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Shelby Cnty Judge of Probate, AL
04/12/1978 12:00:00 AM FILED/CERT

DECLARATION OF VACATION

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KNOW ALL MEN BY THESE PRESENTS, that the undersigned Jack McGuire Excavating Company, Inc.; Owens Enterprises, Inc.; Martin & Sons, Inc.; Donnie Tucker; Edgar Thomas and Robert Owens, being the owners of all of the lands abutting on or directly served by paved road hereinafter described as vacated, do hereby declare vacated and annulled and all public rights and easements divested out of the public in and to the following described paved road, to-wit:

That certain paved road traversing the following described real property, to wit:

A part of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36, Township 19, Range 3 West described as follows:

Begin at the Northwest corner of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section and run thence along North line of said forty North, 88 degrees 30 minutes East 139.1 feet to beginning point of tract herein described, being on the East right of way line of Montgomery Highway; thence Southeast along the East right of way line of said highway South 36 degrees 30 minutes East, 360 feet to North margin of Little Cahaba Road; thence along North margin of said road as follows: North 64 degrees East, 244.1 feet; North 71 degrees East 131 feet; North 63 degrees 30 minutes East 85 feet; North 55 degrees 45 minutes East 214.7 feet to intersection of North line of said NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section; thence along North line of said forty South 88 degrees 30 minutes West 810.5 feet to point of beginning. LESS AND EXCEPT the following described parcel: A parcel of land located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Northeast corner of said Section; thence in a Westerly direction along the North line of said Section, a distance of 362.50 feet to the point of beginning; thence continue along last described course, a distance of 277.20 feet; thence 131 degrees 45 minutes left, in a Southeasterly direction a distance of 146.25 feet; thence 79 degrees 30 minutes left, in a Northeasterly direction a distance of 210.33 feet to the Point of Beginning. The southernmost point of said paved road being described opening onto Valley Dale Road at a point approximately one hundred sixty-five (165) feet

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east of the intersection of said Valley Dale Road and old U.S. Highway No. 31, and said paved road being described having its northernmost point along the northern boundary of the hereinbefore described real property approximately three hundred forty (340) feet from the northwest corner of said property.

The undersigned owners hereby declare that after the vacation and annulment of said paved road and of all public rights and easements therein or thereto, convenient and reasonable means of ingress and egress to and from their respective properties will be afforded to all other property owners by the remaining ways, streets and alleys available to the public.

IN WITNESS WHEREOF, the said owners have hereunto set their respective hands, on this the 17th day of March, 1978.

JACK MCGUIRE EXCAVATING COMPANY, INC.

By: Jack A. McGuire, its president
JACK MCGUIRE

Donnie Tucker
DONNIE TUCKER

OWENS ENTERPRISES, INC.

By: Johnny E. Owens, its president
JOHNNY E. OWENS

Edgar Thomas
EDGAR THOMAS

MARTIN & SONS, INC.

By: Lenord Martin, its president
LENORD MARTIN

Robert Owens
ROBERT OWENS



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STATE OF ALABAMA)
SHELBY COUNTY)

