

STATE OF ALABAMA)
)
 MADISON COUNTY)

IN THE PROBATE COURT
 NO. 14431

TO THE HONORABLE ASHFORD TODD, JUDGE OF THE PROBATE COURT
 OF MADISON COUNTY:

Come Madison County and the City of Huntsville and make this their joint application for the condemnation in fee simple of those several parcels of land hereinafter described in the several paragraphs of this application, respectfully showing unto the Court that said applicants are, respectively, a county in and of the State of Alabama and a municipal corporation in and of the State of Alabama and that they are each invested with the power of eminent domain by provisions of the Code of Alabama 1940, Title 12, Section 197 to condemn lands for public use, and that they are further empowered to donate property and money, or either, to the University of Alabama for educational purposes by Act No. 79, 1959 Acts of Alabama, page 140, et seq.; that it is necessary and expedient for the applicants to obtain and to acquire title in fee simple in and to those several certain tracts of land hereinafter described in the several paragraphs of this application for public use, viz to be donated by the applicants to the Board of Trustees of the University of Alabama to be used for educational purposes; that the Board of Commissioners of Madison County and the City Council of the City of Huntsville have each, by resolution duly adopted, authorized this condemnation; that the names of the owners and parties having or claiming any right, title or interest in and to each of said parcels of land sought to be acquired herein by the applicants are set out in the paragraph in which each such parcel of land is described hereinafter, in so far as the names of such parties are known to the applicants and the applicants further show that, in their effort to ascertain the names of all such parties having or claiming any right, title or interest in or to said parcels of land, the applicants have caused an abstract of the title to each of said parcels of land to be made from the records in the office of this honorable Court covering a period of more than sixty (60) years preceding the bringing of this application and have caused said abstracts to be examined by their attorneys and have caused their attorneys to interview and question all persons residing in the vicinity of said lands as to their knowledge of the names of persons or parties owning or claiming any right, title or interest therein; that the residence and status of each such person or party owning or claiming any right, title or interest in or to each of said parcels of land are hereinafter set out, following the name of such person or party, in so far as same are known to said applicants; that George T. Culps, who resides in Madison County, Alabama, has a lien as Tax Collector of Madison County by reason of unpaid taxes upon each of said parcels of land and is not otherwise or elsewhere named herein but is specifically hereby made a party defendant hereto as to each of said parcels of land, separately and severally; and the applicants hereby specifically make parties defendant hereto as to each of said parcels of land all parties claiming any right, title or interest in or lien or encumbrance thereon.

PARAGRAPH 1

That certain tract of land described in Exhibit 1 hereto annexed, which is hereby incorporated into and made a part hereof as fully as if herein set forth. Said land is owned or claimed by: Stephen Binford; Isabella Herndon; Fannie Moore, Lafayette Herndon; Isabella Franklin; Thomas Smith; Thomas Moore; Bessie Higgins; Nancy Jordan; Jerry Donegan; Sterling Holden; Fannie Binford; Thomas Smith; Thomas Moore; Thomas Smith; Riley Simpson; Mary Ward; Bob Moseley; Nat Holding; Henry Binford; Matilda Fletcher; John Binford; Bella Franklin; Bella Herndon; Stephen Binford; Viney Ward; John Brandon; Jesse Jordan; Nancy Jordan; Andrew Herndon; Kate M. Penney; Sherrill Goodpasture; Virginia Dilworth Henry; William P. Dilworth, Jr.; Susie B. Dilworth, and if any of the above-named parties be married, the spouse of each such party; or if any of the above-named parties be dead, the heirs,

