

STATE OF ALABAMA)

SHELBY COUNTY)

DECLARATION OF VACATION OF PUBLIC ROAD

This Declaration of Vacation of Public Road made this 4 day of Dec, 1991 by and between NASEEM AJLOUNY and wife, NORMA AJLOUNY (herein collectively, "Ajlouny"), C. RAY CUNNINGHAM, an unmarried man (herein "Cunningham") and JOHN D. BURLESON and wife, TINA M. BURLESON (herein collectively, "Burleson").

WHEREAS, Ajlouny is the owner of Lot 20, according to the Survey of Parkview as recorded in Map Book 7, Page 44 in the Probate Office of Shelby County, Alabama (the "Ajlouny Property"), Cunningham is the owner of Lot 13-A, according to a Resurvey of Lots 13 and 14, in Block 1, First Sector, Cherokee Forest as recorded in Map Book 6, Page 46 in the Probate Office of Shelby County, Alabama (the "Cunningham Property") and Burleson is the owner of Lot 14-A, according to a Resurvey of Lots 13 and 14, in Block 1, First Sector, Cherokee Forest, as recorded in Map Book 6, Page 46 in the Probate Office of Shelby County, Alabama (the "Burleson Property"); and

WHEREAS, the Ajlouny Property, the Burleson Property and the Cunningham Property (and no other properties) abut a public way shown as Cole Lane on the Survey of Parkview as recorded in Map Book 7, Page 44 in the Probate Office of Shelby County, Alabama ("Parkview Subdivision"), said public way also being shown as Quail Lane on the Resurvey of Lots 13 and 14, in Block 1, First Sector, Cherokee Forest, as recorded in Map Book 6, Page 46 in

JOHN BURLESON
5524 DOUBLE OAK LN
B'HAM, AL 35244

the Probate Office of Shelby County, Alabama ("Cherokee Forest First Sector") (collectively herein, Cole Lane and Quail Lane are sometimes referred to as the "PUBLIC WAY"); and

WHEREAS, the PUBLIC WAY is not located within the city limits of any municipality, is not now used and has never been used as a public road, is not now nor has ever been developed in any manner whatsoever, and the non-use of which does not in any way impede access to any lot or property within Parkview Subdivision or Cherokee Forest First Sector as originally recorded in Map Book 6, Page 17 or as resurveyed in Map Book 6, Page 46 in the Probate Office of Shelby County, Alabama or any other property; and

WHEREAS, the parties are desirous of vacating the PUBLIC WAY pursuant to Sections 23-4-20 and Section 35-2-54, Code of Alabama, 1975.

NOW, THEREFORE, in consideration of the premises, the parties declare as follows:

1. Quail Lane as shown on Resurvey of Lots 13 and 14, in Block 1, First Sector Cherokee Forest as recorded in Map Book 6, Page 46 in the Probate Office of Shelby County, Alabama, also known as Cole Lane as shown on Survey of Parkview as recorded in Map Book 7, Page 44 in the Probate Office of Shelby County, Alabama is hereby declared to be vacated and no longer a public road or way.

2. The north 30-feet of the PUBLIC WAY (Quail Lane or Cole Lane) shall be a part of and appurtenant to the Cunningham

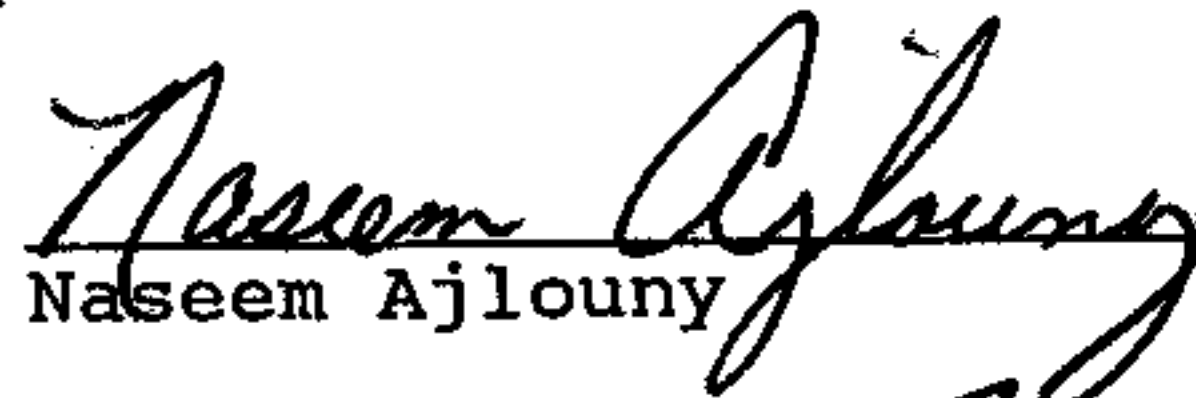
Property.

