Inst. # 2019007089 Pages: 1 of 10 Doc: ORDR
I certify this instrument filed on 2/12/2019 2:03 PM
Don Davis, Judge of Probate
Mobile County, AL. Rec: $18.00

Clerk: KROBINSON

IN THE PROBATE COURT OF MOBILE COUNTY, ALABAMA

IN THE MATTER OF	:	CASE NO. 2018-2150
STATE OF ALABAMA,	:	
Plaintiff	:	
-VS-	:	
VIVIAN D. DODD, et. al.,	:	
Defendants.	:	
Condemnation of Land	:	

JUDGMENT,
ORDER FILING REPORT OF COMMISSIONERS
AND ORDER OF CONDEMNATION

This day came Alta Crane, Wayne Sirmon and David Evans, 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 42

A part of Township 4-S, Range 1-W, identified as Tract No. 42 on Project No. ST-049-I10-006 in Mobile County, Alabama and being more fully described as follows:

Parcel 1 of 1:

Commencing on the present R/W line of S. Cedar St. at a found 1" pipe at the NE corner of property described in RB 2525, PG 54 as recorded in the Office of the Judge of Probate of Mobile County, Alabama;

thence southeasterly and along said present R/W line a distance of 49 feet, more or less, a point on the grantor's west property line;

thence southerly and along the grantor's said property line a distance of 94 feet, more or less, to a point on the acquired R/W line (said line between a point offset 356.60' LT and perpendicular to centerline of project at station 452+20.24 and a point offset 545.80' LT and perpendicular to centerline of project and tied to the present north R/W line of Virginia St.), which is the point and place of BEGINNING;

thence S 87°26'42" E and along the acquired R/W line a distance of 74.00 feet to a point on the acquired R/W line (said point offset 356.60' LT and perpendicular to centerline of project at station 452+20.24);

thence N 75°15'58" E and along the acquired R/W line a distance of 45.49 feet to a point on the present west R/W line of 1-10 (said point perpendicular to the centerline of project at station 452+55.40 LT);

thence S 39°49'21" W and along said present R/W line a distance of 15.91 feet to a point on the present north R/W taper to Virginia St.;

thence S 87°44'59" W and along said present R/W taper a distance of 98.41 feet to a point on the present north R/W line of Virginia St.;

thence N 84°50'15" W and along said present R/W line a distance of 10.44 feet to a point on the grantor's west property line;

thence N 8°12'23" E and along the grantor's said property line a distance of 6.94 feet to the point and place of BEGINNING, containing 0.01 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.

EQUIPMENT OR FIXTURES TO BE ACQUIRED:

None.

OWNERS AND PARTIES OF INTEREST:

Vivian D. Dodd (Owner)
809 S. Cedar St.
Mobile, AL 36603

Mortgage Electronic Registration System
as Nominee for American Home Mortgage and Countrywide Bank, FSB (mortgagee)
c/o CT Corporation System, its registered agent
2 North Jackson St., Suite 605
Montgomery, AL 36104

Bank of America (Mortgagee)
c/o CT Corporation System, its registered agent
2 North Jackson St., Suite 605
Montgomery, AL 36104

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

$ 500.00 FOR THE CONDEMNATION OF THE ABOVE DESCRIBED TRACT 42.

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; and to all attorneys by e-notice.

Date: January 18, 2019

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 12 February 2019

IN THE PROBATE COURT OF MOBILE COUNTY, ALABAMA

IN THE MATTER OF	:	CASE NO. 2018-2150
STATE OF ALABAMA, Plaintiff,	:	DATE: FEBRUARY 7, 2019
-VS-	:	
VIVIAN D. DODD, 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, January 18, 2019, 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:

EXHIBIT A

A part of Township 4-S, Range 1-W, identified as Tract No. 42 on Project No. ST-049-I10-006 in Mobile County, Alabama and being more fully described as follows:

Parcel 1 of 1:

Commencing on the present R/W line of S. Cedar St. at a found 1" pipe at the NE corner of property described in RB 2525, PG 54 as recorded in the Office of the Judge of Probate of Mobile County, Alabama;

thence southeasterly and along said present R/W line a distance of 49 feet, more or less, a point on the grantor's west property line;

thence southerly and along the grantor's said property line a distance of 94 feet, more or less, to a point on the acquired R/W line (said line between a point offset 356.60' LT and perpendicular to centerline of project at station 452+20.24 and a point offset 545.80' LT and perpendicular to centerline of project and tied to the present north R/W line of Virginia St.), which is the point and place of BEGINNING;

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thence N 75°15'58" E and along the acquired R/W line a distance of 45.49 feet to a point on the present west R/W line of 1-10 (said point perpendicular to the centerline of project at station 452+55.40 LT);

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thence S 87°44'59" W and along said present R/W taper a distance of 98.41 feet to a point on the present north R/W line of Virginia St.;

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thence N 8°12'23" E and along the grantor's said property line a distance of 6.94 feet to the point and place of BEGINNING, containing 0.01 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.

EQUIPMENT OR FIXTURES TO BE ACQUIRED:

None.