*V. Henry
app. 2*

devisees or distributees of each such deceased party; John E. McCally, Jackson McClosky and James Parker as Trustees elected by the St. Stephen's Stand April 3, 1898, a band or organization as members of the Primitive Baptist Church, or their successors; Guaranty Trust Company, as Trustee under mortgage recorded Book 62, page 1, in the office of this Court, or its successor; Central Trust Company of New York, as Trustee under mortgage recorded Book 62, page 101, in the office of this Court, or its successor; Standard Trust Company of New York, as Trustee under mortgage recorded Book 96, page 1, in the office of this Court, or its successor; William P. Dilworth, Jr., as Trustee under instrument recorded Deed Book 189, page 478, in the office of this Court, or his successor; and Alabama-Tennessee Natural Gas Company, a Delaware corporation, or its successors; and all parties claiming any right, title or interest in or lien or encumbrance upon the lands in Madison County, Alabama, described in Exhibit 1 hereto attached. Sherrill Goodpasture, Virginia Dilworth Henry, William P. Dilworth, Jr., and Susie B. Dilworth are each residents of the State of Alabama, above the age of twenty-one (21) years and of sound mind. Guaranty Trust Company, Central Trust Company of New York and Standard Trust Company of New York are each foreign corporations. Alabama-Tennessee Natural Gas Company is a foreign corporation admitted to do business in Alabama and has its principal office and place of business in the City of Florence, Alabama.

PARAGRAPH 2

adw

That certain tract of land described in Exhibit 2 hereto annexed, which is hereby incorporated into and made a part hereof as fully as if herein set forth. Said land is owned or claimed by: Jesse Jordan and Wade Jordan and, if either be married, his wife, or, if either be dead, his heirs, devisees or distributees; and all persons claiming any right, title or interest in or lien or encumbrance upon the lands in Madison County, Alabama, described in Exhibit 2 hereto attached. The residence and status of each of the parties are unknown to the applicants.

PARAGRAPH 3

That certain tract of land described in Exhibit 3 hereto annexed, which is hereby incorporated into and made a part hereof as fully as if herein set forth. Said land is owned or claimed by: Annie Jones; Bobby Binford; John A. Jones; Nobel L. Jones; and if any of the above-named parties be married, the spouse of each such party; or if any of the above-named parties be dead, the heirs, devisees or distributees of each such deceased party; and all parties claiming any right, title or interest in or lien or encumbrance upon the lands in Madison County, Alabama, described in Exhibit 3 hereto attached. John A. Jones and Nobel L. Jones are each over the age of twenty-one (21) years, of sound mind and non-residents of the State of Alabama. Bobby Binford is over the age of twenty-one (21) years, of sound mind and a resident of the State of Alabama.

PARAGRAPH 4

That certain tract of land described in Exhibit 4 hereto annexed, which is hereby incorporated into and made a part hereof as fully as if herein set forth. Said land is owned or claimed by: Austin Miller; Tom Moore, alias Tom Miller; Laura Murphy; Mary Clay; Scipio Jefferson; Betty Jefferson; Emma Roberson; Dilly Cawthon; Silvia Moulton; Eugie Jones; Prutus King; Ike Jefferson; Sidney Jefferson; Edward Jefferson; Leasie Ann Clay; Egbert Rice; Will Rice; Abraham Miller; Bud Miller; Richard Miller; Parthenie (Miller) married name unknown; Matt (Miller) married name unknown; Wesley Miller; Sam Jones; Ann Jones; Bobby Binford; John A. Jones; Nobel L. Jones; and if any of the above-named parties be married, the spouse of each such party; or if any of the above-named parties be dead, the heirs, devisees

or distributees of each such deceased party; Evelina Jones; New York Alabama Oil Company, or its successor, and all parties claiming any right, title or interest in or lien or encumbrance upon the lands in Madison County, Alabama, described in Exhibit 4 hereto attached. John A. Jones and Nobel L. Jones are each over the age of twenty-one (21) years, of sound mind and non-residents of the State of Alabama. Bobby Binford is over the age of twenty-one (21) years, of sound mind and a resident of the State of Alabama.

