

IN THE CIRCUIT COURT FOR SHELBY COUNTY, ALABAMA

STATE OF ALABAMA,

Plaintiff,

v.

LAWRENCE A. DAY,

Defendant.

CIVIL ACTION NO. CV91-671

ORDER AND DECREE OF CONDEMNATION

This cause was commenced on June 5, 1991, in the Probate Court of Shelby County, Alabama, by the filing of an Application For Order of Condemnation to condemn the property hereinafter described under and pursuant to Section 23 of the Constitution of Alabama, Title 18, of the Code of Alabama 1975. This cause coming to be heard on this day for an order confirming the settlement between the parties in said cause and for a Final Order of Condemnation pursuant thereof as to the lands described below.

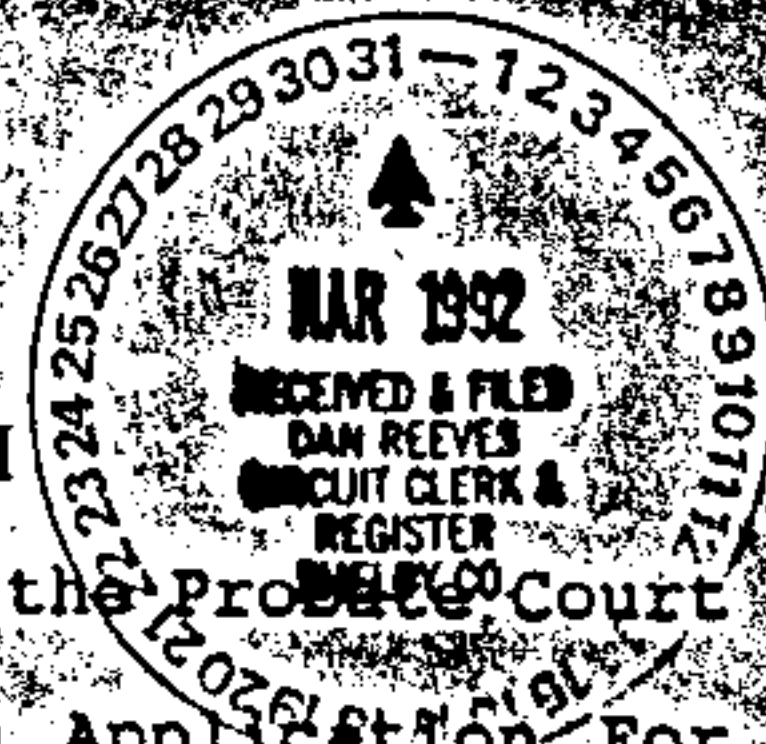
All of the parties to this cause previously appeared before the Court and stipulated and agreed in open court that:

1. An Order of Condemnation may be entered in this cause granting the Application For Order of Condemnation to condemn the property herein described and the only issue to be determined is the amount of compensation to be awarded to the property owners.

2. The only party having or claiming an interest in the proceeds of the condemnation is Lawrence A. Day.

3. The Court will award any interest to which the property owners and the State shall mutually agree.

The parties having stipulated that the Application For Order



of Condemnation, as filed in this cause should be granted, it is ORDERED, ADJUDGED, and DECREED that said Application for Condemnation for the lands herein described be, and the same is hereby granted, and the interest in said lands therein sought to be acquired in, over, and upon are hereby condemned for uses and purposes stated and sought in said Application for Order of Condemnation, namely, to-wit:

SEE ATTACHMENT EXHIBIT "A"

The parties having further stipulated and agreed that the damages and compensation to which the owners of said land are entitled, that being the total sum of \$14,500.00. It further appearing to the Court that the damages and compensation ascertained and assessed by the Commissioners of the Probate Court for the Defendants in the amount of \$7,400.00 have been deposited in the Probate Court.

It further appearing to the Court that all things necessary and required by the laws of the State of Alabama have been done and performed by the Plaintiff.

It further appearing to the Court that any interest in this award of Annette Skinner, Tax Collector of Shelby County, Alabama, has been satisfied.

It is thereby ORDERED, ADJUDGED, and DECREED that the Plaintiff pay the additional sum of \$7,100.00 to the Circuit Clerk of Shelby County, Alabama, which sum shall be disbursed immediately by the Circuit Clerk upon receipt of same. The Circuit Clerk is hereby ordered to immediately release and/or forward the previously deposited sum of \$7,400.00 to the defendant.

Now THEREFORE, IT IS FURTHER ORDERED, ADJUDGED and DECREED by
the Court that Plaintiff, State of Alabama, pay all court costs
incurred in this cause.

The Defendants to this cause are:

Lawrence A. Day
#1 Overhill Road
Montevallo, Alabama 35115

Ms. Annette Skinner
Tax Collector
Shelby County Courthouse
Columbiana, Alabama 35051

1992.

DONE and ORDERED this the 31st day of March

A. Al Cowson
CIRCUIT JUDGE

APPROVED BY:

Clarence M. Small
Clarence M. Small, Attorney for
Plaintiff

M. A. Spears
Mitchell Spears, Attorney for
Lawrence A. Day

Annette Skinner
Annette Skinner, Tax Collector

Certified a true and correct copy

Date: 5/21/97

Dan Reeves
Dan Reeves, Circuit Clerk
Shelby County, Alabama

EXHIBIT A

TRACT NO. 28
Project No. ST-44-8

being in Shelby County, Alabama, and more particularly

described as follows: and as shown on the right-of-way map of Project No. S-44(8) of record in the State of Alabama Highway Department, a copy of which is also deposited in the Office of the Judge of Probate of Shelby County, Alabama as an aid to persons and entities interested therein and as shown on the Property Plat attached hereto and made a part hereof:

Commencing at the northeast corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 3, T-24-N, R-12-E; thence westerly along the north line of said SW $\frac{1}{4}$ of NE $\frac{1}{4}$, a distance of 250 feet, more or less, to the west property line extended northerly; thence southerly along said west line extended northerly and the west property line, a distance of 300 feet, more or less, to a point that is 45 feet northeasterly of and at right angles to the centerline of Project No. S-44(8) and the point of beginning of the property herein to be conveyed; thence S 84° 18' 28" E, parallel with the centerline of said project, a distance of 210 feet, more or less, to the east property line; thence southerly along said east line, a distance of 14 feet, more or less, to the present northeast right-of-way line of Alabama Highway No. 25; thence northwesterly along said present northeast right-of-way line a distance of 210 feet, more or less, to the west property line; thence northerly along said west property line, a distance of 14 feet, more or less, to the point of beginning.

Certified a true and correct

Date: 5/1/72

Don R. [Signature]

Don R. [Signature]
Shelby County, Alabama

1981-15831