

IN THE CIRCUIT COURT FOR SHELBY COUNTY, ALABAMA

STATE OF ALABAMA,
PLAINTIFF.

V.

CV00-529

GREG BEERS, owner of the fee,
CVOMPASS BANK, MORTGAGEE; ANNETTE D.
SKINNER, SHELBY COUNTY TAX COLLECTOR;
and any and all unknown persons, firms,
entities or corporations holding or
claiming any right, title, interest in,
lien or encumbrance in and to the property
described in this Complaint.
DEFENDANTS.

ORDER AND DECREE OF CONDEMNATION

THIS CAUSE was commenced on April 13, 2000, in the Probate 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 23-3-5 of the Code of Alabama, 1975. 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 All demands for jury trial are withdrawn with the consent of all parties.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 \$133,000.00.
3. All costs to date shall be taxed against the Defendant, Greg Beers.
4. That the parties having a right, title, and interest in and to said property are: Greg Beers, Compass Bank and Annette D. Skinner, Tax Collector.

It is therefore, CONSIDERED, ADJUDGED, and DECREED by the Court that, pursuant to the stipulation of the parties, the damages and just compensation to which the Defendants in this cause is the sum of One Hundred Thirty-three Thousand and no/100 (\$133,00.00) Dollars. The Clerk of the Court is hereby authorized and directed to pay to the Defendants as their interest may appear, the sum of One Hundred Thousand and no/100 (\$133,000.00)

Inst # 2001-11306

03/27/2001-11306
02:30 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 CJ1 23.00

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Dollars, which is the amount of the final award in this cause.

The Plaintiff, the State of Alabama, has heretofore deposited with the Judge of Probate, Shelby County, Alabama, the sum of One Hundred Twenty Thousand and no/100 (\$120,000.00) Dollars, which sum is currently in the possession of the Clerk of Probate Court. The Plaintiff, the State of Alabama, is hereby directed to pay to the Clerk of this Court the additional sum of Thirteen Thousand and no/100 (\$13,000.00) Dollars which, together with the sum previously paid to the Clerk of One Hundred Twenty Thousand and no/100 (\$120,000.00) Dollars, is the amount of just compensation due the Defendants of One Hundred Thirty Three Thousand and no/100 (\$133,000.00) Dollars.

It is hereby ORDERED, ADJUDGED and DECREED by the Court that the Clerk of this Court, upon receipt of the aforesaid sum of Thirteen Thousand and no/100 (\$13,000.00) Dollars, to be paid by Plaintiff, is hereby authorized and directed to pay the Defendants the sum of One Hundred Thirty-three Thousand and no/100 (\$133,000.00) Dollars which is the amount of just compensation due the Plaintiffs in this cause.

It is hereby ORDERED, ADJUDGED and DECREED by the Court that interest accrued on the funds invested in this case, be paid to the Plaintiff.

It is hereby 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, all interest in and to the following described land for the use and purposes sought in the application for Order of Condemnation. The said lands being condemned and awarded to the Plaintiff, the State of Alabama, are described as follows:

As shown on the right-of-way map of Project No. STPAA-458(1), of record in the Alabama Department of Transportation, 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:

A part of the NW 1/4 of the SE 1/4, Section 2, Township 21 South, Range 3 West, identified as Tract No. 68, Project No. STPAA-458 (1), Shelby County, Alabama, and being more fully described as follows:

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Commence at the northwest corner of said NW 1/4 of SE 1/4; thence east along the north line of said NW 1/4 of SE 1/4, a distance of 737 feet, more or less, to the present northwest right of way line of 4th Place S. W.; thence southwesterly along said right of way line a distance of 350 feet, more or less, to the northeast property line; thence northwesterly along said property line a distance of 146 feet; more or less, to a point that is 60 feet southeasterly of and radial to the centerline of Project No. STPAA-458 (1), and the point of beginning of the property herein to be conveyed; thence southerly, parallel with said centerline, along a curve to the left, having a radius of 1,197.71 feet, a distance of 347 feet, more or less, to the southwest property line; thence northwesterly along said property line a distance of 45 feet, more or less, to the present southeast right of way line of Alabama Highway 119; thence northeasterly along said right of way line a distance of 348 feet, more or less, to the northeast property line; thence southeasterly along said property line a distance of 43 feet, more or less, to the point of beginning. Containing 0.335 acre, more or less.

