

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**0.13 ACRE OF LAND, MORE OR LESS,
LOCATED IN EVERGREEN, CONECUH**

**COUNTY, STATE OF ALABAMA;
CHARLES M WARD, JR., and ABBY WARD,**

Defendants.

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) **CIVIL NO. 12-00238-KD-B**
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STIPULATED FINAL JUDGMENT

Pursuant to this stipulation signed and jointly filed herein by the Plaintiff, United States of America, and the Defendants, Charles M. Ward, Jr. and Abby Ward (hereinafter “defendants”), IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. The full just compensation payable by the Plaintiff for the taking of the property interests identified in the complaint and declaration of taking filed herein, as amended, together with all improvements thereon and appurtenances thereunto belonging, shall be the sum of \$7,000.00.

2. Judgment shall be and hereby is entered against the United States of America in the amount of \$7,000.00.

3. Contemporaneously with the filing of this action Plaintiff deposited the amount of \$483.00 into the registry of this Court. At that time, title to the property, to the extent set forth in the Declaration of Taking, vested in the United States by operation of law. Plaintiff shall now deposit the additional sum of \$6,517.00.

4. The said sum of \$7,000.00 shall be full and just compensation and in full satisfaction of any and all claims of whatsoever nature against the United States by reason of the institution and prosecution of this action and taking of the said estates in lands and all appurtenances thereunto belonging, including any interest.

5. The said sum of \$7,000.00 shall be subject to all liens, encumbrances and charges of whatsoever nature existing against the said property at the time of vesting of title thereto in the United States of America and all such liens, encumbrances and charges of whatsoever nature shall be payable and deductible from the said sum.

6. The Clerk of this Court shall, without further order of this Court, upon deposit by the United States, disburse the just compensation of \$7,000.00, as follows: to the defendants, by check made payable to the order of each individual defendant named above, and delivered to their attorney, Samuel L. Stockman. Upon making the disbursal, the Clerk shall file with the Court a notice of disbursal

indicating the amount disbursed and the date of disbursement. The Clerk will provide to the undersigned counsel for the United States a certified copy of said notice of disbursement, without further order or request.

7. Defendants have warranted that they were the sole owners of the subject property at the date of the taking, and that they have the exclusive right to the compensation herein, excepting the interests of parties having liens or encumbrances of record and unpaid taxes and assessments, if any, and that no other party is entitled to the same or any part thereof by reason of any unrecorded agreement.

8. In the event that any other party is ultimately determined by a Court of competent jurisdiction to have any right to receive compensation for the property taken in this case, defendants shall refund into the registry of the Court the compensation distributed herein, or such part thereof as the Court may direct, with interest thereon at the rate of 52-week Treasury Bills, calculated in accordance with the provisions of 40 U.S.C. § 3116, from the date of receipt of the deposit by defendants to the date of repayment into the registry of the Court.

9. Defendants shall save and hold harmless the United States of America from all claims or liability resulting from any unrecorded leases or agreements affecting the subject property on the date of taking.

10. Parties shall be responsible for their own legal fees, costs and expenses (including attorneys' fees, consultant's fees, and any other expenses).

11. The signatory parties hereto will take no appeal from any ruling or judgments made by this Court in this action.

DONE AND ORDERED this 30th day of April, 2014.

s/ Kristi K. DuBose

KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE

THE UNDERSIGNED STIPULATE THAT THEY CONSENT TO ENTRY OF THE PRECEDING JUDGMENT AND ORDER:

FOR DEFENDANTS, CHARLES W. WARD, JR. and ABBY WARD:

BY: /s/ *Samuel L. Stockman*

Samuel L. Stockman
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Date: April 15, 2014

FOR PLAINTIFF, THE UNITED STATES OF AMERICA:

BY: /s/ *Patricia N. Beyer*

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Date: April 15, 2014