



20201007000455420 1/8 \$43.00
Shelby Cnty Judge of Probate, AL
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Map Book 53
Page 36

RESOLUTION NUMBER 6336-20

A RESOLUTION APPROVING AND ASSENTING TO A DECLARATION OF VACATION

WITNESSETH THESE RECITALS:

WHEREAS, a Declaration signed by Jeremy Tickle, the owner(s), of all the lands abutting the following described right-of-way situated in the City of Hoover, Shelby County, Alabama, vacating said easement and marked as "Exhibit A", has been duly presented to the City Council of the City of Hoover, Alabama, for assent and approval of said governing body; and

WHEREAS, said Declaration with map attached is marked as "Exhibit A", attached hereto and incorporated into this Resolution by reference as though set out fully herein; and

WHEREAS, above-referenced right-of-way is more particularly described, as follows:

Description of Vacation of Easement:

A portion of an easement to be abandoned situated in Lot 4A, A resurvey of Lot 4 Greystone 9th Sector, as recorded in Map Book 36, on Page I 16, in the Office of the Judge of Probate, Shelby County, Alabama, and being situated in the South half of Section 28, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of said Lot 4A; thence run in a Northwesterly direction along the East line of said Lot 4A, also along the West line of Lot 5 in Greystone 9th Sector, as recorded in Map Book 21, on Page 143, in the Office of the Judge of Probate, Shelby County, Alabama, for a distance of 10.11 feet to the point of beginning, being 10 feet from and parallel to the South line of said Lot 4A; thence turn an angle to the left of 81 degrees, 43 minutes, 57 seconds and run in a Northwesterly direction 10 feet from and parallel to said South line for a distance of 53.00 feet to a point; thence turn an angle to the right of 19 degrees, 45 minutes, 12 seconds and run in a Northwesterly direction for a distance of 94.00 feet to a point; thence turn an angle to the left of 111 degrees, 48 minutes, 22 seconds and run in a Southerly direction for a distance of 18.50 feet to a point; thence turn an angle to the left of 80 degrees, 22 minutes, 43 seconds and run in a Southeasterly direction for a distance of 52.70 feet to a point; thence turn an angle to the right of 33 degrees, 37 minutes, 48 seconds and run in a Southeasterly direction for a distance of 8.90 feet to a point; thence turn an angle to the right of 43 degrees, 38 minutes, 10 seconds and run in a Southerly direction for a distance of 5.50 feet to a point that is 5 feet from and parallel to the South line of said Lot 4A; thence turn an angle to the left of 84 degrees, 50 minutes, 05 seconds and run in a Southeasterly direction 5 feet from and parallel to said South line



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for a distance of 57 .90 feet to a point; thence turn an angle to the left of 12 degrees, 01 minutes, 29 seconds and run in a Northeasterly direction for a distance of 24.00 feet to the point of beginning; said portion of the easement to be abandoned containing 1,204 square feet, more or less.

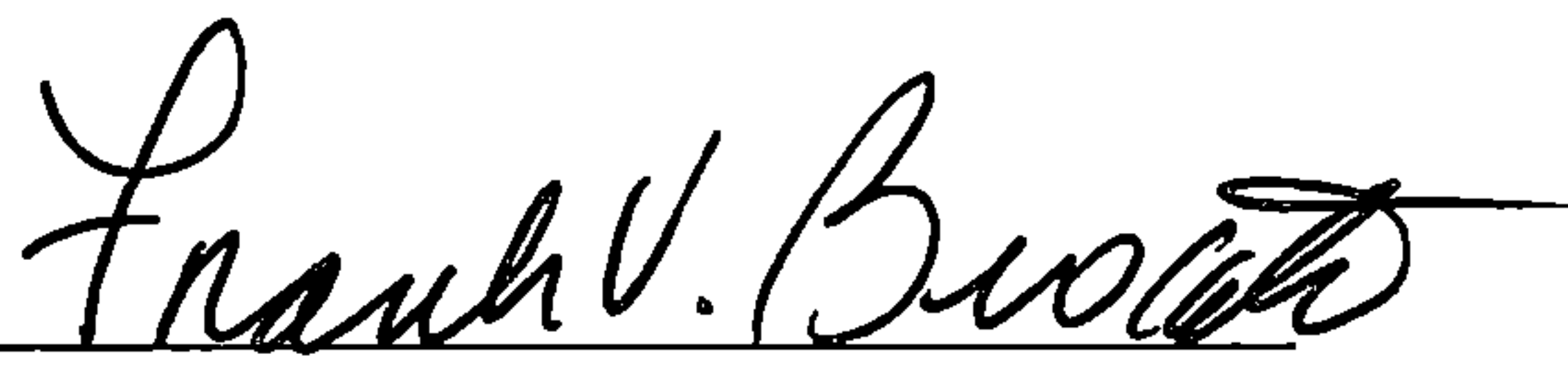
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOOVER, ALABAMA, AS FOLLOWS:

