

**IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA**

This document amends Inst. #2000-12183  
as recorded on 04/13/00.

**STATE OF ALABAMA,  
PLAINTIFF.**

**V.**

**CASE NO. 39-038JPF**

**ROBERT E. HILL ET AL  
DEFENDANT(S).**

**AMENDED  
ORDER AND DECREE OF CONDEMNATION**

On the 22<sup>nd</sup> day of March 2000, the Applicant, State of Alabama, paid into the Court the damages and compensation ascertained by the Commissioners heretofore appointed by the Court and as set out in the Order confirming Report of Commissioners with a separate Decree Granting Condemnation and Appointing Commissioners entered February 4, 2000.

And it appearing to the Court that the costs damages and compensation ascertained assessed by said Commissioners for the Respondents as of the parcel of land described as follows:

A part of the NW1/4 of the NW1/4, section 14, Township 21 South, Range 3 West, identified as Tract No. 2-A, Project No. STPAA-458 (1), Shelby County, Alabama, and being more fully described as follows:

Commence at the southeast corner of said NW1/4 of the NW1/4; thence north along the east line of said NW1/4 of NW1/4 a distance of 29 feet, more or less, to the present north right of way line of County Road 26 East; thence westerly along said right of way line a distance of 256 feet, more or less, to a point that is at right angles to the centerline of Relocated County Road 26 East at Station 22+17 and the point of beginning of the property herein to be conveyed; thence northwesterly a distance of 112 feet, more or less, to a point on the northwest property line that is at right angles to the centerline of said Project No. STPAA-458(1) at Station 455+70; thence northeasterly along said northwest property line a distance of 167 feet, more or less, to a point that is at right angles to said centerline at Station 457+36.74; thence northeasterly along a line which, if extended, would intersect a point that is 110 feet southeasterly of and at right angles to said centerline at Station 460+50 a distance of 250 feet, more or less, to the north property line; thence westerly along said property line a distance of 88 feet, more or less, to the present southeast right way of line of Alabama Highway 119; thence southwesterly along said right of way line a distance of 450 feet, more or less, to a flare which connects the present southeast right of way line of said Alabama Highway 119 to the present north right of way line of County Road 26 East; thence southeasterly along said right of way flare a distance of 98 feet, more or less, to a point on the present north right of way line of County Road No. 26 East; thence easterly along said present right of way line of County Road No. 26 East a distance of 80 feet, more or less, to the point of beginning. Containing 0.979 acre, more or less.

Inst # 2000-12241

03/19/2002-12941  
10:51 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
BDA MSB 21.00

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**STATE V. ROBERT E. HILL ET AL**

**AMENDED ORDER AND DECREE OF CONDEMNATION**

**CASE NO. 39-038JPF**

In the amount of One Hundred Twenty-two Thousand Six Hundred four and 00/100 Dollars (\$122,604.00), which sum includes the sum of the award and all costs, has been deposited in this Court by the Applicant on March 22, 2000, and it further appearing to the Court that all things necessary and required by the law of the State of Alabama necessary for an Order of Condemnation have been done and performed by the Petitioner and that the Petitioner is entitled to such Order.

It is therefore, **ORDERED, ADJUDGED and DECREED** that the Applicant, State of Alabama, is hereby given and awarded fee simple title in and to the land described above.

It is further **ORDERED, ADJUDGED and DECREED** that the fee simple title to the lands described above be, and the same is hereby divested out of the Respondents and hereby is vested in the State of Alabama, and Applicant hereby is given and awarded the right to the immediate possession of the property hereinabove described for the uses and purposes set out in said Petition or Application, and as set out above.

It is further **ORDERED, ADJUDGED and DECREED** that the Applicant, State of Alabama, is hereby granted the right to enter on Respondents remaining property, if necessary, for the purpose of removing any structure located wholly or partially on the property described hereinabove and plat sketch as attached hereto and labeled as Exhibit A.

It is further **ORDERED, ADJUDGED and DECREED** and it is the judgment of this Court that the parties whose names are next hereafter set out are entitled to share in said award as may be ascertained by the Court.

Robert E. Hill  
300 Vestavia Parkway,  
Ste. 3600  
Birmingham, AL 35216

(fee)

Colonial Bank N.A.  
C/O George M. Neal, Esq.  
Kerry P. McInerney, Esq.  
Sirote & Permutt, P. C.  
2311 Highland Avenue South  
Birmingham, AL 35205-5527

(mortgagee)

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**STATE V. ROBERT HILL ET AL**

**AMENDED ORDER AND DECREE OF CONDEMNATION**

**CASE NO. 39-038JPF**

Annette D. Skinner  
P. O. BOX 1298  
Columbiana, AL 35051

(Tax Collector)

All claims having been identified, with said parties having (30) days to file a claim, the following parties filed said claims along with a Joint Motion for Disbursement with the following disbursement(s) being made:

Colonial Bank	\$38,621.00
Robert E. Hill	\$84,885.97
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TOTAL	\$123,406.00

The difference between the Commissioners award and the total disbursements being made reflects interest accrued on the deposited funds as paid by the bank.

It is further **ORDERED, ADJUDGED and DECREED** by the Court that the Applicant, State of Alabama pay all costs incurred in this cause. Said sum having been deposited by the Applicant and duly paid as ordered.

Done in open Court, this the 10 day of March, 200 2.

  
**JUDGE OF PROBATE**



**Abstract**

[illegible]

1737 2002-12941

03/19/2002-12941  
10:54 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
21.00  
004 MSB

ALABAMA DEPARTMENT OF TRANSPORTATION

PROJECT NO. STPAA-458(1)

SCALE: 1" = 100'

DATE: 12-12-97

REVISED: 7-29-97, 8-31-98

REMAINDER: 1.991