

STATE OF ALABAMA )

SHELBY COUNTY )

**MINUTES FOR PASSAGE OF RESOLUTION**

The Resolution is as follows:

**RESOLUTION:**

**WHEREAS**, Double Oak Water Reclamation, L.L.C., an Alabama limited liability company ("DOWR"), has executed a Declaration of Vacation, a copy of which is attached hereto as Attachment 1 vacating a portion of Old Highway 280 near Chelsea which is legally described in Exhibit A attached to said Declaration (the "Old Hwy 280 Right-of-Way"), which has heretofore been a portion of a public road, and

**WHEREAS**, DOWR is the sole owner of the land abutting said Old Hwy 280 Right-of-Way, and

**WHEREAS**, the above referenced Old Hwy 280 Right-of-Way is not located within the limits of any municipality, and

**WHEREAS**, convenient and reasonable means of ingress and egress to and from their respective properties is afforded to all other property owners by the remaining public ways dedicated to the public for public way purposes, and

**WHEREAS**, the Shelby County Commission has determined that it is in the public interest for the Old Hwy 280 Right-of-Way to be vacated, and

**WHEREAS**, it is now desirable and expedient for the Shelby County Commission, being the Commission of the County in which such Old Hwy 280 Right-of-Way is located, to join in and assent to the vacation of said Old Hwy 280 Right-of-Way.

**NOW, THEREFORE**, be it resolved by the Shelby County Commission that the Shelby County Commission has determined that it is in the public interest that the Old Hwy 280 Right-of-Way, as described in Exhibit A of Attachment 1, be vacated as a public road; that the assent of the Shelby County Commission be and hereby is given and granted to the vacation of Old Hwy 280 Right-of-Way as such is described in the above referenced Declaration of Vacation; and that said Old Hwy 280 Right-of-Way be, and the same hereby is vacated by the Shelby County

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Commission as a public road and all rights of the public and all other persons, firms or corporations in and to said Old Hwy 280 Right-of-Way are hereby divested."

The above said Resolution was introduced by Commissioner Dailey, Commissioner, at the regular meeting of the Shelby County Commission held in Columbiana, Alabama, on the 13 day of December, 1999, and the same having been read in full by the Chairman, it was moved by Member Dailey and seconded by Member Acker, that all rules governing the Shelby County Commission which might, unless suspended, prevent the passage and adoption of said Resolution at this meeting, be and the same are hereby suspended for the purpose of permitting said Resolution to be finally passed and adopted at this meeting.

Whereupon the Chairman put the question on said motion for suspension of the rules and on roll call the vote was as follows: Voting yes, Members Acker, Allison, Dillard, Armstrong, Thompson, Dailey, Crockett, Camp.  
Voting no, Members \_\_\_\_\_

Thereupon the Chairman declared said motion carried and the rules suspended.

Member Dailey then moved that said Resolution be now placed before the Shelby County Commission for final passage and that it be finally passed and adopted as introduced. Member Acker seconded the motion. The question being put upon the placing of said Resolution before the Shelby County Commission for its final passage and that said Resolution be finally passed and adopted as introduced, the roll was called and the vote was as follows:

Voting yes, Members Acker, Allison, Dillard, Armstrong, Thompson, Dailey, Crockett, Camp  
Voting no, Members \_\_\_\_\_

The Chairman then declared said motion carried and Resolution finally passed and adopted. The Chairman signed said Resolution in approval thereof.

ATTEST:

Marya B. DeMarco  
Clerk

Billy A. Stephens  
Chairman, Shelby County Commission

STATE OF ALABAMA     )  
                                  )  
SHELBY COUNTY         )

Attachment 1

**DECLARATION OF VACATION**

The undersigned DOUBLE OAK WATER RECLAMATION, L.L.C., an Alabama limited liability company ("DOWR"), as the sole owner of all the real property abutting that public right-of-way described in Exhibit A attached hereto and made part and parcel hereof as fully as if set out herein (such Exhibit A is the "Old Hwy 280 Right-of-Way"), does hereby declare vacated and divested out of the public the Old Hwy 280 Right-of-Way so as to divest all public rights, including any rights which may have been acquired by prescription or dedication, in and to said Old Hwy 280 Right-of-Way.

