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Clerk: KROBINSON

IN THE PROBATE COURT OF MOBILE COUNTY, ALABAMA

IN THE MATTER OF	:	CASE NO. 2018-1613
STATE OF ALABAMA,	:	
Plaintiff,	:	
	:	
-VS-	:	
	:	
KEITH A. JONES, et. al.,	:	
Defendants.	:	
	:	
Condemnation of Land	:	

**JUDGMENT,
ORDER FILING REPORT OF COMMISSIONERS
AND ORDER OF CONDEMNATION**

This day came Annette Carwie, Y. D. Lott, Jr. and Pete Riehm, the Commissioners heretofore appointed by this Court to assess and ascertain the damages and compensation to which the owners and other parties claiming or holding some right, title or interest in and to the said land described in said Complaint, are entitled and filed their report in writing and under oath, setting forth among other things that after each of them had been sworn as jurors are sworn they executed their duties in strict accordance with the conditions of the commissions issued and the decree of this Court; and

The Commissioners awarded compensation and damages to the following named persons, in the following amount, for their interest to the following described land, situated in the County of Mobile, State of Alabama, viz:

[This area left intentionally blank]

LEGAL DESCRIPTION AND PARTIES OF INTEREST IN TRACT NUMBER 10

TRACT 10

A part of Section 26, Township 4-S, Range 1-W, identified as Tract No. 10 on Project No. ST-049-I10-006 in Mobile County, Alabama and being more fully described as follows:

Parcel 1 of 1:

Commencing at the intersection of the present west R/W line of S. Conception St. and the present south R/W line of Maryland St.;

thence southerly and along said present R/W line of S. Conception St. a distance of 253 feet, more or less, to a point on the acquired R/W line (said point offset 675.60' RT and perpendicular to the centerline of project at station 458+84.98, which is the point and place of BEGINNING;

thence S 7°58'52" W and along said present R/W line a distance of 51.82 feet to a point on the present north R/W line of Virginia St.;

thence N 81°55'43" W and along said present R/W line a distance of 109.04 feet to a point on the grantor's west property line;

thence N 7°58'52" E and along the grantor's said property line a distance of 101.10 feet to a point on the acquired R/W line (said line between a point that is offset 675.60' RT and perpendicular to centerline of project at station 457+84.98 and a point that is offset 460.95' RT and perpendicular to centerline of project at station 457+71.84);

thence S 57°37'36" E and along the acquired R/W line a distance of 119.73 feet to the point and place of BEGINNING, containing 0.20 acre(s), more or less.

Also condemned are all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified on; Project No. ST-049-I10-006, County of Mobile, Alabama and all of the grantor's remaining property consisting of all parcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which parcels either adjoin the property conveyed by this instrument or are connected thereto by other parcels owned by the grantor.

And as shown on the right of way map of record in the Alabama Department of Transportation a copy of which is also deposited in the office of the Judge of Probate as an aid to persons and entities interested therein and as shown on the Property Sketch attached hereto and made a part hereof.

EQUIPMENT OR FIXTURES TO BE ACQUIRED:

Site improvements (including paved parking area and metal fencing which contribute to value, and landscaping which has no contributory value).

Damages – Remaining improvements, cost to cure parking.

OWNERS AND PARTIES OF INTEREST:

Keith A. Jones (Owner)

7 Watchtower Road

Spanish Fort, AL 36527

Banktrust (Mortgagee)

c/o CT Corporation System

2 North Jackson Street, Suite 605

Montgomery, AL 36104

Trustmark National Bank (Mortgagee)

c/o CT Corporation System

2 North Jackson Street, Suite 605

Montgomery, AL 36104

Kim Hastie

Revenue Commissioner

P.O. Box 1169

Mobile, AL 36633-1169

\$ 292,525.00 FOR THE CONDEMNATION OF THE ABOVE

DESCRIBED TRACT 10.

LEGAL DESCRIPTION AND PARTIES OF INTEREST IN TRACT NUMBER 13

TRACT 13

A part of Section 26, Township 4-S, Range 1-W, identified as Tract No. 13 on Project No. ST-049-I10-006 in Mobile County, Alabama and being more fully described as follows:

Parcel 1 of 1:

Commencing at a capped iron at the intersection of the present West R/W line of S. Conception Street and North property line of property described in RP 4736, PG 496 and recorded at the Office of the Judge of Probate in Mobile County;

thence northerly and along said present R/W line a distance of 149 feet, more or less, to a point on the grantor's South property line;

thence westerly and along the grantor's said property line a distance of 198 feet, more or less, a point on the grantor's said property line, (point also on the acquired R/W line between a point that is offset 316.46' RT and perpendicular to the centerline of project at station 459+15.03 and a point that ties to the intersection of the present West R/W line of S. Conception Street and the present South R/W line of New Jersey Street), which is the point of BEGINNING;

thence N 81°31'6" W and along the grantor's said property line a distance of 120.08 feet to a point on the present East R/W line of South Franklin Street;

thence N 8°13'54" E and along said present R/W line a distance of 97.79 feet to a point on the grantor's North property line;

thence S 82°28'41" E and along the grantor's said property line a distance of 149.21 feet to a point on the grantor's said property line;

thence N 7°40'21" E and along the grantor's said property line a distance of 19.22 feet to a point on the grantor's said property line;

thence S 81°31'6" E and along the grantor's said property line a distance of 26.99 feet to a point on the acquired R/W line (said line between a point that is offset 316.46' RT and perpendicular to centerline of project at station 459+15.03 and a point that ties to the intersection of the present West R/W line of S. Conception Street and the present South R/W line of New Jersey Street);

thence S 33°21'8" W and along the acquired R/W line a distance of 131.73 feet to the point and place of BEGINNING, containing 0.34 acre(s), more or less.

