

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

**STATE OF ALABAMA,  
PLAINTIFF.**

This Amended Order amends Inst 2000-42440  
Please refer to Inst. #2000-42440  
previously recorded on 12/8/00

**V.**

**CASE NO. 39-265**

**RAYMOND ELLIS GORE, BARBARA BENSON GORE, ET AL  
DEFENDANT(S).**

**AMENDED  
ORDER AND DECREE OF CONDEMNATION**

On the 3<sup>rd</sup> day of April, 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 on June 15, 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 Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Section 11, Township 21, South Range 3 West, identified as Tract No. 40, Project No. STPAA-458(1), Shelby County, Alabama, and being more fully described as follows:

Commence at the southeast corner of said Northeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$ ; thence north along the east line of said Northeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$ , a distance of 917 feet, more or less, to a point on a line which extends from a point that is 80 feet easterly of and at right angles to the centerline of said project at Station 515+60.54, to a point that is 151 feet easterly of and at right angles to said centerline at Station 519+18 and the point of beginning of the property herein conveyed; thence southwesterly along said line which, if extended, would intersect said point that is 80 feet easterly of and at right angles to the centerline of said project at Station 515+60.54, a distance of 42 feet, more or less, to the south property line; thence west along said south property line a distance of 208 feet, more or less, to a point on a line which extends from a point that is 75 feet westerly of and at right angles to the centerline of said project at Station 518+00, to a point that is 90 feet westerly of and at right angles to said centerline at Station 520+19.46; thence northerly along said line a distance of 148 feet, more or less to said point that is 90 feet westerly of and at right angles to said centerline at Station 520+19.46; thence northwesterly a distance of 88 feet, more or less, to a point on the northeast property line that is 105.64

Inst # 2002-12942

03/19/2002-12942  
10:51 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
904 MSB 21.00

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**AMENDED ORDER AND DECREE OF CONDEMNATION**  
**STATE V. GORE ET AL**  
**CASE NO. 39-265JPF**

feet westerly of and at right angles to said centerline; thence southeasterly along said northeast property line a distance of 290 feet, more or less, to the east line of said Northeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$ , the east property line; thence south along said east line a distance of 97 feet, more or less, to the point of beginning. Containing 0.963 acre, more or less.

In the amount of One Hundred Seventy-six Thousand Six hundred ninety-nine and 00/100 Dollars (\$176,699.00), which sum includes the sum of the award and all costs, has been deposited in this Court by the Applicant on or about August 24, 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 hereby is 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.

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**AMENDED ORDER AND DECREE OF CONDEMNATION**  
**CASE NO. 39-265JPF**

Raymond Ellis and Barbara Benson Gore (fee)  
1304 Montevallo Road  
ALABASTER, AL 35007

Annette D. Skinner (tax collector)  
P. O. BOX 1298  
COLUMBIANA, AL 35051

GE Capital Mortgage Services (mortgagee)  
P. O. BOX 66806  
ST. LOUIS, MO 63166-6806

All claims having been identified, with said parties having thirty (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:

GE Capital Mortgage	\$74,596.15
Raymond Ellis Gore	\$50,468.19
Barbara Benson Gore	\$50,468.18
<b>TOTAL</b>	<b>\$175,532.52.00</b>

