

Mayor Roy introduced the following Resolution:

RESOLUTION NO. R-2008-60

WHEREAS, a declaration signed by Maynice Walton & Transportation Services, owners of the lands abutting the hereinafter described portion of streets and/or alleys situated in the City of Calera, County of Shelby, State of Alabama, vacating said streets or portion of streets, has been duly presented to the City Council of the City of Calera, Alabama, for assent

and approval of said governing body, said declaration attached being hereto affixed, marked "Exhibit A," and made a part hereof; and

WHEREAS, the street or alley referred to are more particularly described as follows:

Exhibit A

A Parcel of land being part of vacated Rose Lake Drive, 80' R.O.W., more particularly described as follows:

Commence at the SW Corner of Block N of Hetz Survey, as recorded in Map Book 3, Page 119, in the Office of the Judge of Probate of Shelby County, Alabama; thence N00°29'00"E, a distance of 399.74'; thence S78°05'48"W, a distance of 40.95'; to the POINT OF BEGINNING; thence continue along the last described course, a distance of 40.95'; thence N44°19'47"W, a distance of 203.12'; thence N88°42'55"W, a distance of 365.17'; thence N01°17'05"E, a distance of 40.70'; thence S88°42'55"E, a distance of 373.01'; thence S44°19'47"E, a distance of 247.94' to the POINT OF BEGINNING.

Exhibit B

A Parcel of land being part of vacated Rose Lake Drive, 80' R.O.W., more particularly described as follows:

Commence at the SW Corner of Block N of Hetz Survey, as recorded in Map Book 3, Page 119, in the Office of the Judge of Probate of Shelby County, Alabama; thence N00°29'00"E, a distance of 399.74'; to the POINT OF BEGINNING; thence N44°19'47"W, a distance of 292.77'; thence N88°42'55"W, a distance of 380.85'; thence S01°17'05"W, a distance of 40.70'; thence S88°42'55"E, a distance of 373.01'; thence S44°19'47"E, a distance of 247.94'; thence N78°05'48"E, a distance of 40.95' to the POINT OF BEGINNING.

WHEREAS, it appears to the City Council of the City of Calera, Alabama, that the vacation of said street or alley are in order and that convenient and reasonable means of ingress and egress is afforded to all other property owners owning properties in the subdivision embraced in said map of Hetz Resurvey of the City of Calera, Alabama. Subject, however to all existing right-of-ways or easements for public utilities and to all utility facilities presently situated in said area vacated, subject to this provision.

Council Member Bradshaw moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2008-60. Council Member Davis seconded said motion and upon vote, the results were as follows:

AYES: Roy, Bradshaw, Davis, Montgomery, Phillips, Roberson

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Resolution.

Council Member Phillips moved that Resolution No.

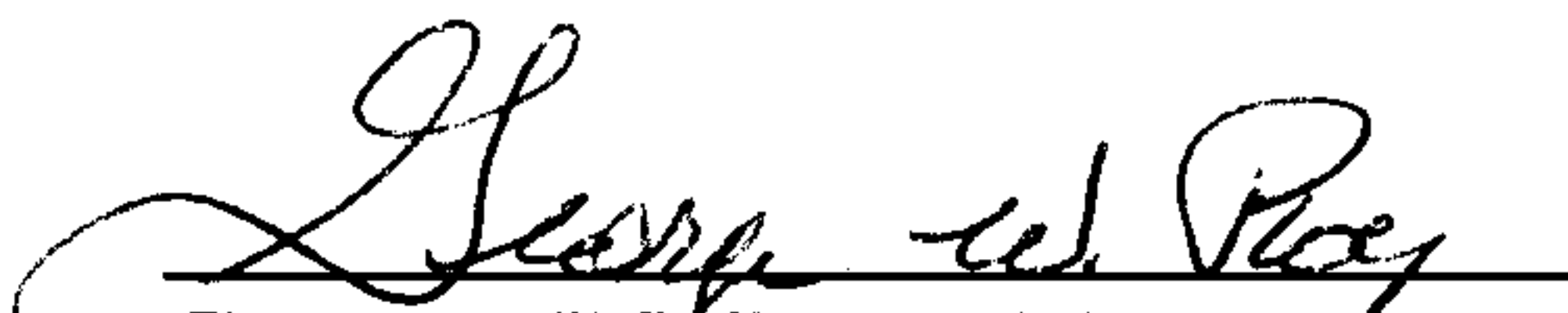
R-2008-60 be adopted. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

AYES: Roy, Bradshaw, Davis, Montgomery, Phillips, Roberson

NAYS: None

Mayor Roy declared Resolution No. R-2008-60 adopted.