1. The vacation of the hereinabove described right-of-way is hereby vacated and annulled and all public rights and right-of-way herein are hereby divested pursuant to the provision of Section 23-4-20 of the Code of Alabama, 1975; and
2. A copy of the Final Plat for A Resurvey of Lot 4A of a Resurvey of Lot 4, Greystone 9th Sector shall be recorded in the Shelby County Office of the Probate as approved by the Planning and Zoning Commission on September 14, 2020 contingent upon the adoption and approval of the vacation of easement by the City Council of the City of Hoover, Alabama.

RESOLVED, DONE, ORDERED, APPROVED and ADOPTED, on this the 5th day of October, 2020.


Gene Smith, Council President

APPROVED BY:


Frank V. Brocato, Mayor

ATTESTED BY:


Wendy Dickerson, City Clerk

STATE OF ALABAMA

SHELBY

COUNTY

DECLARATION OF VACATION

We, the undersigned, constituting all of the owners of all property abutting Lot 4A Part of Easement as same appears on the Plat of RES LOT 4A GREYSTONE 9TH SEC which Plat is recorded in Plat Book 36, at Page 116, in the Probate Office of ~~Jefferson~~ **SHELBY** County, Alabama, do hereby declare that each of said Plats embraced within the boundaries of said Lot 4A Part of Easement as the same appears of record on the Plat to be vacated, and said Lot 4A Part of Easement is hereby declared vacated. The undersigned do hereby respectfully represent and warrant as follows:

1. This Declaration of Vacation of Lot 4A Part of Easement is prepared, executed, delivered and recorded to and in accordance with the provisions of Section 23-4-20 and Section 35-2-54, Code of Alabama, 1975.
2. It is in the best public interest that Lot 4A Part of Easement be closed and vacated.
3. Such vacation will not deprive other property owners of a convenient and reasonable means of ingress and egress to their property:
4. Lot 4A Part of Easement is situated in the City of SHELBY County, Alabama. A copy of the map reflecting the location of Lot 4A Part of Easement is attached hereto and incorporated into this Declaration of Vacation as a part hereof.
5. Reasoning/Purpose for request to vacate:
To enable the required privacy wall between golf course and pool
within owner's back yard.
6. Type of Easement/Right-Of-Way to be vacated:
Partial vacation of an existing utility / drainage easement
located within owner's back yard.



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7. The street address and legal descriptions of all property abutting Lot 4A Part of Easement and the names and addresses of the owner of said abutting properties are, as follows:
- A. Street Address: 5246 Greystone Way, Birmingham, AL 35242
Legal Description: Lot 4A, Greystone 9th Sector, MB 36, PG 116
Owners' Name(s): Jeremy Tickle
- B. Street Address: N/A - NO ABUTTING PROPERTY OWNER REQUIRED
Legal Description: EASEMENT PORTION WITHIN OWNER'S YARD ONLY
Owners' Name(s): EASEMENT VACATION IS CONTAINED WITHIN OWNER'S YARD
- C. Street Address: NOT APPLICABLE - PARTIAL EASEMENT VACATION
Legal Description: PORTION ONLY WITHIN OWNER'S YARD
Owners' Name(s): NOT APPLICABLE
- D. Street Address: _____
Legal Description: _____
Owners' Name(s): _____
- E. Street Address: _____
Legal Description: _____
Owners' Name(s): _____
- F. Street Address: _____
Legal Description: _____
Owners' Name(s): _____
- G. Street Address: _____
Legal Description: _____
Owners' Name(s): _____
- H. Street Address: _____
Legal Description: _____
Owners' Name(s): _____



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8. All of the undersigned do hereby declare Lot 4A Part of Easement to be
vacated and respectfully request the assent of the City Council of the City of Hoover,
Alabama, to said vacation of Lot 4A Part of Easement and its approval of the same.