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

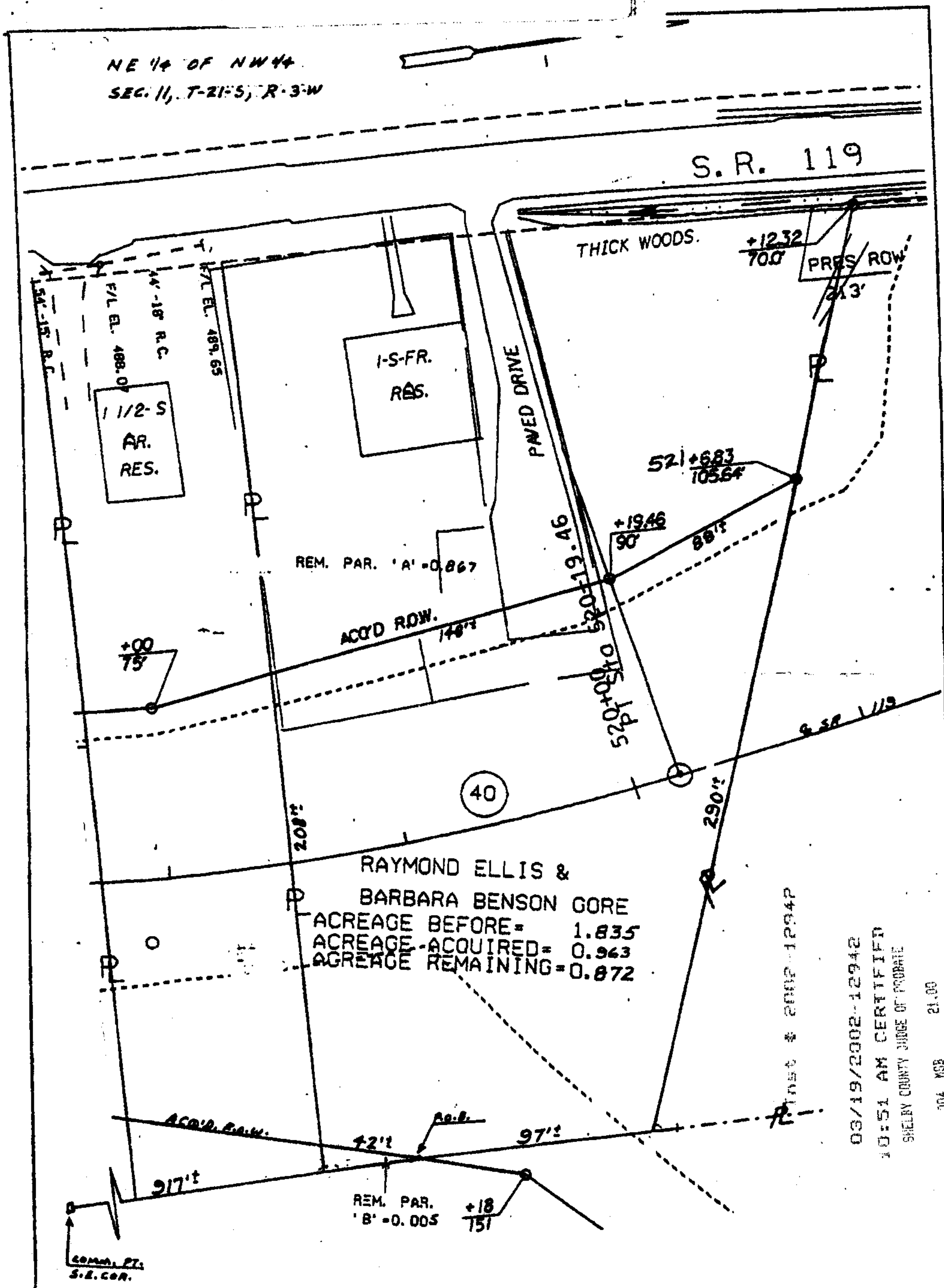
It is further **ORDERED, ADJUDGED and DECREED** by the Court that the Applicant, State of Alabama pay all costs incurred in this cause. Said sum having been deposited by the Applicant and duly paid as Ordered.

Done in open Court, this the

16 day of March, 2002

  
JUDGE OF PROBATE

EXHIBIT A



TRACT NUMBER	<u>40</u>	ALABAMA DEPARTMENT OF TRANSPORTATION
OWNER:	<u>RAYMOND ELLIS AND BARBARA BENSON GORE</u>	PROJECT NO. STPAA-458(1)
TOTAL ACREAGE:	<u>1.835</u>	SHELBY COUNTY
R/W REQUIRED:	<u>0.963</u>	SCALE: 1" = <u>50'</u>
REMAINDER:	<u>0.872</u>	DATE: <u>12-12-97</u>
		REVISED: <u>7-31-98, 9-1-98, 11-12-99</u>