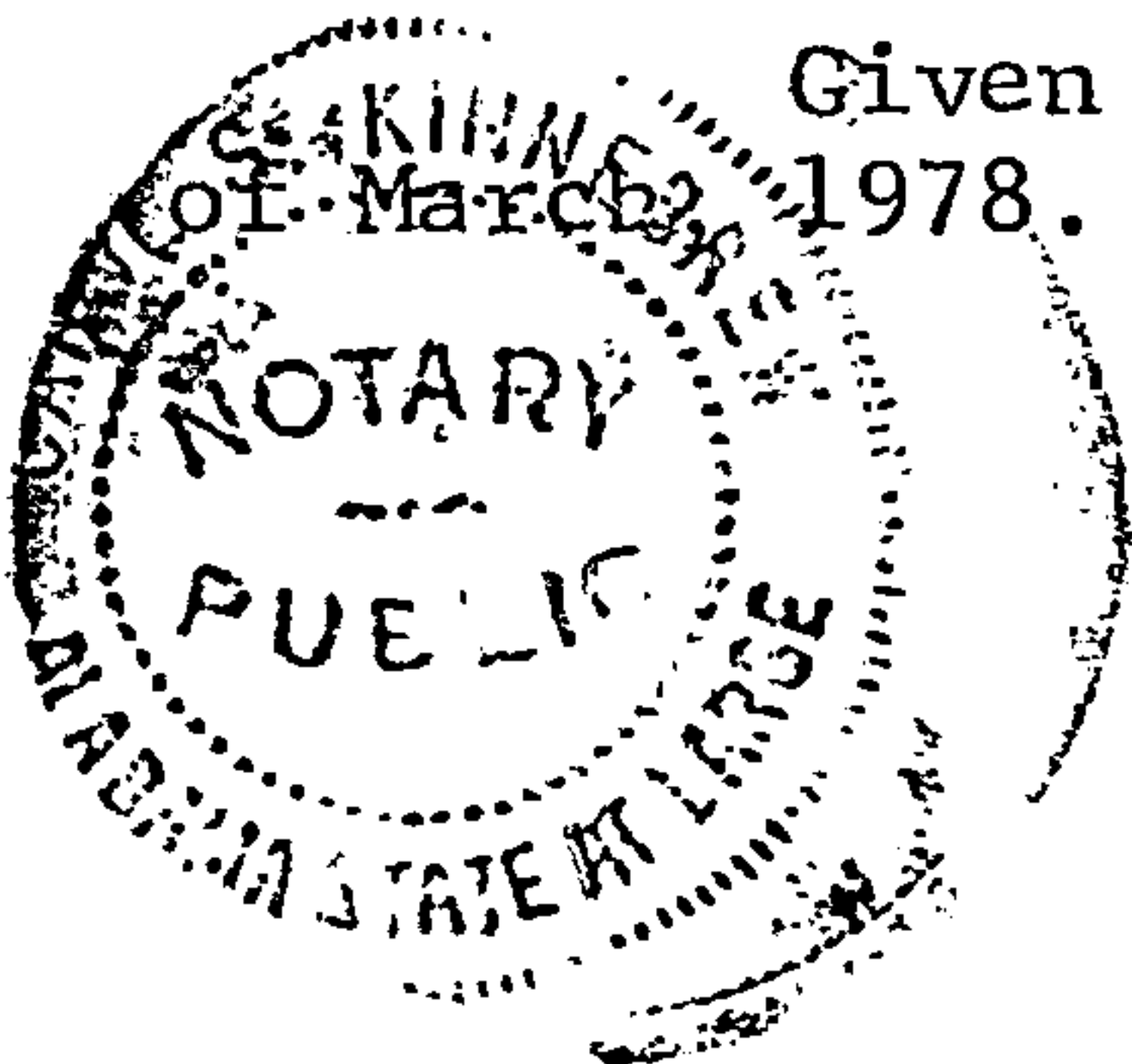
I, the undersigned, a Notary Public in and for said County,
in said State, hereby certify that

Jack McGuire

whose name as President of Jack McGuire Excavating Company, Inc.,

a corporation, 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 instrument, 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 the 11th day
of March, 1978.