Adopted this 18th day of August 2008.


George W. Roy, Mayor

ATTEST:


Linda Steele, City Clerk

REQUEST TO VACATE STREET

We, Maynice Walton and Transportation Services, Inc. do hereby request the Mayor and Council of the City of Calera, Alabama to vacate the following described right-of-ways:

Legal Description Exhibit A

A Parcel of land being part of vacated Rose Lake Drive, 80' R.O.W., more particularly described as follows:

Commence at the SW Corner of Block N of Hetz Survey, as recorded in Map Book 3, Page 119, in the Office of the Judge of Probate of Shelby County, Alabama; thence N00°29'00"E, a distance of 399.74'; thence S78°05'48"W, a distance of 40.95'; to the POINT OF BEGINNING; thence continue along the last described course, a distance of 40.95'; thence N44°19'47"W, a distance of 203.12'; thence N88°42'55"W, a distance of 365.17'; thence N01°17'05"E, a distance of 40.70'; thence S88°42'55"E, a distance of 373.01'; thence S44°19'47"E, a distance of 247.94' to the POINT OF BEGINNING.

Legal Description Exhibit B

A Parcel of land being part of vacated Rose Lake Drive, 80' R.O.W., more particularly described as follows:

Commence at the SW Corner of Block N of Hetz Survey, as recorded in Map Book 3, Page 119, in the Office of the Judge of Probate of Shelby County, Alabama; thence N00°29'00"E, a distance of 399.74'; to the POINT OF BEGINNING; thence N44°19'47"W, a distance of 292.77'; thence N88°42'55"W, a distance of 380.85'; thence S01°17'05"W, a distance of 40.70'; thence S88°42'55"E, a distance of 373.01'; thence S44°19'47"E, a distance of 247.94'; thence N78°05'48"E, a distance of 40.95' to the POINT OF BEGINNING.

I further certify that I am the sole property owner adjacent to said right-of-ways, and the vacation of this alley would not deny ingress and egress to other property owners owning properties in subdivision embraced in said map of Hetz Survey of the Town of Calera.

Maynice Walton
Maynice Walton

Date: 8/14/08

Eddie J. Williams
Witness

Date: 8/14/08

Frederick
Witness

Date: 8/14/08

Transportation Services, Inc.
Transportation Services, Inc.