OWNERS AND PARTIES OF INTEREST:

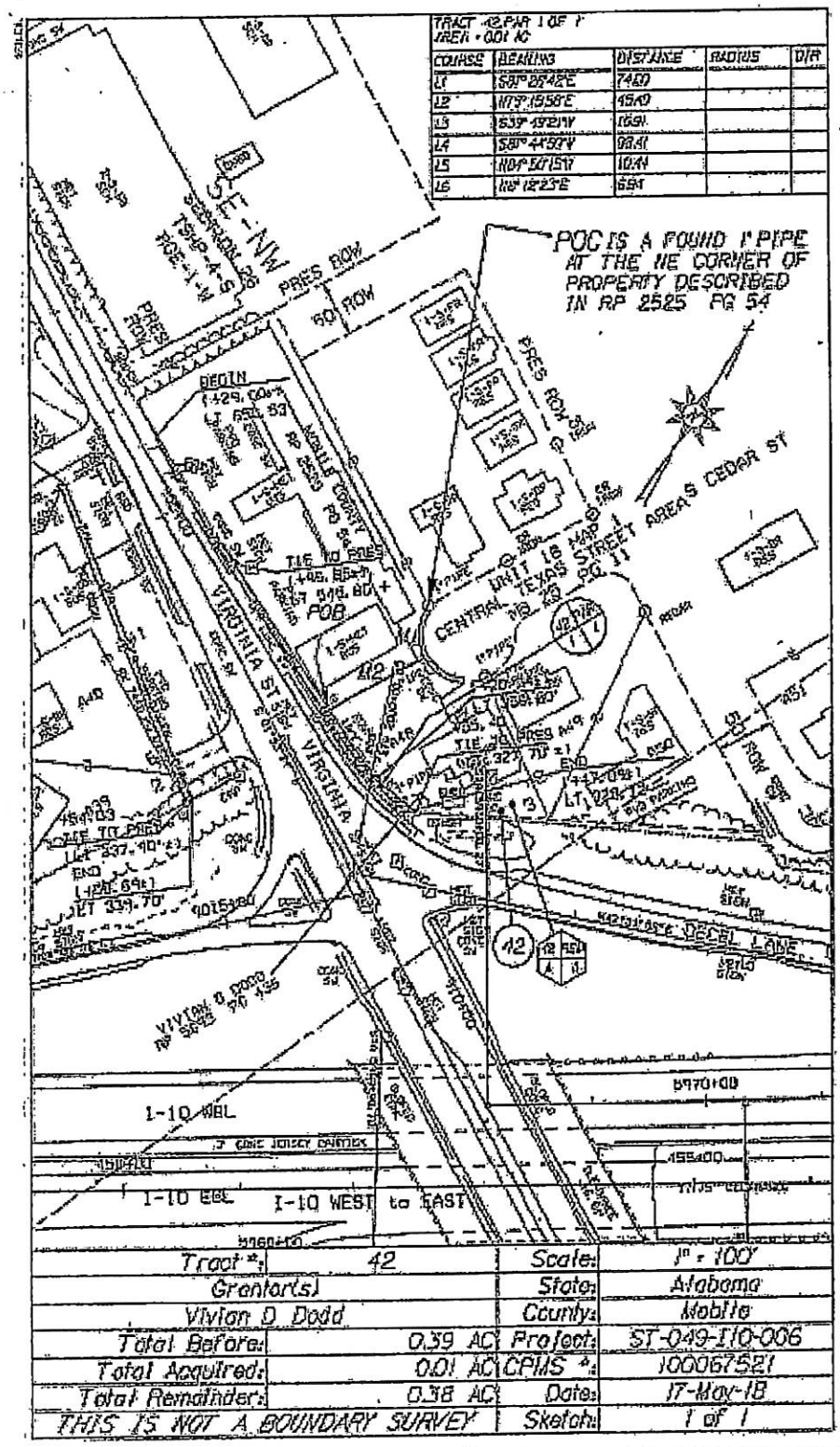
Vivian D. Dodd (Owner)
809 S. Cedar St.
Mobile, AL 36603

Mortgage Electronic Registration System
as Nominee for American Home Mortgage and Countrywide Bank, FSB (mortgagee)
c/o CT Corporation System, its registered agent
2 North Jackson St., Suite 605
Montgomery, AL 36104

Bank of America (Mortgagee)
c/o CT Corporation System, its registered agent
2 North Jackson St., Suite 605
Montgomery, AL 36104

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

Please serve the above defendants by certified mail, return receipt requested.


TRACT #2 PAR 1 OF 1
AREA = .001 AC
COURSE | BEARING | DISTANCE | RADIUS | D/R
L1 | S81°26'42"E | 74.60
L2 | N73°15'58"E | 45.40
L3 | S39°49'21"W | 166.91
L4 | S81°44'50"W | 93.41
L5 | N08°50'15"W | 10.44
L6 | N11°12'23"E | 69.41
POC IS A FOUND 1" PIPE AT THE NE CORNER OF PROPERTY DESCRIBED IN RP 2525 PG 54
PRES ROW
60' ROW
BEGIN
POB
TIE TO PRES
VIRGINIA ST SVRD
CENTRAL UNIT 16 MAP
STREET AREAS CEDAR ST
PG 11
TEXAS
PG 23
TIE TO PRES
END
LT 339.70'
VIVIAN D DODD
I-10 WBL
I-10 EBL
I-10 WEST to EAST
Tract #: 42
Grantor(s): Vivian D Dodd
Total Before: 0.39 AC
Total Acquired: 0.01 AC
Total Remainder: 0.38 AC
THIS IS NOT A BOUNDARY SURVEY
Scale: 1" = 100'
State: Alabama
County: Mobile
Project: ST-049-I10-006
CPMS #: 10006752I
Date: 17-May-18
Sketch: 1 of 1

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).

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 on 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 12 February 2019