

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

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL ACTION NO. 16-0615-CG-C</b>
	)	
<b>0.05 ACRES MORE OR LESS,</b>	)	
<b>LOCATED IN SUMMERDALE,</b>	)	
<b>BALDWIN COUNTY, STATE OF</b>	)	
<b>ALABAMA; HIMBERTO TOMAS;</b>	)	
<b>FELICIANA TOMAS</b>	)	
	)	
<b>Defendants.</b>	)	

**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 13, 2016. On December 15, 2016, Plaintiff deposited ONE THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS (\$1,800.00) in 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, Himberto and

Feliciana Tomas were determined to be the owners of the property described in the Declaration of Taking, and just compensation for the easement was determined to be ONE THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS (\$1,800.00). This amount was previously deposited in this Court on December 15, 2016.

Final Judgment is hereby entered fixing compensation as stated above. The Clerk is Court is directed to Retain the sum of ONE THOUSAND EIGHT AND 00/100 DOLLARS (\$1,800.00) 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