Greg Beers
100 ATI Parkway
Birmingham, AL 35244
C/O Hewitt Conwill
P. O. BOX 557
COLUMBIANA, AL 35051

Owner of the fee

Counsel for Defendant
for Greg Beers

Annette D. Skinner
#1 Main Street
Columbus Square
Room A 113
Columbiana, AL 35051

Tax Collector

Compass Bank
Compass Loan Servicing
P. O. BOX 11631
BIRMINGHAM, AL 35202

Mortgagee

It is further ORDERED, ADJUDGED and DECREED by the Court that the court costs be, and are hereby taxed, against the Defendant, the Greg Beers, for which let execution issue.

DONE AND ORDERED this 13th day of Dec, 2000.

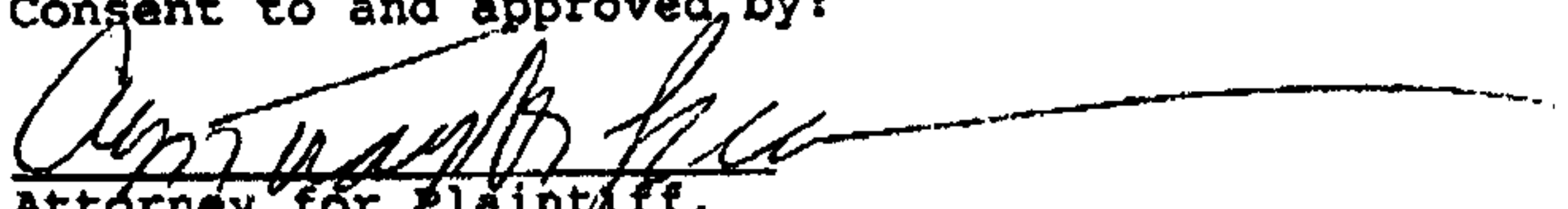

CIRCUIT JUDGE

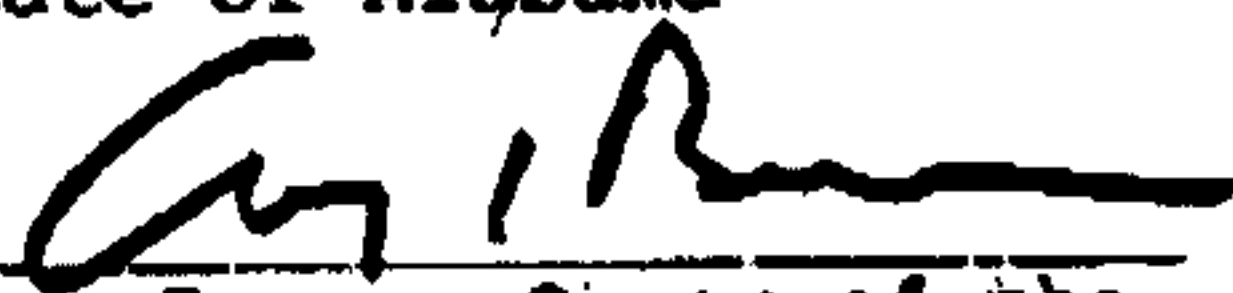


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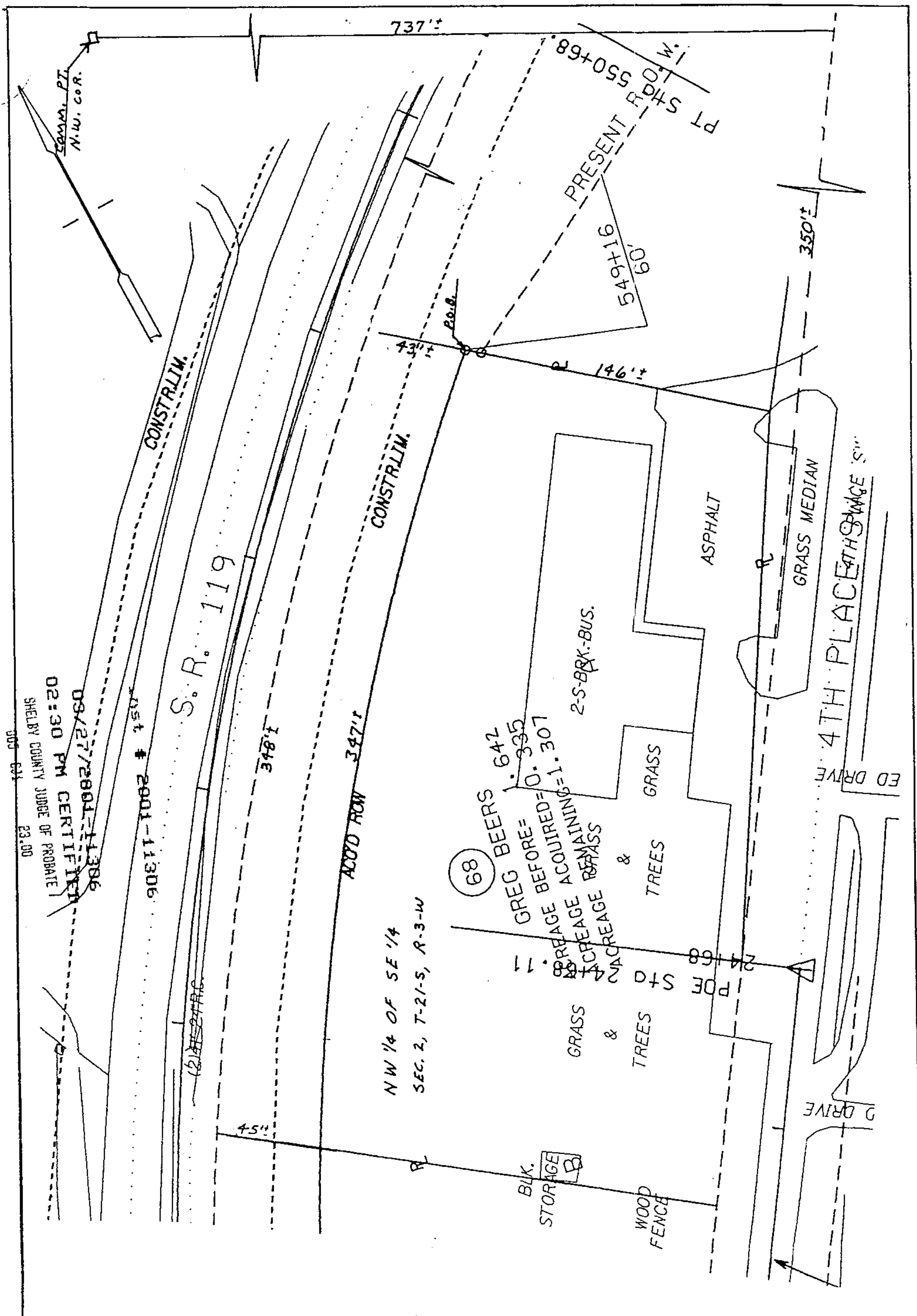
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Consent to and approved by:


Attorney for Plaintiff,
State of Alabama


Greg Beers, Owner of the
Fee


Attorney for Defendant



TRACT NUMBER 68

ALABAMA DEPARTMENT OF TRANSPORTATION

OWNER: GREG BEERS

PROJECT NO. STPAA-458(1)

SHELBY COUNTY

TOTAL ACREAGE: 1.642

SCALE: 1" = 50'

R/W REQUIRED: 0.335

DATE: 12-12-97

REMAINDER: 1.307

REVISED: 7-31-98