PARAGRAPH 5

That certain tract of land described in Exhibit 5 hereto annexed, which is hereby incorporated into and made a part hereof as fully as if herein set forth. Said land is owned or claimed by: Tom Moore, alias Tom Miller; Wesley Miller; Abraham Moore; and if any of the above-named parties be married, the spouse of each such party; or if any of the above-named parties be dead, the heirs, devisees or distributees of each such deceased party and all parties claiming any right, title or interest in or lien or encumbrance upon the lands in Madison County, Alabama, described in Exhibit 5 hereto attached.

PARAGRAPH 6

That certain tract of land described in Exhibit 6 hereto annexed, which is hereby incorporated into and made a part hereof as fully as if herein set forth. Said land is owned or claimed by: Evelina Jones; Eva Jones; Reuben Porter; Albert Porter, Jr.; Annie Porter; John Jones; Louise Pope; Nobel L. Jones; Marie Love; Henry Jones; Archie Jones; Sammie Jones; McNeal Jones; Archie Jones; Libbert Jones; Wade Jordan; Lucy Cherry; Willie Jordan; Jesse W. Jordan; Ann Jones; Annie Jones; Lewis Jones; Louis Jones; Bobby Binford; John A. Jones; Nobel L. Jones; and if any of the above-named parties be married, the spouse of each such party; or if any of the above-named parties be dead, the heirs, devisees or distributees of each such deceased party; and all parties claiming any right, title or interest in or lien or encumbrance upon the lands in Madison County, Alabama, described in Exhibit 6 hereto attached. Annie Porter, Louise Pope, Marie Love, Henry Jones, Archie Jones, Sammie Jones, McNeal Jones, Archie Jones and Bobby Binford are each over the age of twenty-one (21) years, of sound mind and residents of the State of Alabama. John A. Jones and Nobel L. Jones are each over the age of twenty-one (21) years, of sound mind and non-residents of the State of Alabama.

PARAGRAPH 7

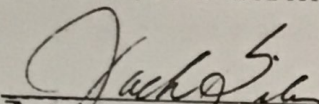
That certain tract of land described in Exhibit 7 hereto annexed, which is hereby incorporated into and made a part hereof as fully as if herein set forth. Said land is owned or claimed by: Columbus Jones; Reubin Jones; William P. Newman; Robert L. Pulley; Paul Jones; Tomietta Beasley; Lucy Thompson; Frederick Jones; Freddie Jones; Eddie Johnson; Rubin Jones; Archie Jones; Columbus Ward; Annie Jones; Nina Collier; Lee Jones; Everlener Jones; Odell Jones; Willie Jones; Lloyd Jones; Annie Mat Jones; Charlie Eldridge; Willie Fay Jones; Reva Jones Boyd; Lillie Mae Crawford; Neal Collier; Seleste Jones; Bethel Jones Hill; Lizzie Jones; Odell Jones; Haywood Jones; Queen Anne Jordan; Tommie Lee Jones; Emma Blair; Lillie Mae Jones; Annie Jones; L. J. Jones; Bobby Binford; John A. Jones; Nobel L. Jones; Lola Jones; Lizzie Jones; Inola Collier; Mary Broadway; Mattie Garrett; Heyward Jones; Tommy Lee Jones; Willie Jones; Lloyd Jones; Reva Jones; Odell Jones; Lila Mae Jones; Lily Mae Jones; Isabell McCallie; Charlie Jordan; Queen Ann Jordan; Josie Collier; Neal Collier; Emma Blair; and if any of the above-named parties be married, the spouse of each such party; or if any of the above-named parties be dead, the heirs, devisees or distributees of each such deceased party; and all parties claiming any right, title or interest in or