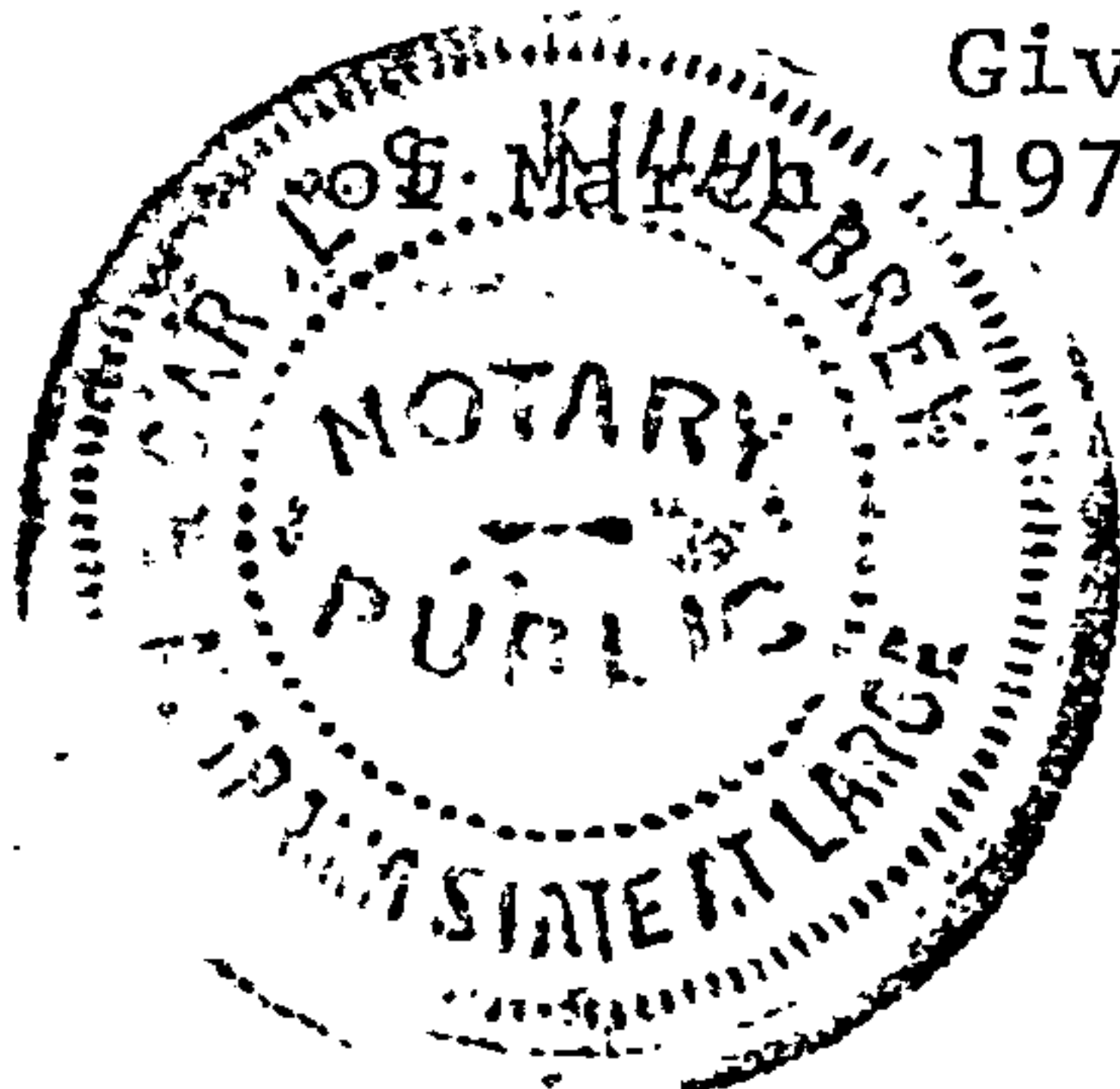


Paul D. Kennel
Notary Public

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County,
in said State, hereby certify that Donnie Tucker whose name is
signed to the foregoing instrument, and who is known to me, acknow-
ledged before me on this day, that, being informed of the contents
of the instrument he executed the same voluntarily on the day the
same bears date.

Given under my hand and official seal this 11th day
of March, 1978.