Date: 8/12/08

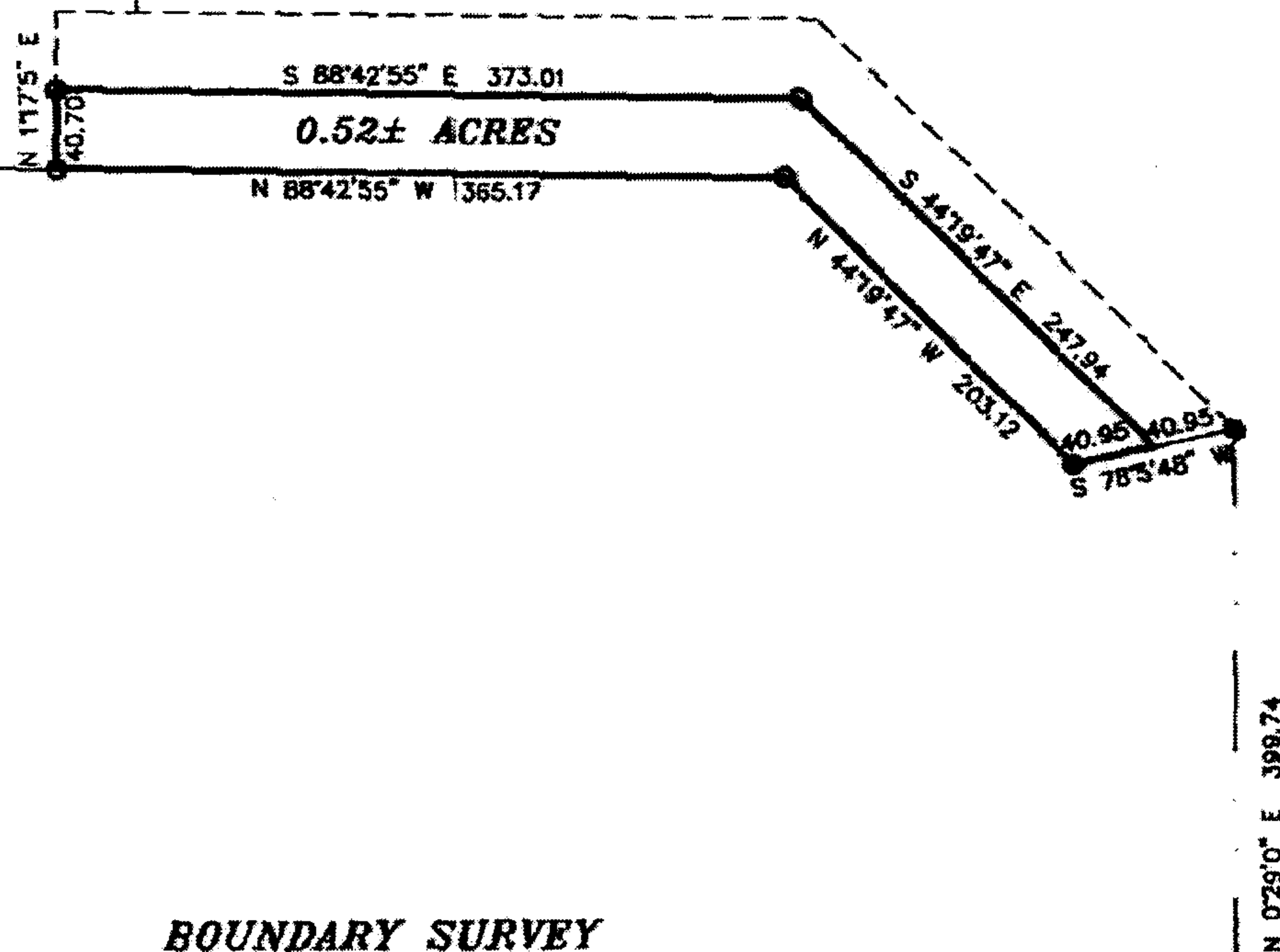
Brad Davis
Witness

Date: 8/12/08

Kelly Adams
Witness

Date: 8/12/08


20081202000455050 5/9 \$35.00
Shelby Cnty Judge of Probate, AL
12/02/2008 03:06:27PM FILED/CERT



STATE OF ALABAMA
SHELBY COUNTY

I, Rodney Y. Shiflett, a Registered Professional Land Surveyor in the State of Alabama do hereby certify that this is a true and correct plat of my survey as shown hereon. That there are no visible encroachments of any kind upon the subject lot except as shown hereon, excluding utility service lines, wires or pipes that serve the subject lot only that are within dedicated easements or rights of way. That steel corners have been found or installed at all lot corners. I further certify that this survey and this plat meet the minimum technical standards for the practice of land surveying in the State of Alabama, the correct legal description being as follows:

A Parcel of land being part of vacated Rose Lake Drive, 80' R.O.W., more particularly described as follows:

Commence at the SW Corner of Block N of Hetz Survey, as recorded in Map Book 3, Page 119, in the Office of the Judge of Probate of Shelby County, Alabama; thence N00°29'00"E, a distance of 398.74'; thence S78°05'48"W, a distance of 40.95' to the POINT OF BEGINNING; thence continue along the last described course, a distance of 40.95'; thence N44°19'47"W, a distance of 203.12'; thence N88°42'55"W, a distance of 365.17'; thence N01°17'05"E, a distance of 40.70'; thence S88°42'55"E, a distance of 373.01'; thence S44°19'47"E, a distance of 247.94' to the POINT OF BEGINNING.