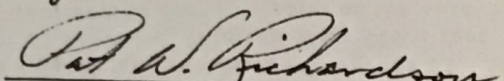
*Not found.
 Charles E. Eldridge
 Neal Collier
 Charles Jones
 Bethel Jones Hill
 Bobby
 Inola Jones
 Mary Broadway*

lien or encumbrance upon the lands in Madison County, Alabama, described in Exhibit 7 hereto attached. Frederick Jones, Freddie Jones, Eddie Johnson, Willie Jones, Charlie Eldridge, Willie Fay Jones, Bethel Jones Hill, Bobby Binford, Lola Jones, Willie Jones, Charlie Jordan, Inola Collier, Mary Broadway, Mattie Garrett and Neal Collier are all over the age of twenty-one (21) years, of sound mind and residents of the State of Alabama. Odell Jones, Lloyd Jones, Reva Jones Boyd, Lillie Mae Crawford, Neal Collier, Seleste Jones, John A. Jones, Nobel L. Jones, Lloyd Jones, Reva Jones, Odell Jones, and Lillie Mae Jones are all over the age of twenty-one (21) years, of sound mind and non-residents of the State of Alabama.

The applicants hereby acknowledge themselves security for the costs of this proceeding.

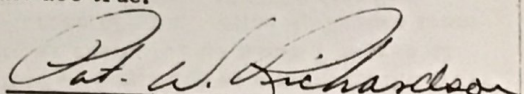
WHEREFORE, PREMISES CONSIDERED, the applicants pray that an order be made and entered by the Court appointing a day for the hearing of this application; that notice of the filing hereof and of the day set for the hearing hereof be given to the owners of said several parcels of land and the parties interested therein residing in this state by personal service as provided by law; that notice be given to those who are non-residents of the State of Alabama and to the unknown spouses of any of said parties and to the heirs, devisees or distributees of any of said parties who may be deceased and to all parties claiming any right, title or interest in or lien or encumbrance upon each of the several certain tracts of land in Madison County, Alabama, hereinbefore described in the several paragraphs of this application by publication as provided by law, and that upon the hearing of this application the Court make and enter an order condemning all the several parcels of land hereinbefore described in fee simple, subject to the interests of the Board of Trustees of the University of Alabama heretofore acquired therein, and vesting title in fee simple in and to each of same in the applicants, subject to any interests of the Board of Trustees of the University of Alabama heretofore acquired therein, all for the uses and purposes of donation by the applicants to the Board of Trustees of the University of Alabama, to be used for educational purposes.


 Jack Giles, City Attorney for the City of
 Huntsville

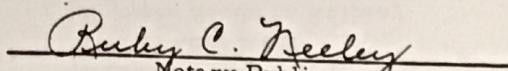

 Pat W. Richardson, Assistant County
 Attorney for Madison County

STATE OF ALABAMA
 MADISON COUNTY

Before me, the undersigned Notary Public in and for said county in said state, personally appeared Pat W. Richardson, who being by me first duly sworn, doth depose and say on oath that he is Assistant County Attorney for Madison County, Alabama; that he has knowledge of the facts set forth in the foregoing application and that same are true.


 Pat W. Richardson, Affiant

Sworn to and subscribed before me, this the 11 day of June, 1962.


 Ruby C. Neely
 Notary Public

DESCRIPTION

FOR

BOOK 80 PAGE 62

UNIVERSITY OF ALABAMA RESEARCH CENTER

ATTENTION: PATRICK RICHARDSON

EXHIBIT 1

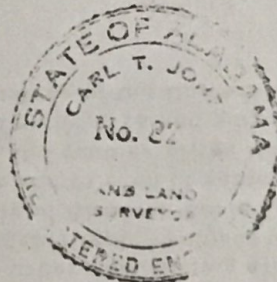
Ditworth Tract
134.89 acre tract
Between Southern Railway
tracks and J. B. Woodall
Longview Subdivision