Such vacation of said Old Hwy 280 Right-of-Way shall and will not deprive other property owners of such right as they may have to convenient and reasonable means of ingress and egress to and from their property, such right being afforded by the remaining public ways dedicated to the public for public way purposes.

IN WITNESS WHEREOF, the undersigned DOUBLE OAK WATER RECLAMATION, L.L.C., an Alabama limited liability company, does hereby set its hand and seal as of the 30<sup>th</sup> day of September, 1999.

DOUBLE OAK WATER RECLAMATION, L.L.C.,  
an Alabama limited liability company

By: South Edge, Inc., Its Manager

By: Michael D. Fuller  
Michael D. Fuller  
Its President

STATE OF ALABAMA                    )  
COUNTY OF JEFFERSON            )

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Michael D. Fuller, whose name as President of South Edge, Inc., an Alabama corporation, as Manager of Double Oak Water Reclamation, LLC, an Alabama limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as Manager as aforesaid.

Given under my hand and seal this the 30<sup>th</sup> day of September, 1999.

[SEAL]

Mary Paulette Johnson  
Notary Public

My commission expires:

7/24/2001

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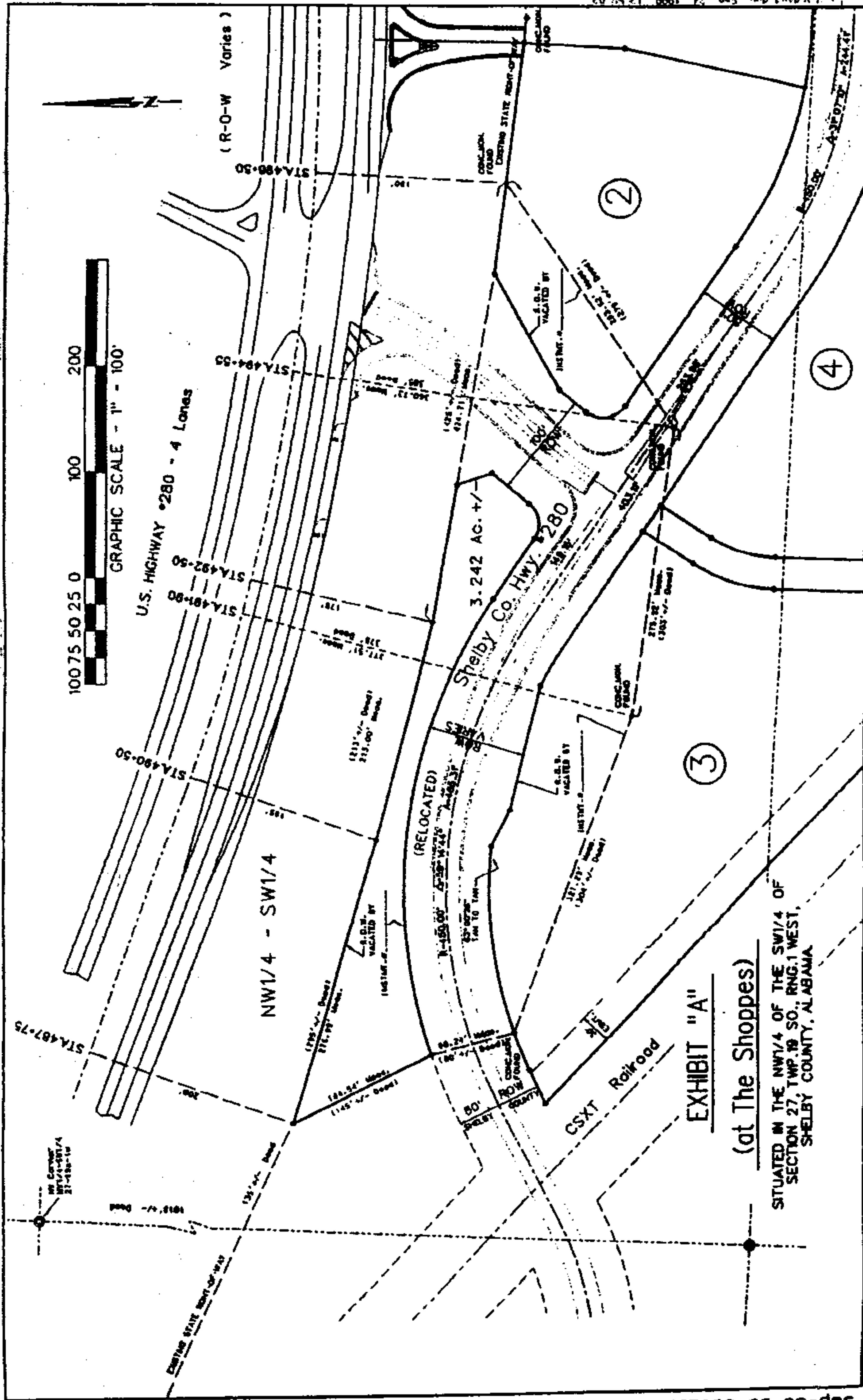
**OLD HWY 280 RIGHT-OF-WAY**

