

THIS INSTRUMENT WAS PREPARED BY:

John L. Hartman, III

P. O. Box 846

Birmingham, AL 35201-0846

DECLARATION AND PETITION TO VACATE ALLEY

STATE OF ALABAMA)

SHELBY COUNTY)

COMES NOW, the undersigned Mary Emma Caudle, an unmarried woman, as owner of Lots 7B and 13, Maxwell's Addition to Ellitsville, Map Book 3, Page 118, Shelby County, AL, and as surviving grantee of her husband, Wilbert C. Caudle who died on or about March 7, 2003, and hereby petitions the City of Alabaster, Alabama, its Mayor and Council, as per Code of Alabama, Sections 23-4-20 and 35-2-54, to vacate that portion of the common alley between Lots 7B and 13, and as grounds therefor avers:

1. Mary Emma Caudle is the owner of all of the property or land abutting that portion of the alley to be vacated, which said property does not constitute any part of the homestead of the grantor.

2. Mary Emma Caudle hereby declares said portion of the alley shown on the attached Exhibit "A" and described above to be vacated. It is my intention to duly record my declaration to operate and destroy the force and dedication by the map, plat or survey and to divest all public rights which may have been acquired by prescription.

3. Petitioner further requests that the City of Alabaster consider same at its next business meeting and adopt a resolution approving same and cause the City Clerk or other authorized official to certify and record, as legally required, with this declaration.

4. Other convenient means of ingress and egress to all other owners exist to ingress and egress their property.

5. That portion of the alley to be vacated is not used as a public road nor outside of

the City of Alabaster.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 26th day of October, 2004.

Mary Emma Caudle
MARY EMMA CAUDLE

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said county in said State, hereby certify that MARY EMMA CAUDLE, whose name 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 conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 26th day of October, 2004.

My commission expires:

8/13/05

[Signature]
NOTARY PUBLIC

Notes

102

**RECEIVED
F.B.I.**

Alley West
of 11/104

ALABAMA HWY. 119

STANLEY JEWELERS

20041123000645500 Pg 4/4 20.00
Shelby Cnty Judge of Probate, AL
11/23/2004 15:23:00 FILED/CERTIFIED

EXHIBIT C

ABSTRACT OF TITLE TO

**Lots 15, 16 and 17 "Maxwell's Addition to Elliottsville"
as recorded in Map Book 3 on page 118 in Probate Office.**

SITUATED

IN

SHELBY COUNTY, ALABAMA

