

03/07/2002

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

**STATE OF ALABAMA,
PLAINTIFF.**

V.

CASE NO. 42-009JPF

**DOUGLAS M. KENT, II owner of the fee,
REGIONS BANK, MORTGAGEE, and ANNETTE
D. SKINNER, SHELBY COUNTY TAX COLLECTOR
DEFENDANT(S).**

**AMENDED
ORDER AND DECREE OF CONDEMNATION**

On the 22nd day of February, 2002, 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 November 28, 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 SE ¼ of the SW ¼ and the NE ¼ of the SW ¼, Section 11, Township 21 South, Range 3 West, identified as Tract No. 19-C, Project No. STPAA-458(1), Shelby County, Alabama and being more fully described as follows:

Commence at the southwest corner of said SE ¼ of the SW ¼;
Thence east along the south line of said SE ¼ of the SW ¼ a distance of 134 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 650 feet, more or less, to the southwest property line and the point of beginning of the property herein to be conveyed; thence continue northeasterly along said right of way line a distance of 1200 feet, more or less, to the northeast property line; thence southeasterly along said property line a distance of 64 feet, more or less, to a point on a line that is 80 feet southeasterly of and at right angles to the centerline of said Project No. STPAA-458(1), said point extends from a point that is 80 feet from the centerline of said Project at station 490+00 to a point that is 80 feet from said centerline at station 486+00; thence southwesterly, parallel with said centerline, along a curve to the right (concave northeasterly), a distance of 38 feet, more or less to a point that is 80 feet southeasterly of and at right angles to said centerline at station 486+00; thence southerly a distance of 101 feet, more or less, to a point that is 90 feet southeasterly of and at right angles to said centerline at station 485+00; thence southwesterly, parallel with said centerline, along a curve to the right (concave northeasterly) a distance of 589 feet, more less, to a point that is 90 feet southeasterly of and at right angles to said centerline at P. C. station 479+22.03; thence southwesterly, parallel with said centerline, a distance of 484 feet, more or less,

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to the southwest property line; thence northwesterly along said property line a distance of 69 feet, more or less, to the point of beginning. Containing 1.988 acres, more or less.

In the amount of Three Hundred Ninety-one Thousand Three Hundred Forty-eight and 64/100 Dollars (\$391,348.64) which sum includes the sum of the award and all costs, has been deposited in this Court by the Applicant on February 22, 2002, 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.

Douglas M. Kent II
9609 Highway 119
ALABASTER, AL 35007

(fee)

Regions Bank
Columbiana Branch
21235 Hwy 25
Columbiana, AL 35051

(mortgagee)

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

(tax collector)

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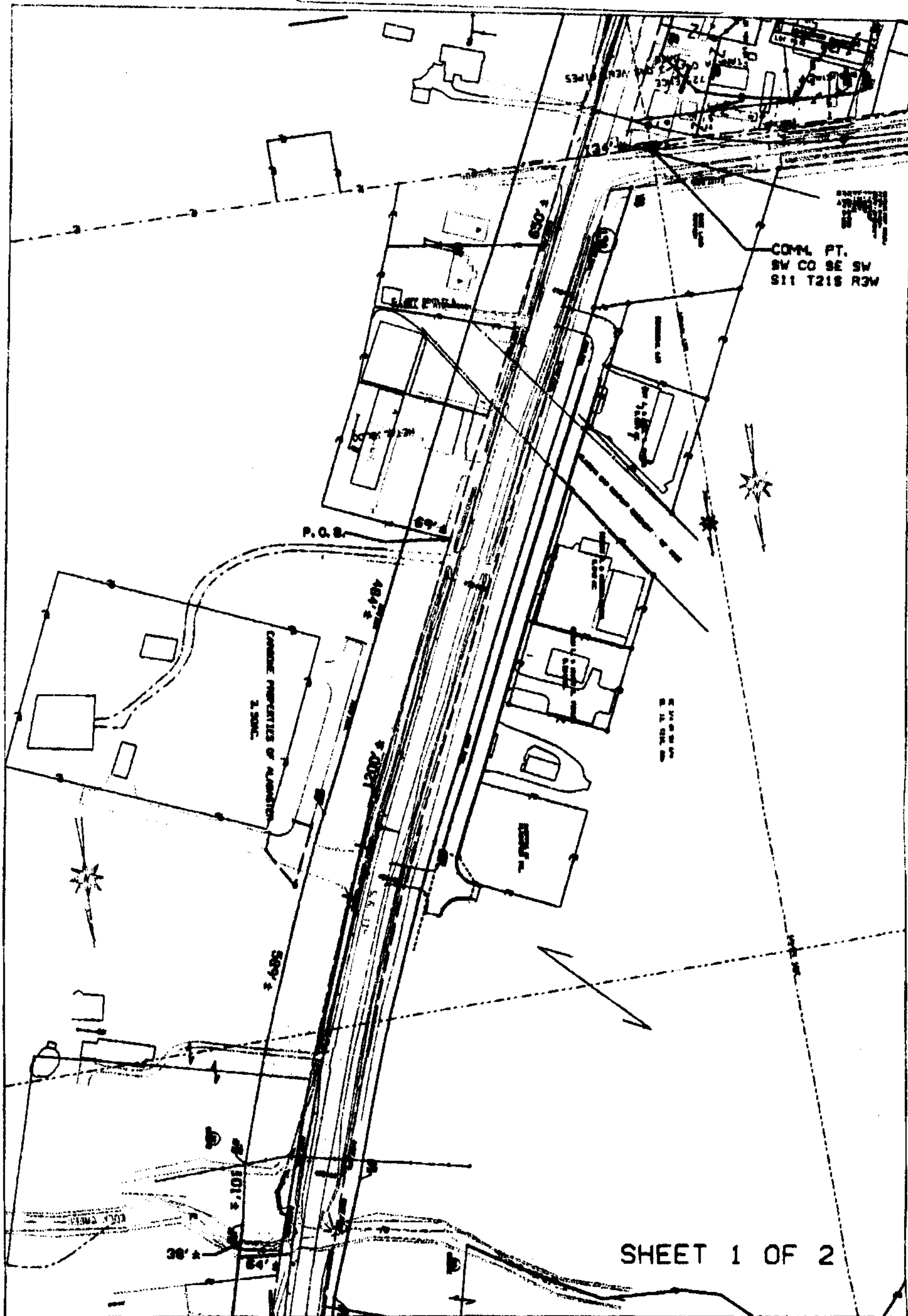
All claims having been identified, with said parties having (30) days to file a claim, the disbursements to those parties have been made.

