

PETITION AND WRITTEN DECLARATION OF VACATION OF A PORTION OF ASHVILLE CIRCLE

STATE OF ALABAMA

SHELBY COUNTY

Whereas F. P. Givhan and L. H. Hubbard, as owners, did subdivide certain land in the Town of Montevallo, Shelby County, Alabama, as shown by map of said subdivision entitled, Hubbard and Givhan's subdivision of the Northwest quarter of the Northeast quarter of Section 21, Township 22 South, Range 3 West, the same being in the Town of Montevallo, Alabama, which map is recorded in Map Book 3, Page 128, in the Probate Office of Shelby County, Alabama.

Whereas, we L. H. Hubbard and wife, Gene Hubbard, F. P. Givhan and wife, Frances Givhan, Fred Frost, Jr., and wife, Mary Nell Frost, are the owners of all the land abutting that portion of Ashville Circle in said subdivision, which portion is sought to be vacated; and whereas, we, L. H. Hubbard and wife, Gene Hubbard, F. P. Givhan and wife, Frances Givhan, Fred Frost, Jr., and wife, Mary Nell Frost, desire to and now therefore do hereby declare the following described portion of Ashville Circle vacated.

Said portion being as follows:

Commencing at the NE Corner of NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 21, Township 22, South, Range 3 West; thence South 3 degrees 01' West along the East boundary of the NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 21, Township 22 South, Range 3 West, a distance 320.08 feet to a point; thence North 83 degrees 57' West, a distance 322.76 feet to the NW corner of Lot 23 of the Hubbard and Givhan Subdivision, being the point of beginning of the portion of Ashville Circle herein described; thence South 6 degrees 03' West along east boundary of Ashville Circle, a distance 625.0 feet to a point on circumference of a circle having a radius of 50.0 feet; thence easterly around the circumference of said circle a distance 235.62 feet (being  $\frac{3}{4}$  of distance around the circle) to a point; thence North 6 degrees 03' East along west boundary of Ashville Circle, a distance 675.0 feet to a point (being the NE corner of lot 31 of said sub-division); thence South 83 degrees 57' East a distance 50.0 feet to the point of beginning.

Petitioners further certify that convenient means of ingress and egress to and from their property is and shall be afforded to all other property owners owning property in the tract of land embraced in said subdivision. Petitioners further aver that that portion of Ashville Circle sought to be vacated and described above, shown in said subdivision, has never been and is not now used as a public road or street.

Whereas said subdivision is within the corporate limits of the Town of Montevallo Alabama, wherefore petitioners do pray that the Mayor and Town Council of said Town do give their consent for that portion of Ashville Circle described above to be vacated, the said assent to be evidenced by a Resolution passed by said Mayor and Town Council.

Executed this 27th day of Sept, 1954.

L. H. Hubbard  
L. H. Hubbard

Gene Hubbard  
Gene Hubbard

F. P. Givhan  
F. P. Givhan

Frances L. Givhan  
Frances Givhan

Fred Frost Jr  
Fred Frost, Jr.

Mary Nell Frost  
Mary Nell Frost



STATE OF ALABAMA

SHELBY COUNTY

I, Beatrice Fancher, A Notary Public in and for said County in said State; hereby certify that L. H. Hubbard and wife, Gene Hubbard, whose names are signed to the foregoing petition, <sup>and written declaration</sup> and who are known to me acknowledged before me on this day that, being informed of the contents of the petition, they executed the same voluntarily on the day the same bears date.

Given under my hand this 27<sup>th</sup> day of Sept, 1954.

Beatrice Fancher  
Notary Public

STATE OF ALABAMA

SHELBY COUNTY

I, Beatrice Fancher A Notary Public in and for said County in said State, hereby certify that F. P. Givhan and wife, Frances Givhan, whose names are signed to the foregoing petition, <sup>and written declaration</sup> and who are known to me acknowledged before me on this day that, being informed of the contents of the petition, they executed the same voluntarily on the day the same bears date.

Given under my hand this 27<sup>th</sup> day of Sept, 1954.

Beatrice Fancher  
Notary Public

STATE OF ALABAMA

SHELBY COUNTY

I, Beatrice Fancher Notary Public in and for said County in said State, hereby certify that Fred Frost, Jr., and wife Mary Nell Frost, whose names are signed to the foregoing petition, <sup>and written declaration</sup> and who are known to me acknowledged before me on this day that, being informed of the contents of the petition, they executed the same voluntarily on the day the same bears date.

Given under my hand this 27<sup>th</sup> day of Sept, 1954.

Beatrice Fancher  
Notary Public

STATE OF ALABAMA, SHELBY COUNTY

I, L.C. Walker, Judge of Probate, hereby certify that the within was filed for record the 15 day of Oct, 1954 at 8 o'clock P.M. and recorded in Deed Record 168 Page 553 and the Mortgage Tax of — has been paid.

L.C. Walker Judge of Probate