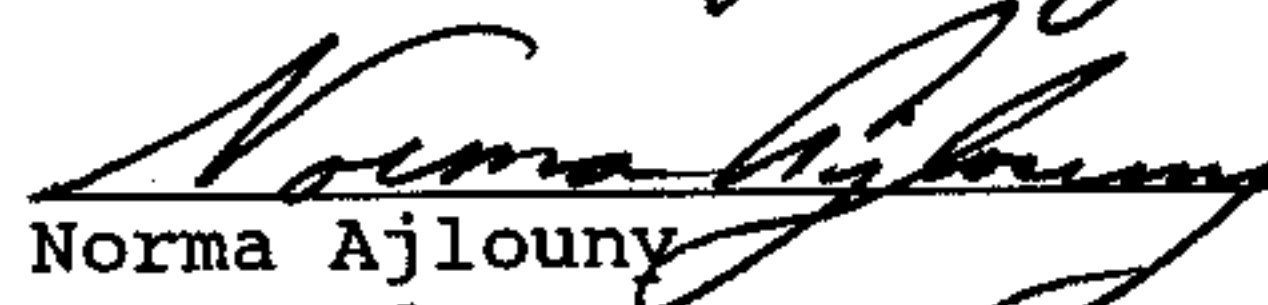
3. The south 30-feet of the PUBLIC WAY (Quail Lane or Cole Lane) shall be a part of and appurtenant to the Burleson Property.

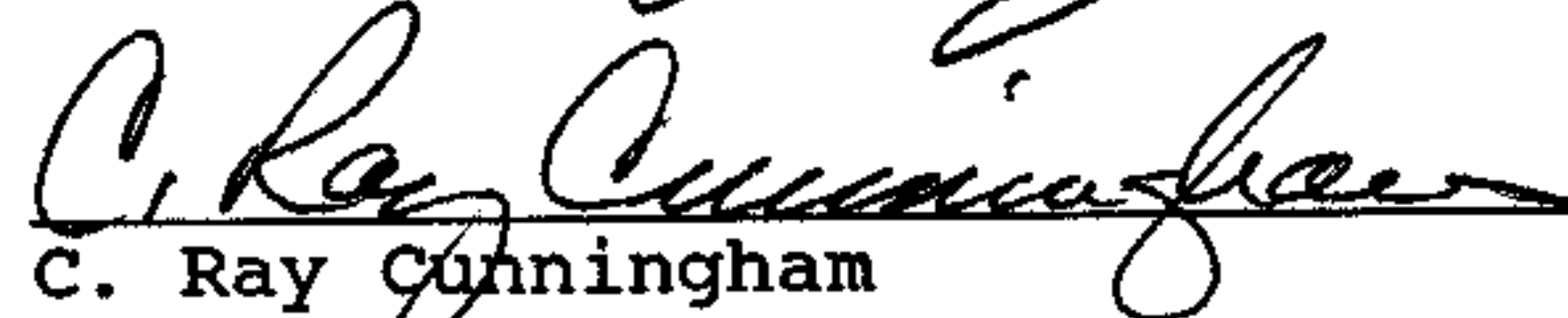
4. No portion of the vacated PUBLIC WAY shall become a part of or appurtenant to the Ajlouny Property.

5. The portion of the vacated PUBLIC WAY acquired and appurtenant to the Burleson Property and the Cunningham Property shall be and is acquired subject to all easements and restrictions of record.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the date and year first above written.


Naseem Ajlouny


Norma Ajlouny


C. Ray Cunningham


John D. Burleson


Tina M. Burleson

STATE OF ALABAMA)

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that NASEEM AJLOUNY, husband of NORMA AJLOUNY, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 4th day of December, 1991.

Frank J. Ranelli

Notary Public

My Commission Expires: 8-22-93

STATE OF ALABAMA)

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that NORMA AJLOUNY, wife of NASEEM AJLOUNY, whose name is signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being informed of the contents of said instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 4th day of December, 1991.

Frank J. Ranelli

Notary Public

My Commission Expires: 8-22-93

STATE OF ALABAMA)

COUNTY OF Jefferson)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that C. RAY CUNNINGHAM, unmarried, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 11th day of November, 1991.

Sammy P. Niles
Notary Public
My Commission Expires: 7-22-92

STATE OF ALABAMA)

COUNTY OF Shelby)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that JOHN D. BURLESON and wife, TINA M. BURLESON, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being informed of the contents of said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 23rd day of December, 1991.

Charlotte Kay Evans
Notary Public
My Commission Expires: April 7, 1992

047524/1992-5717
10:18 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 MCD 16.50