December, 1990.

Thomas A. Snowden, Jr.
Judge of Probate

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TRACT 53

EXHIBIT "A"

Commencing at the northwest corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 5, T-24-N, R-13-E; thence southerly along the west line of said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ a distance of 187 feet, more or less, to a point that is 45 feet northwesterly of and at right angles to the centerline of Project No. OLB-059-025-001 and the point of beginning of the property herein to be conveyed; thence N 84° 57' 30" E, parallel with the centerline of said project a distance of 212 feet, more or less, to a point that is 45 feet northwesterly of and at right angles to the centerline of said project at Station 212+37.35; thence easterly along a curve to the right (concave southerly) having a radius of 1843.62 feet, parallel with the centerline of said project, a distance of 75 feet, more or less, to the east property line; thence southerly along said east property line a distance of 20 feet, more or less, to the present north right-of-way line of Alabama Highway No. 25; thence westerly along said present north right-of-way line a distance of 289 feet, more or less, to the west line of said SW $\frac{1}{4}$ of NE $\frac{1}{4}$, the west property line; thence northerly along said west property line a distance of 20 feet, more or less, to the point of beginning.

Said strip of land lying in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 5, T-24-N, R-13-E and containing 0.10 acre, more or less.

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