

STATE OF ALABAMA

IN THE CIRCUIT COURT

Petitioner

EIGHTEENTH JUDICIAL CIRCUIT

vs

OF ALABAMA

E. D. FARR, AND WIFE, DORIS
HELEN FARR; LARRY FARR AND WIFE,
JO R. FARR; THE ANNISTON PRODUCTION
CREDIT ASSOCIATION OF ANNISTON,
ALABAMA; EARL J. STANDIFER, TAX
COLLECTOR,

SHELBY COUNTY

CASE NO. 1309

Respondents.

JUDGMENT OF CONDEMNATION

This cause being set for trial came on for hearing on the 20th day of April, 1970, and came into Court the Applicant State of Alabama, by its Attorneys Jack F. Norton and Wallace and Ellis, and also came the defendants E. D. Farr and wife, Doris Helen Farr, in their own person and by their attorney of record, Karl C. Harrison, and Larry Farr and wife, Jo R. Farr, in their own person and by their attorney of record, Frank Bainbridge, and all parties announced ready for trial.

Thereupon the Court proceeded to hear the allegations of the Application for Order of Condemnation as last amended, and upon consideration of said Application and the evidence in support thereof it is ORDERED, ADJUDGED and DECREED, and it is the Judgment of the Court that said application for the condemnation of an easement for public road purposes and use in, over and across the land herein described and the condemnation of access rights be and the same is hereby granted; and said land and all interest therein sought to be acquired be and the same are hereby condemned for the uses and purposes stated and sought in the application for Order of Condemnation as amended filed herein.

Thereupon, the parties withdrew their demand for jury and entered into a consent settlement of said cause under which the State of Alabama agreed to pay said defendants the sum of Twelve Thousand Five Hundred and no/100 Dollars (\$12,500.00) as damages and compensation for the land taken.

And now comes the Applicant, State of Alabama, by its Attorneys and shows unto the Court that it has heretofore deposited with the Judge of Probate of Shelby County, Alabama, the sum of Eight Thousand Four Hundred and no/100 Dollars for damages and compensation for the condemnation of said land, and said rights which said sum has been by said Judge of Probate paid to the Clerk of this Court.

That the Tax Collector of Shelby County, Alabama has filed with the Court in this suit written disclaimer of any right to participate in or take any

part of the award assessed in this suit, and consents and agrees that the entire award be paid directly to the defendants in this cause.

It appears to the Court, and it is adjudged by the Court that of the total award assessed herein, namely: \$12,500.00, the sum of \$2,000.00 represents compensation for the land actually taken in this suit, and that \$10,500.00 represents severance damages to the remaining lands owned by the said E. D. Farr and Larry Farr;

NOW, THEREFORE, it is ordered, adjudged and decreed by the Court, and it is the Judgment of the Court that the said defendants, E. D. Farr and wife, Doris Helen Farr; Larry Farr and wife, Jo R. Farr; and The Anniston Production Credit Association of Anniston, Alabama, are entitled to have and receive of said Clerk and State of Alabama, the total sum of Twelve Thousand Five Hundred and no/100 Dollars (\$12,500.00) and judgment for that amount is hereby rendered in favor of defendants E. D. Farr and wife, Doris Helen Farr; Larry Farr and wife, Jo R. Farr; and The Anniston Production Credit Association of Anniston, Alabama, and against the applicant, State of Alabama.

NOW, THEREFORE, on Motion of the Applicant, State of Alabama, it is ORDERED, ADJUDGED and DECREED and it is the Judgment of the Court that the easement, right of way and access rights sought by the Applicant, State of Alabama, to be condemned in, over, across, under and to and from the following described land of said defendants, to-wit:

TRACT NO. 24

And as shown on the right-of-way map of Project No. S-1359-C as recorded in the Office of the Judge of Probate of Shelby County:

Commencing at the northwest corner of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27, Township 21 South, Range 1 East; thence easterly along the north line of said NW $\frac{1}{4}$ of SE $\frac{1}{4}$, the north property line, a distance of 798 feet, more or less, to a point that is 130 feet northwesterly of and at right angles to the centerline of Project No. S-1359-C and the point of beginning of the property herein to be conveyed; thence continuing easterly along the said north property line (crossing the centerline of said Project at Station 528+36.4) a distance of 212 feet, more or less, to the 397 foot contour line; thence southwesterly, easterly and northeasterly along said 397 foot contour line, a distance of 138 feet, more or less, to the north line of said NW $\frac{1}{4}$ of SE $\frac{1}{4}$, the north property line; thence easterly along said north property line, a distance of 35 feet, more or less, to a point that is 120 feet southeasterly of and at right angles to the centerline of said project; thence South 10 deg. 52 min. West parallel to the centerline of said project a distance of 165 feet more or less, to a point that is 120 feet southeasterly of and at right angles to the centerline of said Project at Station 527+00; thence turn an angle of 90 deg. 00 min. to the left and run a distance of 80 feet; thence South 10 deg. 52 min. West, parallel to the centerline of said project a distance of 964.8 feet; thence turn an angle of 90 deg. 00 min. to the right and run a distance of 60 feet; thence South 10 deg. 52 min. West, parallel to the centerline of said project a distance of 1085.2 feet; thence turn an angle of 90 deg. 00 min. to the right and run a distance of 40 feet; thence South 10 deg. 52 min. West, parallel to the centerline of said project a distance

of 832 feet, more or less, to the southwest property line; thence northwesterly along the said southwest property line (crossing the centerline of said Project at approximate Station 498/20) a distance of 208 feet, more or less, to a point that is 100 feet northwesterly of and at right angles to the centerline of said project; thence North 10 deg. 52 min. East, parallel to the centerline of said project a distance of 2073 feet, more or less, to a point that is 100 feet northwesterly of and at right angles to the centerline of said Project at station 519/50; thence turn an angle of 90 deg. 00 min. to the left and run a distance of 50 feet, more or less, to the 397 foot contour line; thence northeasterly along said 397 foot contour line, a distance of 575 feet, more or less, to a point that is 130 feet northwesterly of and at right angles to the centerline of said project; thence North 10 deg. 52 min. East, parallel to the centerline of said project, a distance of 310 feet, more or less, to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 and the W $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 27, Township 21 South, Range 1 East, and containing 17.97 acres, more or less,

for the public road purposes and use be and the same is hereby condemned, granted and awarded Applicant; and said land and all interest therein sought to be acquired herein be and the same are hereby condemned, granted and awarded to the Applicant, State of Alabama; together with the right and authority to clear and remove from said land any and all improvements situated thereon, and the right and authority to exercise complete use and control of said land.

It is further ORDERED, ADJUDGED and DECREED and it is the Judgment of the Court that the cost of Court in this cause incurred be and the same is hereby taxed against the Applicant, State of Alabama, for which let execution issue.

DONE AND ORDERED this 29th day of April, 1970.

November 16, 2007
Mary H. Hanis Ty

Kenneth Ingram
Circuit Judge

FILED IN OFFICE
This 29 day of April 1970
L. G. Felt
Clerk of The Circuit Court
of Shelby County, Ala.