IN WITNESS THEREOF, the undersigned have hereunto set our hands and seals on:

SIGNATURES OF ABUTTING PROPERTY OWNERS:

(notary on following pages)

Name Jeremy Pickle

Date 8/11/20

Name _____

Date _____

Name _____

Date _____

Name _____

Date _____

Name _____

Date _____

Name _____

Date _____

Name _____

Date _____

Name _____

Date _____

Name _____

Date _____



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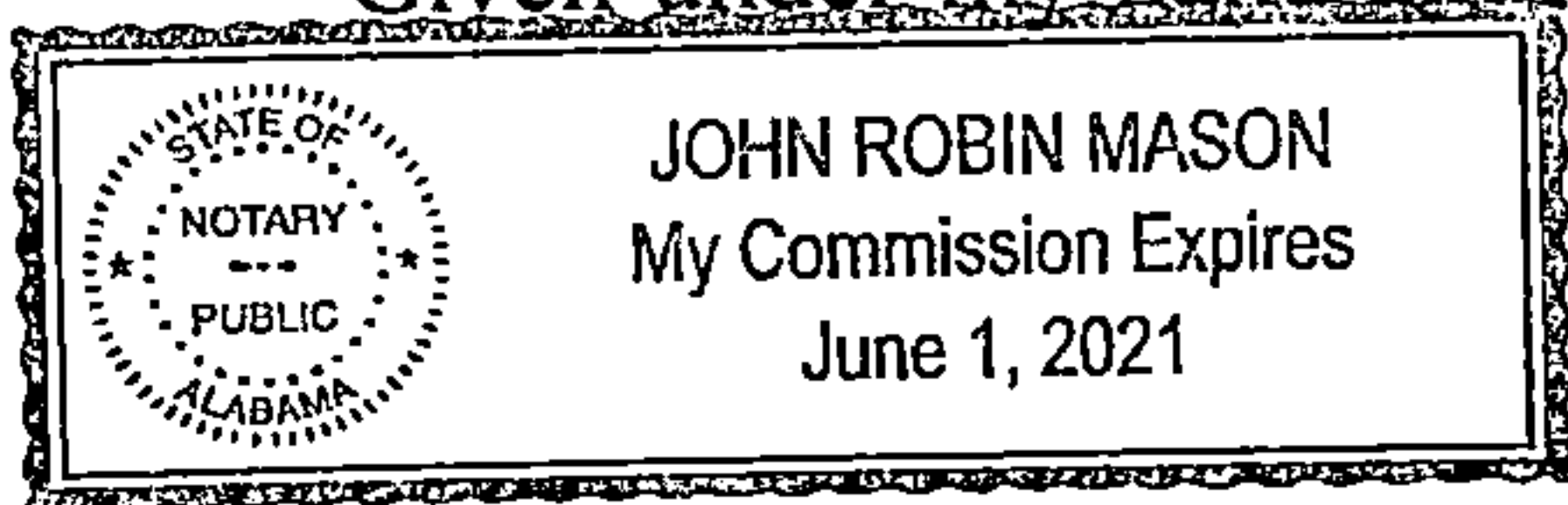
STATE OF ALABAMA

Shelby COUNTY

GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public, does hereby certify that Jeremy Tickle, whose name is signed to the foregoing Declaration of Vacation, and who is acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 11th day of AUGUST, 2020.



John Robin Mason
Notary Public

STATE OF ALABAMA

_____ COUNTY

GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public, does hereby certify that _____, whose name is signed to the foregoing Declaration of Vacation, and who is acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the ____ day of _____, 20____.

Notary Public

STATE OF ALABAMA

_____ COUNTY

GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public, does hereby certify that _____, whose name is signed to the foregoing Declaration of Vacation, and who is acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the ____ day of _____, 20____.