All that part of Section 4, Township 4 South, Range 1 West, in the City of Huntsville, Madison County, Alabama, particularly described as beginning at a point on the West boundary of said Section 4, said point being further described as South 1 degree 42 minutes East 1503.55 feet from the Northwest corner of said Section 4; Thence from the point of true beginning, North 87 degrees 07 minutes East, 1787.20 feet to a point, Thence North 87 degrees 42 minutes East 1018.75 feet to a point; Thence South 1 degree 21 minutes East 1134.0 feet to a point on the quarter Section line; Thence along the said quarter Section line South 87 degrees 07 minutes West 154.1 feet to a point of intersection with North - South quarter Section line (which point is further described as the center of said Section 4). Thence along the quarter Section line South 1 degree 07 minutes East 572.5 feet to a point on the North margin of Southern Railway System right-of-way 10.0 feet from the center of same as measured at right to the centerline of said Southern Railway System right-of-way, Thence along the said North margin of and parallel with the said centerline South 68 degrees 33 minutes West 2803.6 feet to a point on the West boundary of said Section 4, Thence along the Section line North 1 degree 42 minutes West 1475.95 feet to a point; Thence North 87 degrees 07 minutes East 209.55 feet to a point, Thence North 1 degree 42 minutes West 419.1 feet to a point; Thence South 87 degrees 07 minutes West 209.55 feet to a point on the said Section line; Thence along the said Section line North 1 degree 42 minutes West 714.4 feet to the place of beginning and containing 134.89 acres more or less

G. W. JONES & SONS

By Carl T. Jones

March 28, 1962
Huntsville, Alabama



BOOK 80 PAGE 63

DESCRIPTION

FOR

UNIVERSITY OF ALABAMA RESEARCH CENTER

Attn: Patrick Richardson

EXHIBIT 2

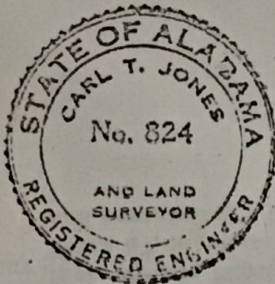
1.01 acre tract - Wade
Jordan Property
209.55 x 209.55

All that part of the Northwest Quarter of Section 4, Township 4 South, Range 1 West in the City of Huntsville, Madison County, Alabama, particularly described as beginning at a point on the West boundary of said Section 4, which point is further described as being South 1 degree 42 minutes East 2427.50 feet from the Northwest corner of said Section 4, thence from the place of true beginning South 1 degree 42 minutes East along the West boundary of said Section 209.55 feet; thence North 87 degrees 07 minutes East, 209.55 feet, thence North 1 degree 42 minutes West 209.55 feet, thence South 87 degrees 07 minutes West 209.55 feet to the place of beginning and containing 1.01 acres, more or less.

G. W. JONES & SONS

By Carl T. Jones

Huntsville, Alabama
May 21, 1962



BOOK 80 PAGE 64

DESCRIPTION

FOR

UNIVERSITY OF ALABAMA RESEARCH CENTER

Attn: Patrick Richardson

EXHIBIT 3

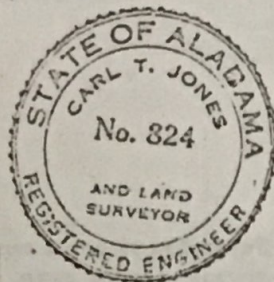
1.01 acre tract
Louis Jones Estate
209.55 x 209.55

All that part of the Northwest Quarter of Section 4, Township 4 South, Range 1 West in the City of Huntsville, Madison County, Alabama, particularly described as beginning at a point on the west boundary of said Section 4, which point is further described as being South 1 degree 42 minutes East 2217.95 feet from the Northwest corner of said Section 4; thence from the place of true beginning South 1 degree 42 minutes East along the west boundary of said Section, 209.55 feet; thence North 87 degrees 07 minutes East 209.55 feet, thence North 1 degrees 42 minutes West 209.55 feet; thence South 87 degrees 07 minutes West 209.55 feet to the place of beginning and containing 1.01 acres, more or less.