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 22 day of March, 2002.

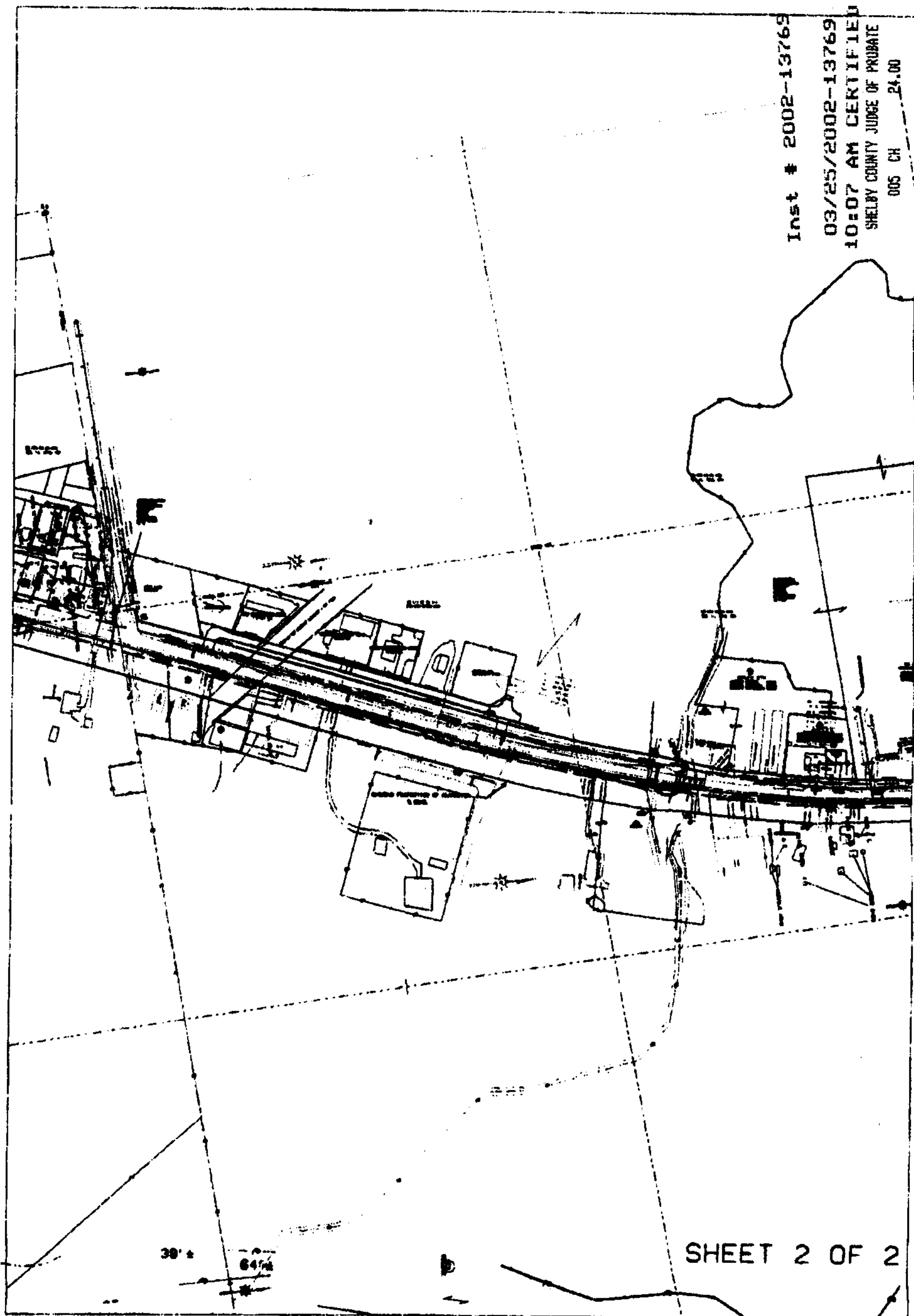


JUDGE OF PROBATE



TRACT NUMBER 19C	ALABAMA DEPT. OF TRANSPORTATION
OWNER: DOUGLAS M. KENT II	PROJ. NO. STPAA-458(1)
	COUNTY: SHELBY
TOTAL ACREAGE: 59.500	SCALE: 1" = 200'
R/W REQUIRED: 1.988	DATE: 01-08-01
REMAINDER: 57.512	REVISED: 06-01-01

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TRACT NUMBER 19C	ALABAMA DEPT. OF TRANSPORTATION
OWNER: DOUGLAS M. KENT II	PROJ. NO. STPAA-458(1)
	COUNTY: SHELBY
TOTAL ACREAGE: 59.500	SCALE: 1" = 400'
R/W REQUIRED: 1.988	DATE: 01-08-01
REMAINDER: 57.512	REVISED: 06-01-01