Paul D. Kennel
Notary Public

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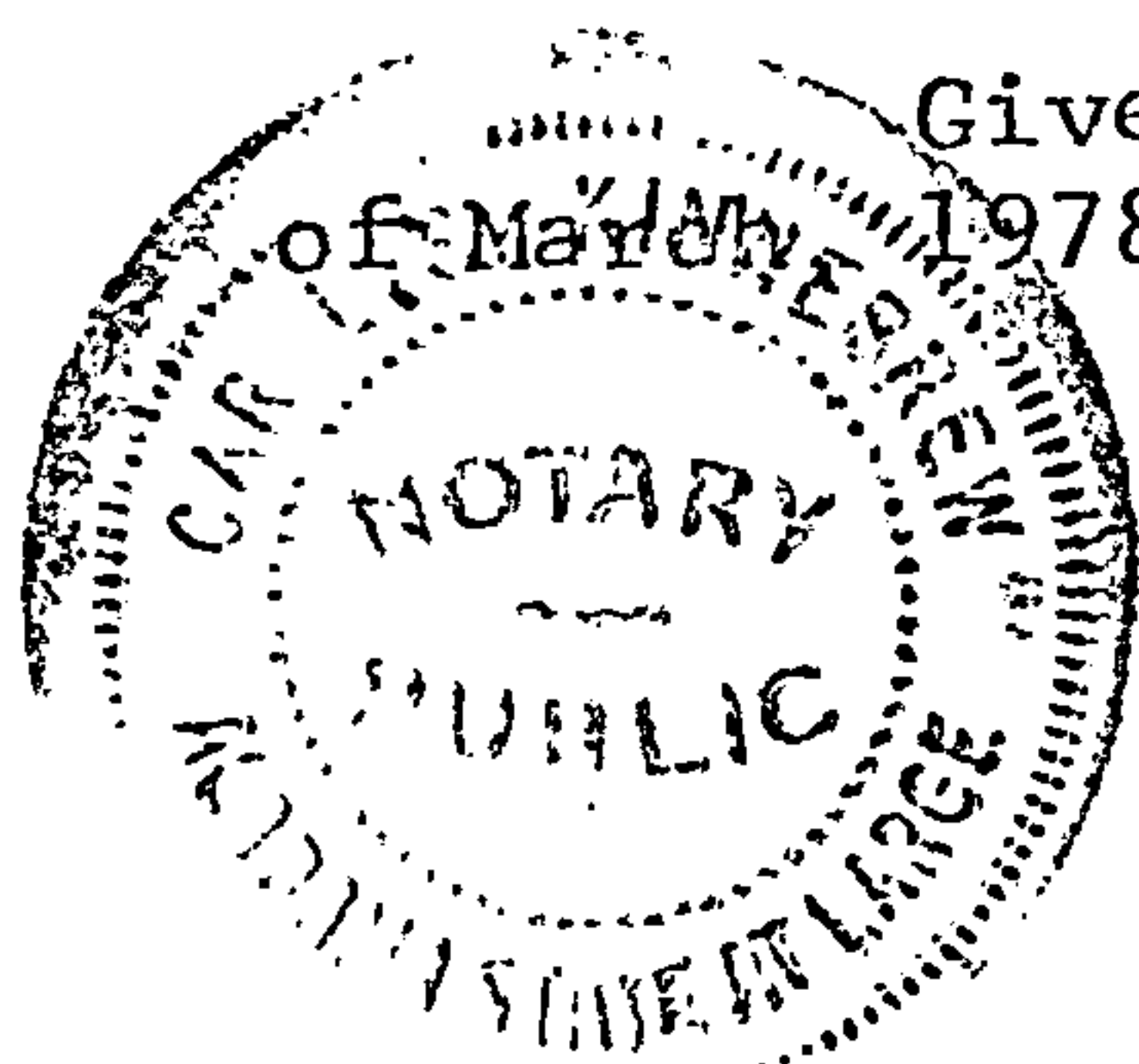
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STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Edgar Thomas 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 instrument he executed the same voluntarily on the day the same bears date.