Notary Public



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Legal Description of Portion of Easement to be Vacated
5246 Greystone Way

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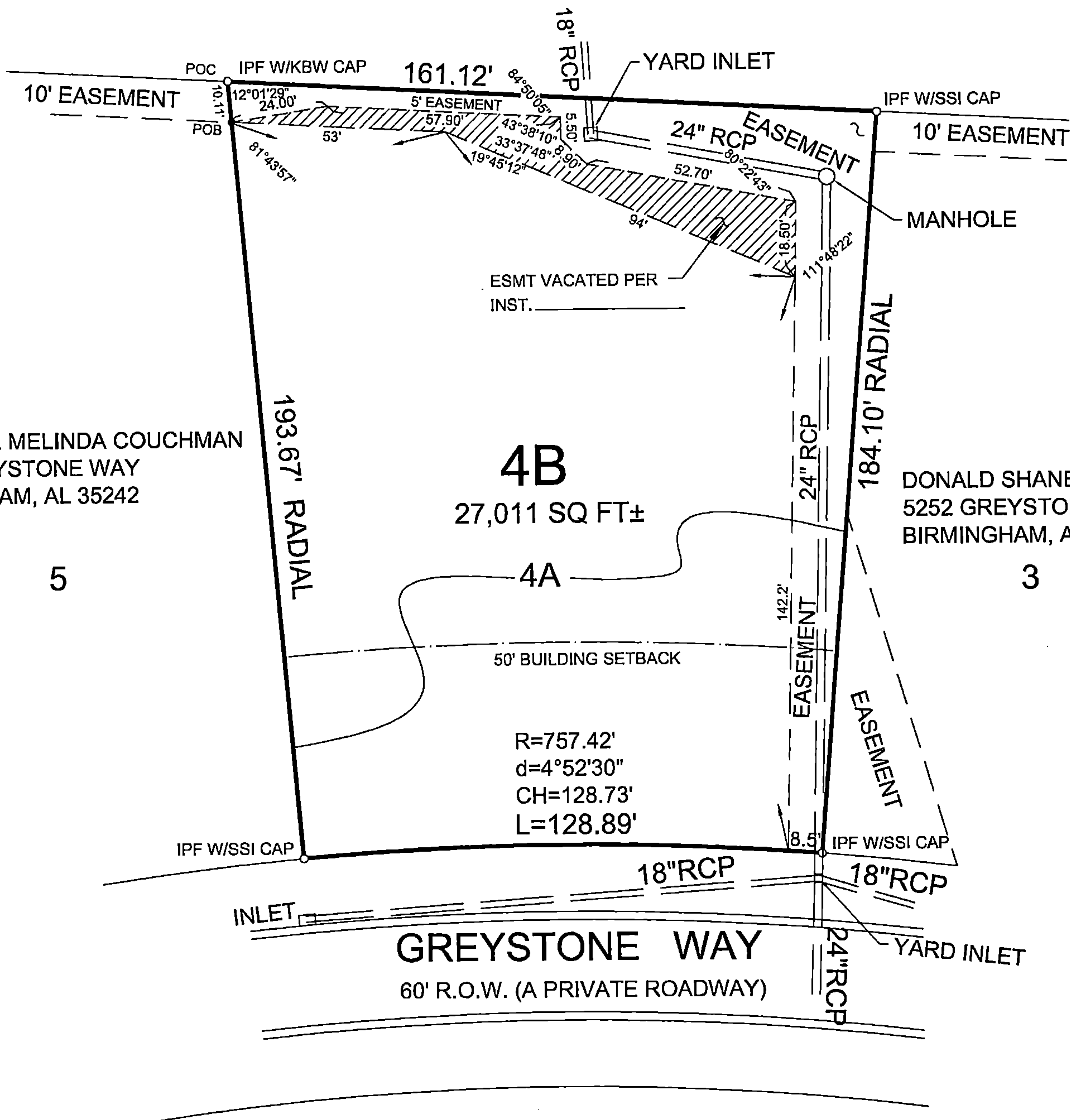


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GREYSTONE GOLF CULB, INC.
4100 GREYSTONE DRIVE
BIRMINGHAM, AL 35242

GOLF COURSE

SCALE: 1" = 40'



WILLIAM & MELINDA COUCHMAN
5240 GREYSTONE WAY
BIRMINGHAM, AL 35242

5

DONALD SHANE KELLY
5252 GREYSTONE WAY
BIRMINGHAM, AL 35242

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SKETCH OF EASEMENT TO BE VACATED

PREPARED BY:
SURVEYING SOLUTIONS, INC.
CARL DANIEL MOORE REG. L.S. NO: 12159
2233 CAHABA VALLEY DRIVE
BIRMINGHAM, ALABAMA 35242
(205) 991-8965

OWNER:
JEREMY TICKLE