Also condemned are all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified on; Project No. ST-049-I10-006, County of Mobile, Alabama and all of the grantor's remaining property consisting of

all parcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which parcels either adjoin the property conveyed by this instrument or are connected thereto by other parcels owned by the grantor.

And as shown on the right of way map of record in the Alabama Department of Transportation a copy of which is also deposited in the office of the Judge of Probate as an aid to persons and entities interested therein and as shown on the Property Sketch attached hereto and made a part hereof.

EQUIPMENT OR FIXTURES TO BE ACQUIRED:

Site improvements (including chain link fencing with no contributory value).

Damages – Remaining improvements, remaining land.

OWNERS AND PARTIES OF INTEREST:

Keith A. Jones and Alison B. Jones (Owners)

7 Watchtower Road

Spanish Fort, AL 36527

Trustmark National Bank (Mortgagee)

c/o CT Corporation System

2 North Jackson Street, Suite 605

Montgomery, AL 36104

Kim Hastie

Revenue Commissioner

P.O. Box 1169

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\$ 236,000.00 FOR THE CONDEMNATION OF THE ABOVE
DESCRIBED TRACT 13.

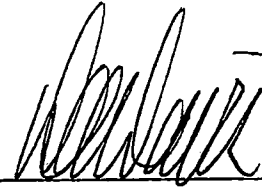
It is **ORDERED, ADJUDGED and DECREED** by the Court that the said report of commissioners be filed and recorded.

It now appears to the Court that the State of Alabama, the Plaintiff in this cause, has the authority and right to take said property by eminent domain pursuant to Ala. Code § 23-1-82 (1975), it is therefore further **ORDERED, ADJUDGED and DECREED** by the Court that the property heretofore described, be and the same is hereby condemned for the uses and purposes set forth in said Complaint and that title to the said property shall be transferred to the Plaintiff upon the payment of the damages and compensation so assessed, or the deposit of the same in the Court, **plus interest thereon, if any.**

It is further **ORDERED** by the Court that said plaintiff pay all costs of this proceeding, **FOR THE RECOVERY OF WHICH LET EXECUTION ISSUE.**

The Clerk of the Court shall forward a copy of this Order by United States First Class Mail to all interested parties; Electronic mail to all counsel of record.

Date: October 29, 2018



Don Davis, Judge of Probate

The foregoing is a
CERTIFIED TRUE COPY
Probate Court of Mobile Co., AL
Don Davis, Judge

Signature _____

C. Mark Erwin, Chief Clerk

Date 19 November 2018

Clerk: KROBINSON

IN THE PROBATE COURT OF MOBILE COUNTY, ALABAMA

IN THE MATTER OF

CASE NO. 2018-1613

STATE OF ALABAMA,
Plaintiff,

DATE: NOVEMBER 16, 2018

-VS-

KEITH A. JONES, et. al.,
Defendants.

Condemnation of Land

PAYMENT OF AWARD INTO COURT

Pursuant to the Order of Condemnation entered in the above entitled matter on to-wit, October 29, 2018, heretofore came the State of Alabama and paid into this Court the amount of damages assessed and awarded by the Commissioners to the persons named as owners, or holders of interest in the following described lands, situated in the County of Mobile, State of Alabama, to-wit:

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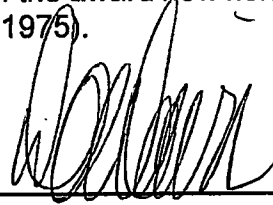
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Revenue Commissioner
P.O. Box 1169
Mobile, AL 36633-1169

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DESCRIBED TRACT 13.

It is **ORDERED** that the said award be accepted and deposited with the Court.

If an interested party seeks payment of all or a portion of the award now held by the Court, reference should be made to Ala. Code § 18-1A- 214 (1975).

A handwritten signature in black ink, appearing to read 'Don Davis', is written over a horizontal line.

Don Davis, Judge of Probate

To All Interested Parties:

This will serve as **OFFICIAL NOTICE** to you, pursuant to Ala. Code §18-1A-282 (1975), that by order of the Probate Court of Mobile County, a copy of which is attached hereto, certain property in which you may have an interest has been condemned by the Plaintiff upon payment or deposit of damages and compensation assessed by the commissioners.

NOTICE OF APPEAL. Please be further notified of the following Ala Code §18-1A-283. Appeal from order of condemnation. Any of the parties may appeal from the order of condemnation to the Circuit Court of the county within 30 days from the making of the order of condemnation by filing in the Probate Court rendering that judgment a written notice of appeal, a copy of which shall be served on the opposite party or his attorney, and on such appeal, the trial shall be de novo, and it shall be necessary to send up the proceedings only as to the parties appearing or against whom an appeal is taken (Acts 1985, No. 85-548, p. 802, §§1614).

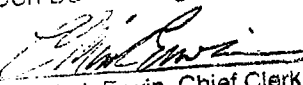
If you have any question or if this Court may be of any assistance in the matter, please do not hesitate to contact us.

Probate Court of Mobile County

Note: Copy of notice and order forwarded to all defendants and counsel of record.

The foregoing is a
CERTIFIED TRUE COPY
Probate Court of Mobile Co., AL
Don Davis, Judge

Signature


C. Mark Erwin, Chief Clerk

Date

19 November 2018