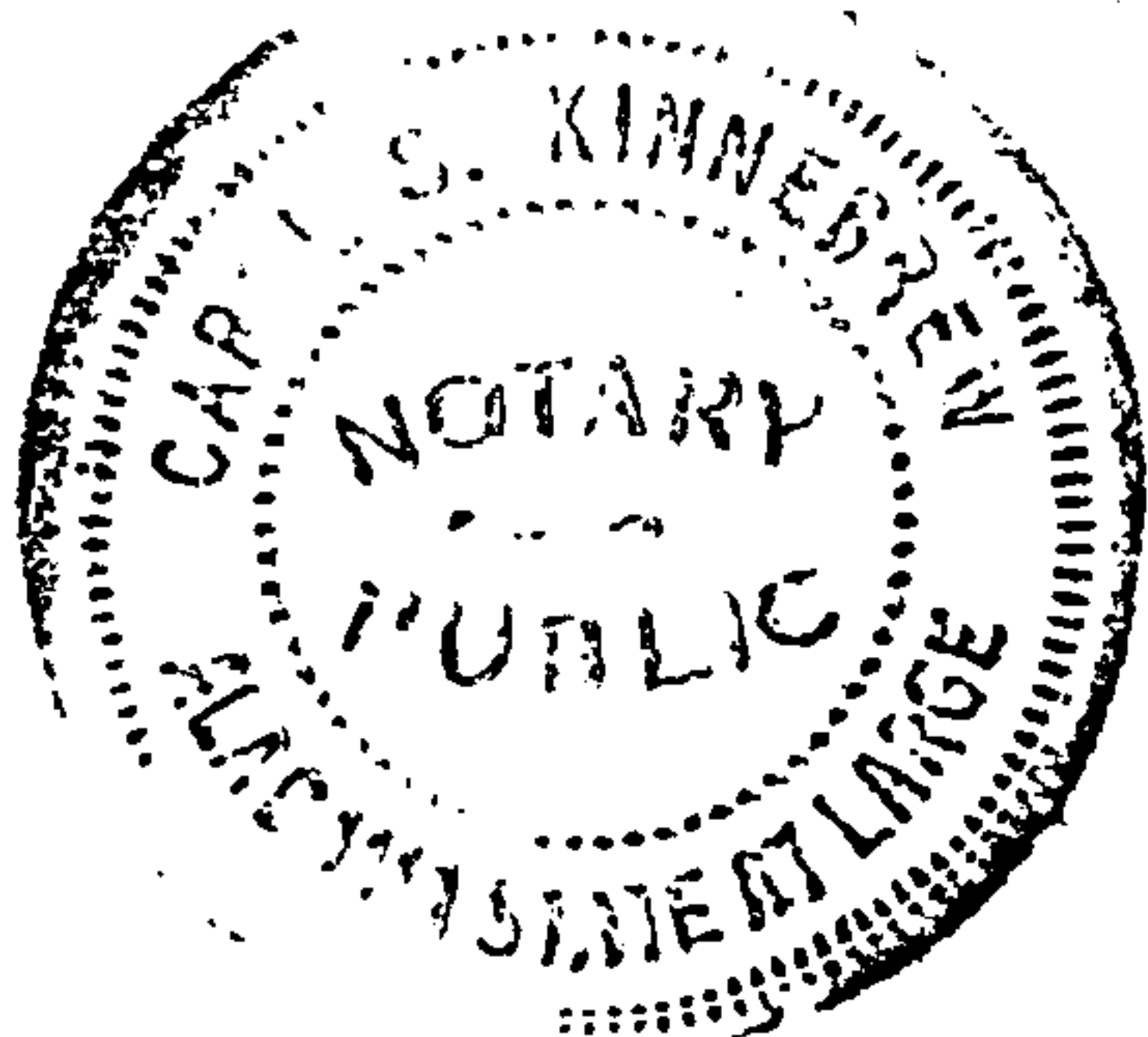
Given under my hand and official seal this 11th day of March, 1978.

Carl O. Kinnebrew
Notary Public

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STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert Owens 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 instrument he executed the same voluntarily on the day the same bears date.



Given under my hand and official seal this 11th day of March, 1978.

