

RESOLUTION NO. 3024-03

WHEREAS, B. J. Harris, President, Harbar Construction Co., Inc., Managing Partner, Caldwell Mill, LLP - Owner is the owner of all the property abutting or adjacent to the following easement proposed to be vacated, situated in Shelby County, Alabama, to-wit:

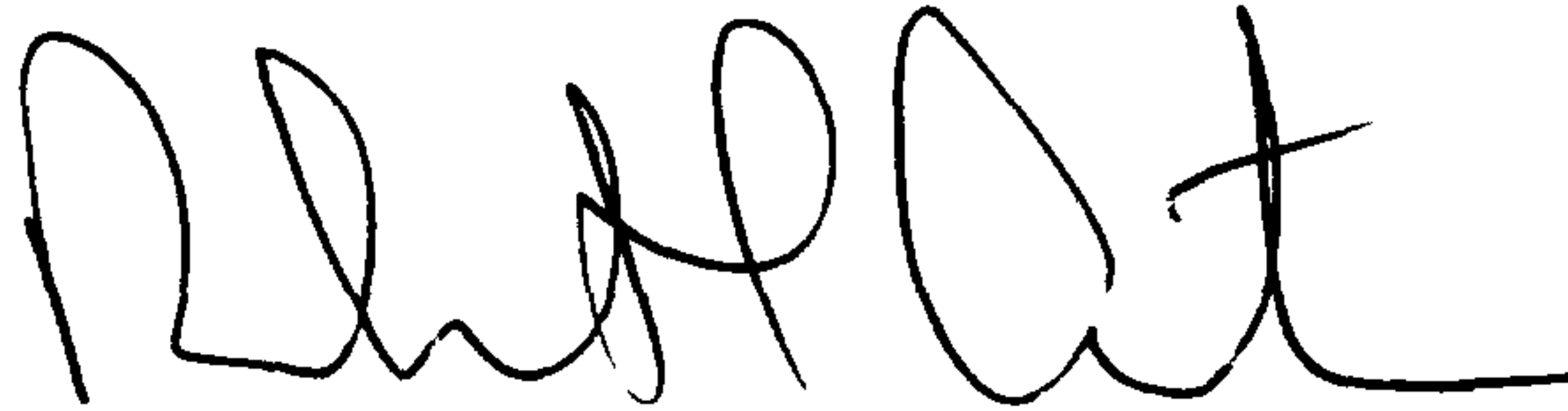
The East 3.0 feet of that 15 foot wide easement which is centered on the lot line between Lots 160 and 161, Phase II Caldwell Crossings 2nd Sector, as recorded in the office of the Judge of Probate, Shelby County, Alabama in Map Book 31, Page 31.

WHEREAS, the above owner is desirous of vacating of said easement described above and requests that the assent of the Council of the City of Hoover, Alabama, be given as required by law in such cases;

After vacation of the above described easement the owner of the described easement must provide convenient means of ingress and egress to and from the property to all other property owners owning property in or near the tract of land embraced in said map, plat or survey.


NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoover, Alabama, that it does hereby assent to the vacation of the said easement as above described and that the same is hereby vacated and annulled and all public rights and rights-of-way herein are hereby divested.

ADOPTED this 20th day of October 2003.




President of the Council

APPROVED:



Mayor

ATTESTED BY:


City Clerk

CERTIFICATION

I, Margie Handley, Assistant City Clerk for the City of Hoover, Alabama, hereby certify that the attached is a true and correct copy of **Resolution No. 3024-03** which was adopted by the City Council of the City of Hoover on the 21th day of October, 2003.


Margie Handley
Assistant City Clerk

**APPLICATION FOR VACATION OF EASEMENT
DEDICATED FOR PUBLIC PURPOSES**

KNOW BY ALL THESE PRESENT THAT: Whereas the undersigned party (parties) is (are) owner(s) of all the property abutting, or in any way served by the property herein described, and own all of the lands abutting on or touching said property, and as such owner(s) is desirous of vacating the easement herein described as provided by the Statutes of the State of Alabama.

NOW, THEREFORE, the undersigned party (parties), being the owner(s) of all lands abutting on the following described property,

DESCRIPTION OF EASEMENT TO BE VACATED:

The East 3.0 feet of that 15 foot wide easement which is centered on the lot line between Lots 160 and 161, Phase Two Caldwell Crossings 2nd Sector, as recorded in the Office of the Judge of Probate, Shelby County, Alabama in Map Book 31, Page 31.

does (do) hereby declare the above easement vacated and annulled, and all public rights and easements therein divested of the property.

The undersigned owner(s) further declared that after vacation of the said easement located as above described, and all public rights and easements therein, convenient means of ingress and egress to and from the property will be afforded to all other property owners owning property in or near the tract of land embraced in said map or plat.

IN TESTIMONY AND WITNESS WHEREOF, the party hereunto has signed and affixed its hand and seal this declaration of vacation on this the 29th day of September, 2003.

BY:

B. J. Harris
B.J. Harris, President, Harbar
Construction Co., Inc, Managing
Partner, Caldwell Mill, L.L.P. Owner

BY: _____