Said Parcel containing 0.52 acres, more or less.

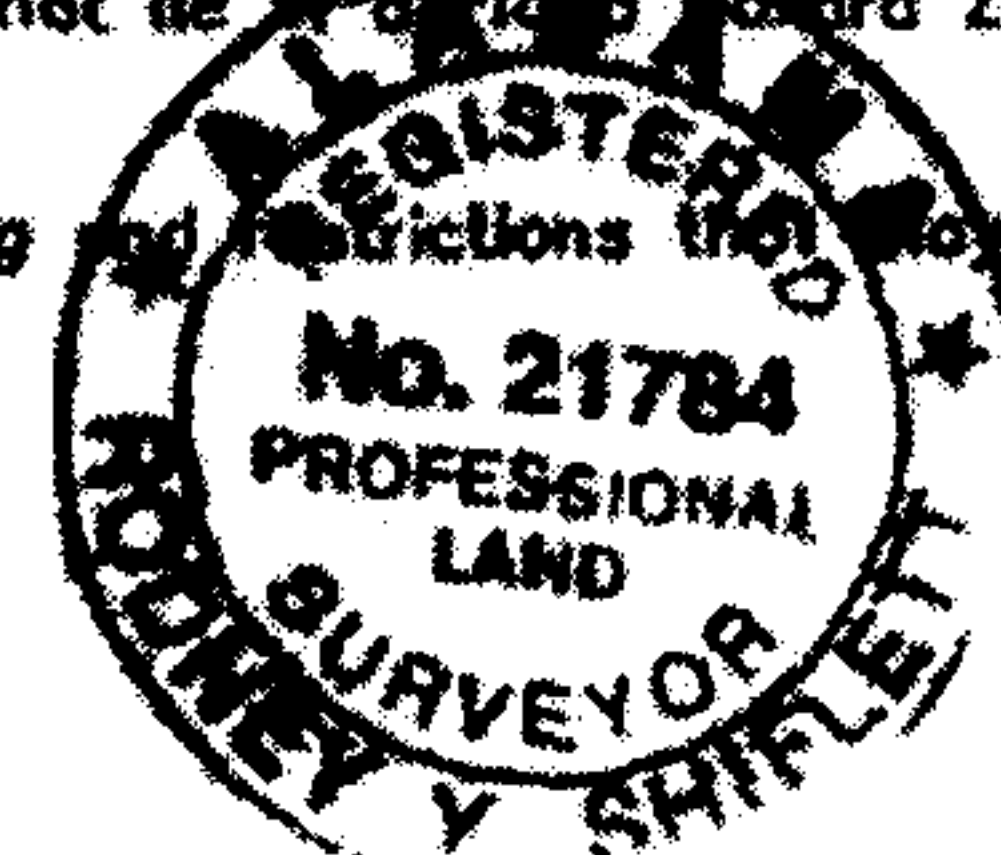
I further certify that I have consulted the Federal Insurance Rate Map (F.I.R.M.) Community Panel 40117C 0507 D, Zone 'X', dated September 29, 2006 and found that the above described Parcel does not lie in a Flood Hazard Zone.

NOTE:

This Parcel shown and described herein may be subject to setbacks, easements, zoning and restrictions that may be found in the Probate Office of said County.

According to my survey of June 6, 2008

Rodney Y. Shiflett Al. Reg. #21784



LEGEND

- IRON PIN SET
- IRON PIN FOUND
- ROW RIGHT-OF-WAY
- CENTER LINE
- UTILITY POLE
- OVERHEAD UTILITIES
- (M) FIELD MEASURED
- (P) PLAT / RECORDED MAP

JOB NO. 07533

ADDRESS

DATE 6/12/08

SCALE 1" = 60'

DRAWN BY H. LETTS

CHECK BY R.Y.S.