Carl O. Kinnebrew
Notary Public

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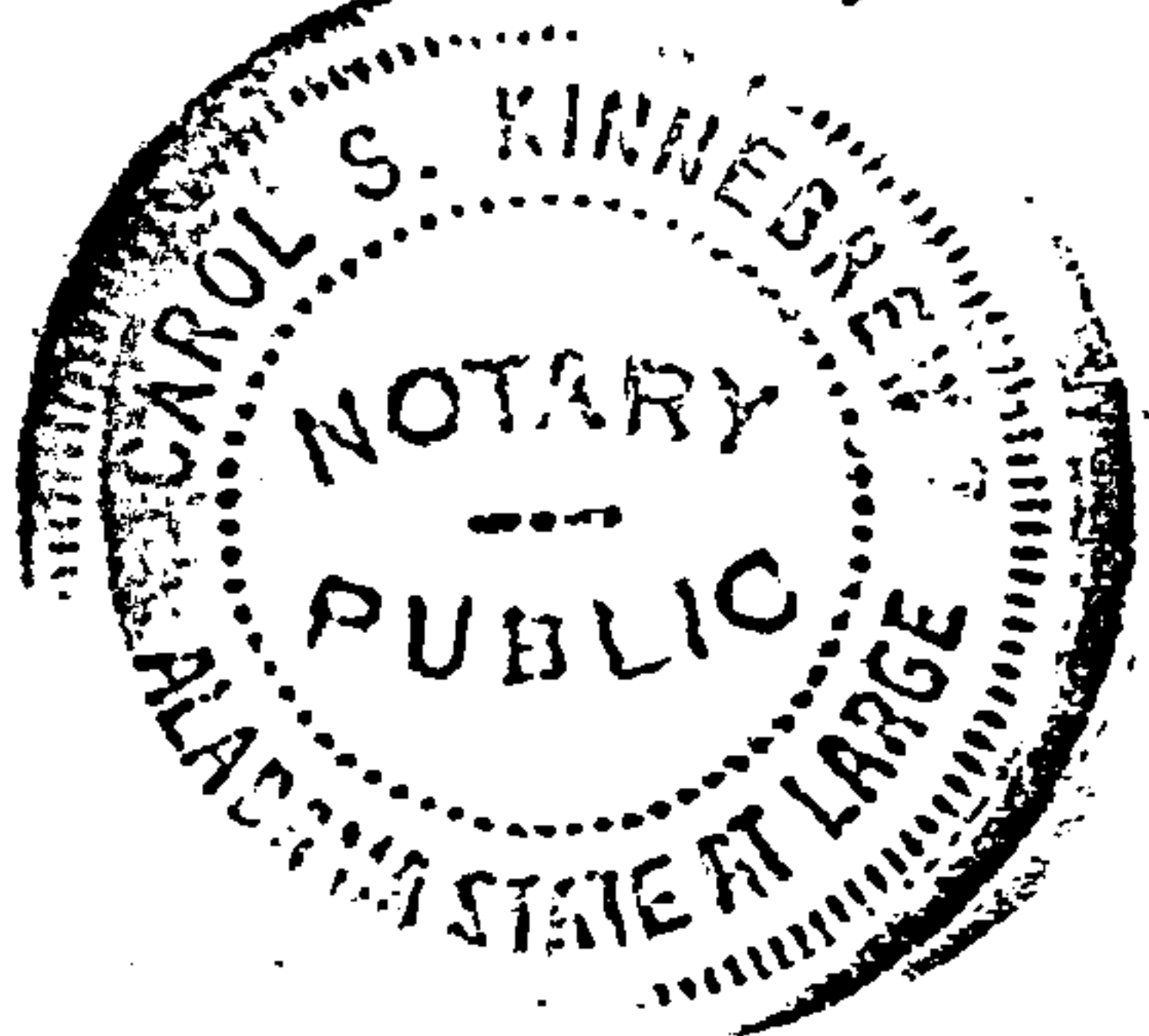
STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County,
in said State, hereby certify that

LENORD L. MARTIN
whose name as President of Martin & Sons, Inc.,

a corporation, 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 instrument, 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 the 11th day
of March, 1978.



