

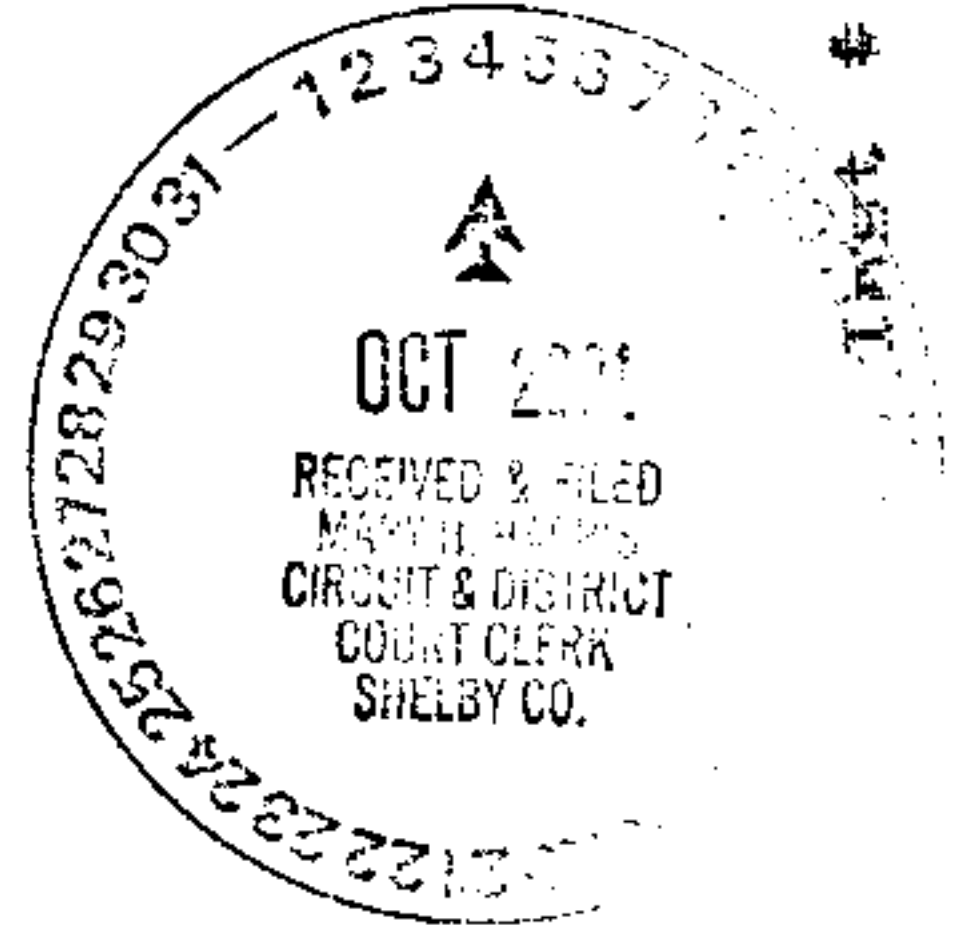
IN THE CIRCUIT COURT FOR SHELBY COUNTY, ALABAMA

STATE OF ALABAMA
PLAINTIFF.

v.

CV00-332OH

DEWEY GLASS and GREGORY B. GLASS,
Owners of the fee, ANNETTE D. SKINNER,
SHELBY COUNTY TAX COLLECTOR,
DEFENDANTS.