G. W. JONES & SONS

By Carl T. Jones

Huntsville, Alabama
May 21, 1962



DESCRIPTION

FOR

BOOK 80 PAGE 65

UNIVERSITY OF ALABAMA RESEARCH CENTER

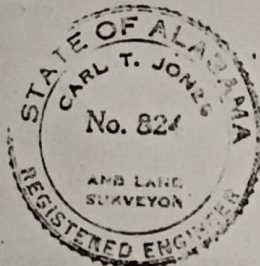
ATTENTION: PATRICK RICHARDSON

EXHIBIT 4

Sanderson tract
30.93 acre tract

All that part of Section 4, Township 4 South, Range 1 West, in the City of Huntsville Madison County, Alabama, and being further described as part of Lots 15 and 16 and all of Lot 17 according to the Plat of J. B. Woodall, Longview Subdivision as of Record in Plat Book 1 Page 86 of the Probate Records of said Madison County, Alabama, and other lands particularly Described as beginning North 86 degrees 48 minutes East 250.0 feet from the Northwest corner of said Section 4, and being further described as the Northwest corner of said Lot 17 of J. B. Woodall, Longview Subdivision; Thence from the place of true beginning along the North boundary of said Section 4, North 86 degrees 48 minutes East 360.5 feet to a point on the South margin of Holmes Avenue (Formerly Athens Pike) Thence along the said South Margin of Holmes Avenue and around a curve to the left the chord bearing and distance of which is South 80 degrees 48 minutes East 138.8 feet to a point; Thence South 2 degrees 12 minutes East 400.0 feet to a point; Thence South 83 degrees 46 minutes East 307.4 feet to a point on the East boundary of the Sanderson property; Thence South 2 degrees 13 minutes East 1029.0 feet to a point on the South boundary of Sanderson property which is the North boundary of the Dilworth property, Thence along said boundary, South 87 degrees 07 minutes West 723.4 feet to a point; Thence North 1 degree 03 minute East 119.75 feet to a point; Thence South 87 degrees 54 minutes West 346.1 to a point on the West boundary of said Section 4; Thence along the Section Line North 1 degree 42 minutes West 1129.3 feet to a point; Thence North 86 degrees 48 minutes East 250.0 feet to a point; Thence North 1 degree 42 minutes West 250.0 feet to the place of beginning and containing 30.93 acres more or less.

March 28, 1962
Huntsville, Alabama



G. W. JONES & SONS

By

Carl T. Jones

BOOK 80 PAGE 66

DESCRIPTION

FOR

UNIVERSITY OF ALABAMA RESEARCH CENTER

Attn: Patrick Richardson

0.96 acre tract

Owner Unknown

Fronting on West boundary
of Sec. 4, a distance of 124.25 ft.

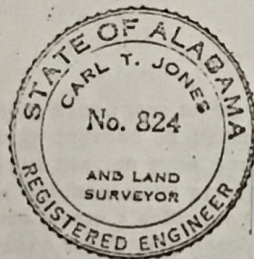
EXHIBIT 5

All that part of the Northwest Quarter of Section 4, Township 4, South, Range 1 West, in the City of Huntsville, Madison County, Alabama, particularly described as beginning at a point on the West boundary of said Section 4, which point is further described as being South 1 degree 42 minutes East 1379.3 feet from the Northwest corner of said Section 4, thence from the place of true beginning South 1 degree 42 minutes East along the west boundary of said Section 124.25 feet; thence North 87 degrees 07 minutes East 340.40 feet, thence North 1 degree 03 minutes East 119.75 feet; thence South 87 degrees 54 minutes West 346.10 feet to the place of beginning and containing 0.96 acres, more or less.