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

A part of the W 1/2 of NW 1/4, Section 27, T-19-S, R-1-W bn Project No. F-214 (19) in Shelby County, Alabama and being more fully described as follows: commencing at the northwest corner of the NW 1/4 of SW 1/4; thence southerly along the west line of said NW 1/4 of SW 1/4 a distance of 1018 feet, more or less, to the present southwest right-of-way line of U.S. Highway No. 280; thence southeasterly along said present southwest right-of-way line a distance of 135 feet, more or less, to the point that is 200 feet southwesterly of and at right angles to the centerline of said project at Station 487+75 and the point of beginning of the property herein to be conveyed; thence southeasterly along a line a distance of 295 feet, more or less, to a point that is 185 feet southwesterly of and at right angles to said centerline at Station 490+50; thence southeasterly along a line a distance of 213 feet, more or less, to a point that is 175 feet southwesterly of and at right angles to said centerline at Station 492+50; thence southeasterly along a line a distance of 425 feet, more or less, to a point on the present southeast right-of-way line of said U.S. Highway No. 280 that is 180 feet southerly of and at right angles to said centerline at Station 496+50; thence southwesterly along said present southeast right-of-way line a distance of 279 feet, more or less, to a point on the present southwest right-of-way line of said highway that is 365 feet southerly of and at right angles to said centerline at Station 494+55; thence northwesterly along said present southwest right-of-way line a distance of 303 feet, more or less, to a point that is 375 feet southwesterly of and at right angles to said centerline at Station 491+90; thence continuing northwesterly along said present southwest right-of-way line a distance of 304 feet, more or less, to a point on the present southeast right-of-way line of Old U.S. Highway No. 280 that is southeasterly of and at right angles to the centerline of said highway at Station 1053+00; thence northwesterly along a line, perpendicular to said centerline, a distance of 80 feet, more or less, to a point on the present northwest right-of-way line of said highway that is northwesterly of and at right angles to said centerline at Station 1053+00; thence northwesterly along said present southwest right-of-way line a distance of 145 feet, more or less, to the point of beginning and containing 3.226 acres, more or less.

**Less and except any part of the above described property situated within the 80' or 100' right-of-way known as (Relocated) Shelby Co. Hwy #280 as shown on the survey attached hereto as Exhibit "A".**



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