ORDER AND DECREE OF CONDEMNATION

THIS CAUSE was commenced on September 13, 1999, 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 23-3-5 of the Code of Alabama, 1975. The parties, by and through their attorneys of record and pursuant to a Report of Mediation and the Mediation Settlement Agreement as executed by counsel for the parties involved as submitted to this Court by Richard Bell, Esq., Mediator, have advised the Court that an agreement has been reached in this matter and the parties stipulate as follows:

1. That the Defendants shall be paid the sum of Three Hundred Eighty Five Thousand and no/100ths Dollars (\$385,000.00) in addition to interest that has accrued on sums of money now on deposit with the Probate Court of Shelby County, Alabama in the amount Seven Thousand Five Hundred Eighty Six and no/100ths Dollars (\$7,586.00) Representing a total payment of Three Hundred Ninety Two Thousand Five Hundred Eighty Six and no/100ths Dollars (\$392,586.00).
2. The State of Alabama agrees to pay sum of Seven Hundred Fifty and no/100ths Dollars (\$750.00) representing one half of the mediation fee in this matter.
3. The State of Alabama agrees to pay court costs incurred in this matter.

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SHELBY COUNTY JUDGE OF PROBATE
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It is therefore, CONSIDERED, ADJUDGED and DECREED by the Court that, pursuant to the agreement of the parties, the damages and just compensation to the Defendants in this cause is the sum of Three Hundred Eighty Five Thousand and no/100ths Dollars in addition to interest that has accrued on sums of money now on deposit with the Probate Court of Shelby County, Alabama in the amount of Seven Thousand Five Hundred Eight Six and no/100ths Dollars (\$7,586.00). The Clerk is hereby authorized and directed to pay to the Defendants as their interest may appear, the sum of Three Hundred Ninety Two Thousand Five Hundred Eighty Six and no/100ths Dollars (\$392,586.00), 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 Four Hundred Thousand Four Hundred sixty-one and no/100ths Dollars, (\$400,461.00) which sum is currently in the possession of the Clerk of Probate Court. That Three Hundred Ninety-two Thousand Five Hundred Eighty-six and no/100ths Dollars is the amount of just compensation due the Defendants in this cause. That the Defendants previously withdrew the approved offer amount made by Plaintiff(s) in the sum of Three Hundred Eight Thousand and Four Hundred and 00/100 Dollars (\$308,400.00).

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 E ½ of the NW ¼, Section 11, Township 21 South, Range 3 West, identified as Tract No. 31, Project STPAA-458(1), Shelby County, Alabama, and being more fully described as follows:

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Commence at the southwest corner of said SE ¼ of NW ¼; thence east along the south line of said SE ¼ of NW ¼, a distance of 1040 feet, more or less, to the present east right of way line of Alabama Highway 119; thence northerly along said right of way line a distance of 580 feet, more or less, to the south property line and the point of beginning of the property herein to be conveyed; thence continue northerly along said right of way line a distance of 440 feet, more or less, to an offset in said right of way line; thence an angle of 90 deg. to the left of a distance of 5 feet; thence an angle to the right along said present east right of way line a distance 345 feet, more or less, to the north property line; thence east along said property line a distance of 100 feet, more or less, to a point that is 65 feet southeasterly of and at right angles to the centerline of said Project No. STPAA 458 (1); thence southwesterly, parallel with said centerline; along a curve to the left (concave southeasterly), a distance of 118 feet, more or less, to a point that is 65 feet southerly of and at right angles to said centerline at P. C. Station 508 +27.41; thence southerly, parallel with said centerline, a distance of 660 feet, more or less, to the south property line; thence west along said property line a distance of 56 feet, more or less, to the point of beginning. Containing 1.199 acres, more or less..."

Dewey V. Glass and Gregory B. Glass (fee)
1913 Mayflower Drive
Hoover, AL 35216
C/O Hewitt Conwill
P. O. BOX 557
COLUMBIANA, AL 35051

Annette D. Skinner Tax Collector
P. O. BOX 1298
COLUMBIANA, AL 35051

It is further ORDERED, ADJUDGED and DECREED by the Court that the Court costs be, and are hereby taxed against the Plaintiffs pursuant to the terms of the Mediation Settlement Agreement, for which let execution issue.

DONE AND ORDERED this 4th day of October, 2001.



CIRCUIT JUDGE

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Consented and approved by:

Attorney for Plaintiff(s)
State of Alabama

Gregory B. Glass

Dewey V. Glass

Attorney for Defendants
