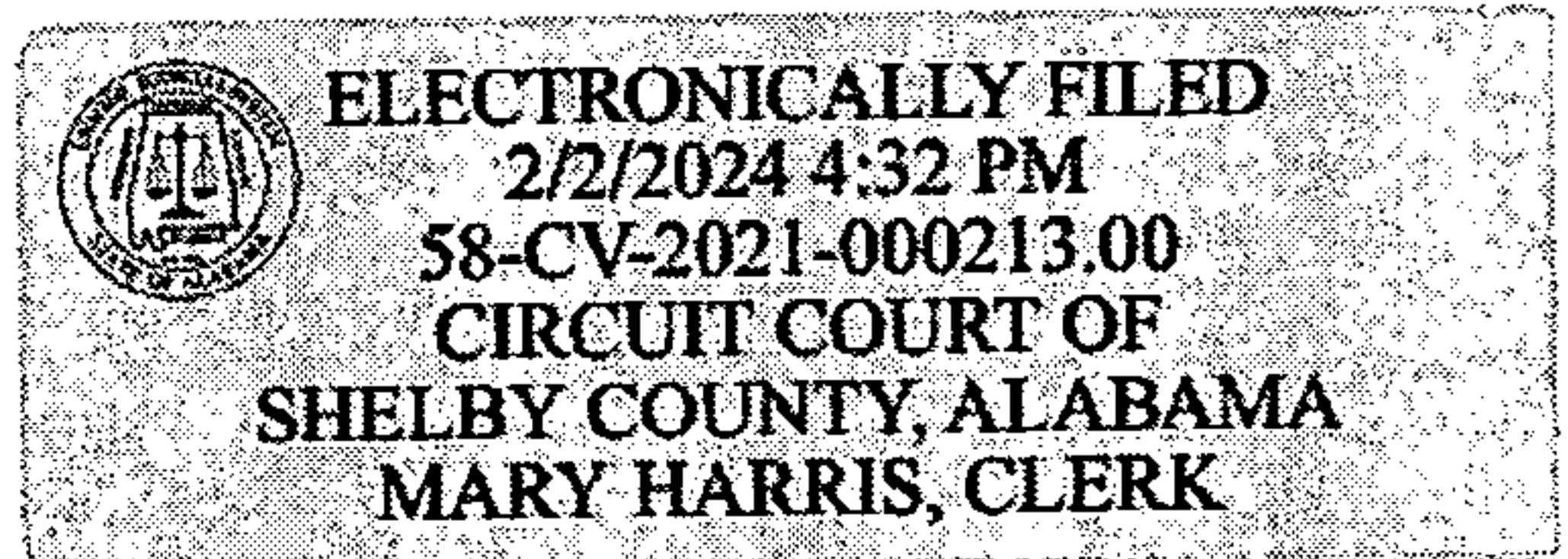




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Shelby Cnty Judge of Probate, AL
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IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

STATE OF ALABAMA,

Plaintiff,

v.

PAUL ABOUJAOUDE,
CLAUDETTE ABOUJAOUDE, and
DONALD ARMSTRONG,

Defendants.

Case No. CV-2021-000213

Certified a true and correct copy
Date: 4/23/24
Mary M. Harris
Mary M. Harris, Circuit Clerk
Shelby County, Alabama

AMENDED CONSENT JUDGMENT

The Plaintiff, State of Alabama (the "State") and the defendants, Paul Aboujaoude and Claudette Aboujaoude (the "Owners"), have represented to this Court that this matter is resolved fully on the following terms and conditions which seek to amend, in part, the prior July 10, 2023, Consent Order. Accordingly, the Court hereby enters an Amended Consent Judgment as follows:

1. This action involves a Notice of Appeal filed by the Owners of a condemnation proceeding initiated by the State in the Probate Court of Shelby County, Alabama, Case No. PR-2020-000863. The State seeks to condemn a portion of the Owners' real property for use for public road or highway purposes designated Project No. STPBH-0119(510) Tract No. 57. The Owners' property sought to be condemned in fee simple is referred to as Tract 57 of the Project and is described on the attached Exhibit "A" (the Property").

2. The Probate Court awarded to Owners the sum of \$69,577.00 for the subject taking which sum was paid into the Shelby County Probate Court by the State. Thereafter, the Shelby County Probate Court paid \$70,487.22 to the Owners (\$69,677.00 plus interest). As part of the final resolution of this matter, the State paid the additional sum of \$88,423.00 for a total (pre-interest) award of \$158,000.00 to the Owners. Such additional sum has been paid into this Court. Accordingly, the Circuit Court Clerk shall pay the aforesaid \$88,423.00 (and accrued interest, if any) to the Owners by the issuance of a check from



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the Shelby County Circuit Court and delivered to the Owners' counsel. Such payment shall resolve fully all money to owing the Owners.

3. The parties agree to and incorporate by reference the Probate Court Order entered April 21, 2021, expressly acknowledging the provisions regarding ingress and egress access.

4. Costs of this action are to be taxed to the State.

5. A copy of this order (attaching the aforesaid April 21, 2021, Probate Court Order) shall be recorded by the State in the deed records in the Probate Office of Shelby County, Alabama, along with any subsequent order confirming that the award in Section 2 above has been paid into court.

Done this 2nd day of February, 2024.


Circuit Judge



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EXHIBIT A

Legal Description:

A part of the SW¼ of the NW¼ of Section 14 Township 21 South, Range 3 West, identified as Tract No. 57 on Project No. STPBH-0119(510) in Shelby County, Alabama, and being more fully described as follows:

Parcel 1 of 1:

Commencing at the found iron pin at the NW corner of property described in Deed Reference DB 106 PG 413 as recorded in the Office of the Judge of Probate in Shelby County, Alabama (said point also on the present east R/W line of SR-119); thence northeasterly and along said present R/W line a distance of 85 feet, more or less, to a point on said present R/W line; thence northeasterly and along said present R/W line a distance of 53 feet, more or less, to a point on said present R/W line; thence northeasterly and along said present R/W line a distance of 92 feet, more or less, to a point on said present R/W line (said point perpendicular to centerline of project at station 147+55.00) (said point also on the acquired R/W line), which is the point and place of BEGINNING; thence following the curvature thereof an arc distance of 299.00 feet and along said present R/W line to a point on the present SE R/W taper to CR-26 (said arc having a chord bearing of N 16 deg. 57 min. 33 sec. E, a clockwise direction, a chord distance of 298.87 feet and a radius of 2980.00 feet); thence N 60 deg. 1 min. 39 sec. E and along said present R/W taper a distance of 30.98 feet to a point on the acquired R/W line (said point perpendicular to centerline of project at station 150+86.45); thence following the curvature thereof an arc distance of 272.90 feet and along the acquired R/W line to a point on the acquired R/W line (said point offset 85 ft. RT and perpendicular to centerline of project at station 148+05.00) (said arc having a chord bearing of S 18 deg. 58 min. 43 sec. W, a counterclockwise direction, a chord distance of 272.79 feet and a radius of 2715.00 feet); thence S 30 deg. 14 min. 33 sec. W and along the acquired R/W line a distance of 50.23 feet to the point and place of BEGINNING, containing 0.106 acre(s), more or less.