

3301

DECLARATION OF VACATION

STATE OF ALABAMA)
)
SHELBY COUNTY)

BOOK 173 PAGE 203

KNOW ALL MEN BY THESE PRESENTS, That,

WHEREAS, the undersigned, Alabama Power Company, a corporation, is the owner of all the property abutting both sides of that portion of that certain street, forty feet in width, in Shelby County, Alabama, which lies between Lots 3, 4, 5, 6, 7 & 8, of Block 3, and Lot 16, of Block 11, and Lots 1, 2, 3 and 4, of Block 4, of A. B. Baxley's subdivision of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 9, Township 22 South, Range 2 West, known as Jewel Heights, which is recorded in Map Book 3, page 23, of the records of the probate court of Shelby County, Alabama, such street being shown as Second Street on such map and the portion herein described being that portion of such street which lies between the northwest side of First Avenue, north of such subdivision and the north line of such subdivision; and

WHEREAS, the undersigned, Alabama Power Company, a corporation is the owner of all the property abutting both sides of that portion of that certain street, forty feet in width, which lies between Lot 1, of Block 4, and Lot 9, of Block 7, and Lot 16, of Block 11, of such subdivision, such street being shown as Maple Street on such map and the portion of such street herein described being that portion of such street which lies between Third Street and Second Street of such subdivision; and

WHEREAS, the undersigned, Alabama Power Company, a corporation, is the owner of all the property abutting both sides of that portion of that certain alley, twenty feet in width, which lies between Lots 8 and 9, of Block 7, and Lots 13, 14, 15, 16 and the northeast 12 feet of Lot 12, of Block 11, of such subdivision; and

WHEREAS, the undersigned, Alabama Power Company, a corporation, is desirous of vacating and annulling such portions of said streets and said alley so as to destroy the force and effect of any dedication thereof by map, plat or otherwise, and to divest any and all rights of the public, including any rights which may have been acquired by prescription or otherwise, on that portion of said streets and alley hereby vacated; and

WHEREAS, convenient and reasonable means of ingress and egress to and from their property is afforded to all other property owners by the remaining streets and alleys dedicated by said map or plat, or by other existing streets or alleys;

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and for the purpose of vacating and annulling the above-described portions of said streets and said alley, the undersigned, Alabama Power Company, a corporation, being the owner of all the property abutting both sides of those portions of said streets and said alley sought to be vacated and annulled, does hereby declare that the above-described portions of said streets and said alley be and the same hereby are vacated and annulled, so as to destroy the force and effect of any dedication thereof by map, plat or otherwise and to divest any and all rights of the public which may have been acquired by prescription or otherwise in those parts of said streets and said alley hereby vacated and annulled.

IN WITNESS WHEREOF, Alabama Power Company, a corporation, has hereunto set its hand and seal, by its officers thereunto duly authorized on this 30TH day of May, 1955.

ALABAMA POWER COMPANY

By *H. N. Henry*
Vice President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, *Mary Cochran* a Notary Public in and for said County, in said State, hereby certify that *H. N. Henry*, whose name as Vice President of Alabama Power Company, a corporation, is signed to the foregoing declaration of vacation, and who is known to me, acknowledged before me on this day that, being informed of the contents of said declaration of vacation, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this 30th day of May, 1955.

Mary Cochran
Notary Public

Notary Public, Jefferson County, Alabama
My Commission Expires February 24, 1957

STATE OF ALABAMA, SHELBY COUNTY
I, L.C. Walker, Judge of Probate, hereby certify that the within *declaration* was filed for record the 31 day of May, 1955, at 2 o'clock PM and recorded in Deed Record 123 Page 203, and the Mortgage Tax of Deed Tax of _____ has been paid.
L.C. Walker Judge of Probate