Carol S. Kinnebrew
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1978 APR 11 PM 2:10

Thomas A. Shoultz, Jr.
JUDGE OF PROBATE

Rec. 8.50

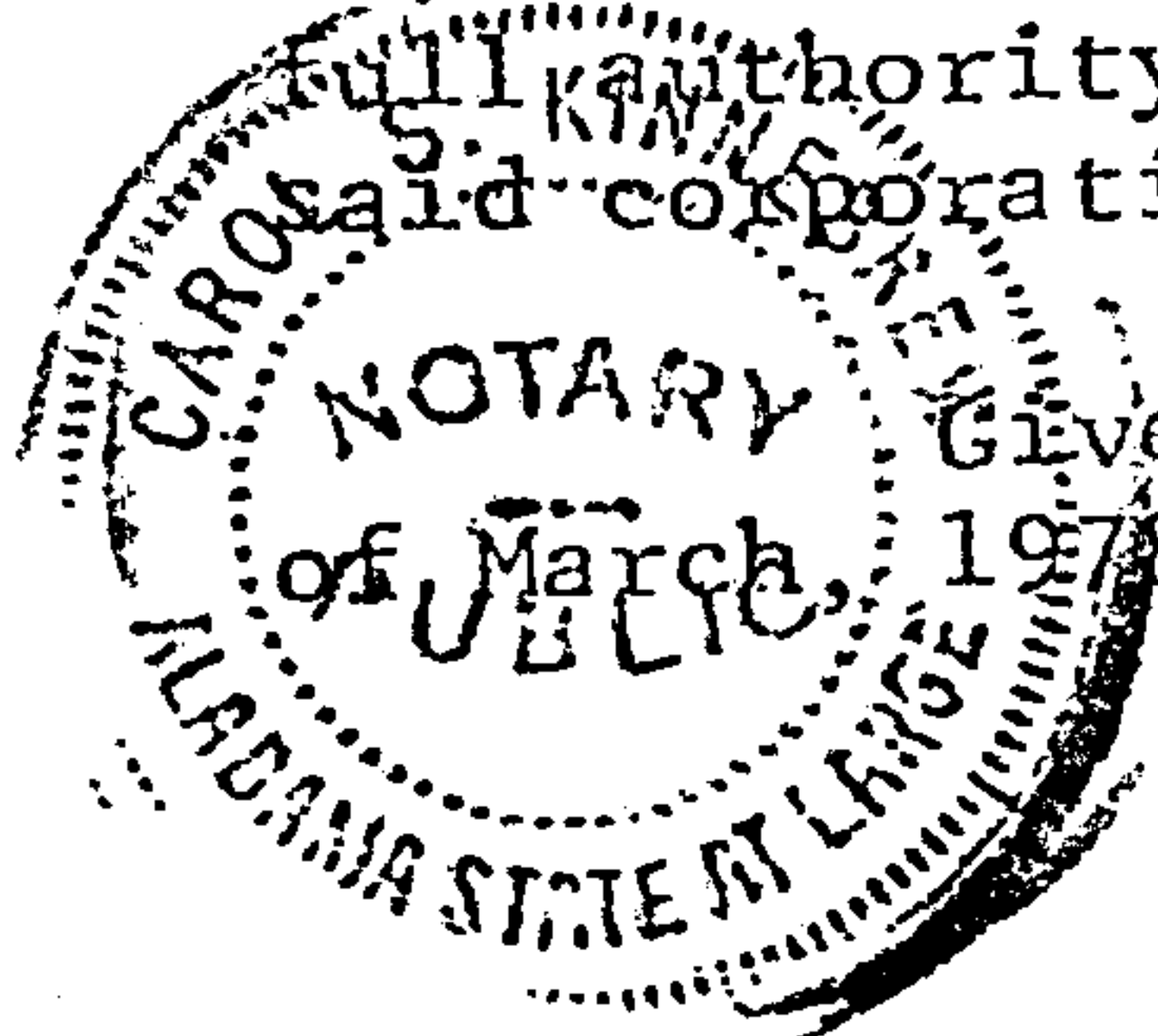
Index 1.00
9.50

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County,
in said State, hereby certify that

JOHNNY E. OWENS
whose name as president
of Owens Enterprises, Inc.

a corporation, 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 instrument, 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 the 11th day
of March, 1978.

Carol S. Kinnebrew
Notary Public