G. W. JONES & SONS

By Carl T. Jones

Huntsville, Alabama
May 21, 1962



BOOK 80 PAGE 67

DESCRIPTION

FOR

UNIVERSITY OF ALABAMA RESEARCH CENTER

Attn: Patrick Richardson

EXHIBIT L

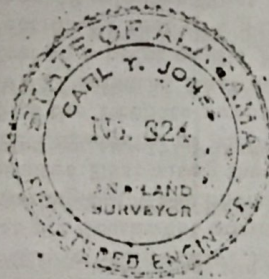
Lease
Tract 250 x 250
in the Northwest corner
of Sec. 4, T4S, R1W

All that part of the Northwest Quarter of Section 4, Township 4 South, Range 1 West in the City of Huntsville, Madison County, Alabama, particularly described as beginning at the Northwest corner of said Section 4, thence North 86 degrees 48 minutes East along the North boundary of said Section, 250.0 feet; thence South 1 degree 42 minutes East 250.0 feet; thence South 86 degrees 48 minutes West 250.0 feet; thence North 1 degree 42 minutes West, along the West boundary of said Section, 250.0 feet to the place of beginning and containing 1.43 acres, more or less.

G. W. JONES & SONS

By Carl T. Jones

Huntsville, Alabama
May 21, 1962



DESCRIPTION

FOR

UNIVERSITY OF ALABAMA RESEARCH CENTER

Attn: Patrick Richardson

EXHIBIT 7

11.30 tract in Southwest corner
Sec. 33, T3S, R1W, Less &
excepting a 60 foot right-of-way
for Holmes Ave. & City of
Huntsville Well Site

All that part of the Southwest Quarter of Section 33, Township 3 South, Range 1 West in the City of Huntsville, Madison County, Alabama, particularly described as beginning at the Southwest corner of said Section 33, thence North 4 degrees 10 minutes West along the West boundary of said Section 837.2 feet; thence North 88 degrees 29 minutes East along the South boundary of a tract Deeded to the Board of Trustees of the University of Alabama, August 11, 1959 as of record in Deed Book 277, page 145 of the Probate records of Madison County, Alabama, 662.2 feet, thence South 2 degrees 27 minutes East along the West boundary of said University of Alabama tract 760.5 feet to a point on the North margin of Holmes Avenue; thence South 23 degrees 50 minutes West 62.05 feet to a point on the South boundary of said Section 33, thence South 86 degrees 48 minutes West along the said South boundary of Section 610.5 feet to the place of beginning LESS AND EXCEPTING from the above described tract a 60 foot right-of-way of Holmes Avenue (formerly Athens Pike) and a City of Huntsville, Well Site tract described as follows: All that part of the Southwest Quarter of Section 33, Township 3 South, Range 1 West in the City of Huntsville, Madison County, Alabama, particularly described as beginning at the intersection of the South margin of Holmes Avenue with the west margin of said Section 33 and being further described as North 4 degrees 10 minutes West 278.6 feet from the South west corner of said Section 33, thence from the place of true beginning along the South margin of Holmes Avenue as follows South 60 degrees 12 minutes East 130.5 feet, South 63 degrees 15 minutes East 149.6 feet, South 67 degrees 51 minutes East 100.0 feet, South 71 degrees 58 minutes East 100.0 feet, South 75 degrees 58 minutes East 100.0 feet, South 79 degrees 50 minutes East 100.0 feet, thence North 23 degrees 50 minutes East crossing said Holmes Avenue 62.05 feet to a point on the North margin of said right-of-way; thence North 80 degrees 30 minutes West 94.1 feet, thence North 2 degrees 21 minutes West 60.0 feet thence North 77 degrees 46 minutes West 40.0 feet, thence South 2 degrees 21 minutes East 60.0 feet; thence along the North margin of said Holmes Avenue as follows: North 74 degrees 52 minutes West 100.0 feet, North 70 degrees 51 minutes West 100.0 feet, North 66 degrees 40 minutes West 100.0 feet, North 62 degrees 35 minutes West 108.8 feet North 60 degrees 12 minutes West 170.15 feet, thence South 4 degrees 10 minutes East crossing said Holmes Avenue 72.2 feet to the place of beginning and containing a net acreage of 11.30 acres.

Huntsville, Alabama
May 23, 1962

G. W. JONES & SONS

By Carl T. Jones