

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

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.) CIVIL ACTION NO. 16-0604-CG-M
0.02 ACRES MORE OR LESS,)
LOCATED IN BALDWIN COUNTY,)
STATE OF ALABAMA; MAGNOLIA)
LAND COMPANY, INC.,)
SUCCESSOR BY NAME CHANGE)
TO FOLEY HOLDING COMPANY,)
INC., SUCCESSOR BY MERGER TO)
MAGNOLIA LAND COMPANY,)
Defendants.)

FINAL JUDGMENT AND ORDER DIRECTING THE CLERK OF COURT TO
DISBURSE FUNDS

This cause came on for a hearing on just compensation on July 20, 2017. Upon review of the court file, declarations in support, and hearing argument from counsel, the undersigned makes the following findings.

Plaintiff, the United States of America, filed a Complaint and Declaration of Taking on December 2, 2016. On December 7, 2016, Plaintiff deposited ONE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$1,500.00) in the Registry of this Court. At the time Plaintiff deposited the funds into the Registry of the Court, the title interest of a permanent Restrictive Easement, to the extent set forth in the Declaration of Taking, vested in the name of the United States of America by operation of law.

On May 18, 2017, this Court granted Plaintiff's request for a hearing to determine just compensation. At the July 20, 2017 hearing, Magnolia Land

Company was determined to be the owner of the property described in the Declaration of Taking, and just compensation was determined to be ONE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$1,500.00). This amount was previously deposited in the Court on December 7, 2016.

Final judgment is hereby entered fixing compensation as stated above. The Clerk of Court is directed to retain the sum of ONE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$1,500.00) in the CRIS account until such time as the owners of the condemned property submit a claim to the Court with full proof of ownership rights, a valid EIN or SSN so that a Form 1099 can be issued for the accrued interest earned, and a valid mailing address. The claimants are further directed to advise the Clerk of who will be responsible for reporting the interest accrued to the Internal Revenue Service.

If the funds remain unclaimed for five years following entry of final judgment, the Clerk is directed to deposit those funds into the Treasury in the name and to the credit of the United States pursuant to 28 U.S.C. § 2042. Thereafter, any claimant entitled to any such money may, on petition to the Court and upon notice to the United States and full proof of the right thereto, obtain an order directing payment of just compensation for the property interest acquired.

DONE and ORDERED this 31st day of July, 2017.

/s/ Callie V. S. Granade
SENIOR UNITED STATES DISTRICT JUDGE