RODNEY SHIFLETT SURVEYING

P.O. BOX 204
COLUMBIANA, ALABAMA 35051
TEL 205-689-1205 FAX 205-689-1298



20081202000455050 6/9 \$35.00
Shelby Cnty Judge of Probate, AL
12/02/2008 03:06:27PM FILED/CERT

Exhibit "A"

N 88°42'55" W 380.85
0.57± ACRES
S 88°42'55" E 373.01

N 44°19'47" W 292.77
S 44°19'47" E 247.94
N 78°05'48" E 40.95
N 0°29'00" E 399.74

BOUNDARY SURVEY

STATE OF ALABAMA
SHELBY COUNTY

I, Rodney Y. Shiflett, a Registered Professional Land Surveyor in the State of Alabama do hereby certify that this is a true and correct plat of my survey as shown hereon. That there are no visible encroachments of any kind upon the subject lot except as shown hereon, excluding utility service lines, wires or pipes that serve the subject lot only that are within dedicated easements or rights of way. That steel corners have been found or installed at all lot corners. I further certify that this survey and this plat meet the minimum technical standards for the practice of land surveying in the State of Alabama, the correct legal description being as follows:

A Parcel of land being part of vacated Ross Lake Drive, 80' R.O.W., more particularly described as follows:

Commence at the SW Corner of Block N of Hetz Survey, as recorded in Map Book 3, Page 119, in the Office of the Judge of Probate of Shelby County, Alabama; thence N00°29'00"E, a distance of 399.74' to the POINT OF BEGINNING; thence N44°19'47"W, a distance of 292.77'; thence N88°42'55"W, a distance of 380.85'; thence S01°17'05"W, a distance of 40.70'; thence S88°42'55"E, a distance of 373.01'; thence S44°19'47"E, a distance of 247.94'; thence N78°05'48"E, a distance of 40.95' to the POINT OF BEGINNING.

Said Parcel containing 0.57 acres, more or less.

I further certify that I have consulted the Federal Insurance Rate Map (F.I.R.M.) Community Panel #01117C 0507 C, Zone 'X', dated September 29, 2006 and found that the above described Parcel does not lie in a Flood Hazard Zone.

NOTE:
This Parcel shown and described herein may be subject to setbacks, easements, zoning and restrictions that may be found in the Probate Office of said County.

According to my survey of June 5, 2008 *Rodney Y. Shiflett*
Rodney Y. Shiflett A/ Reg. #21784

ALABAMA
REGISTERED
No. 21784
PROFESSIONAL
LAND
SURVEYOR
RODNEY SHIFLETT

LEGEND		JOB NO. 07533	
○	IRON PIN SET	ADDRESS	
●	IRON PIN FOUND	DATE 6/12/08	SCALE 1"=60'
ROW	RIGHT-OF-WAY	DRAWN BY H. LETTS	CHECK BY R.Y.S.
⊥	CENTER LINE		
⊥	UTILITY POLE		
— U —	OVERHEAD UTILITIES		
(M)	FIELD MEASURED		
(P)	PLAT / RECORDED MAP		

RODNEY SHIFLETT SURVEYING

P.O. BOX 204
COLUMBIANA, ALABAMA 35051
TEL. 205-669-1205 FAX 205-669-1298



20081202000455050 7/9 \$35.00
Shelby Cnty Judge of Probate, AL
12/02/2008 03:06:27PM FILED/CERT

CERTIFICATION OF POSTING

20081202000455050 9/9 \$35.00
Shelby Cnty Judge of Probate, AL
12/02/2008 03:06:27PM FILED/CERT

I, Linda Steele, City Clerk of the City of Calera, Alabama do hereby certify
that the foregoing Resolution is a true and correct copy of the
Resolution adopted by the City Council of the City of Calera, Alabama on
the 18th day of August 2008, as the same appears in the official record
of minutes of the City of Calera Council meeting.

Given under my hand this 18th day of August 2008.

Linda Steele
Linda Steele, City Clerk

I, Linda Steele, City Clerk of the City of Calera, Alabama do hereby certify
that the foregoing Resolution was duly posted at the following locations:

Calera City Hall
Calera Post Office
Calera Public Library
Associated Foods

Linda Steele
Linda Steele, City Clerk

08/19/2008
Date Posted