

832

Councilman Roger Wheeler introduced the following

Resolution:

RESOLUTION

WHEREAS, a declaration signed by the owners of all the lands abutting the hereinafter described part of said Avenue, situated in the City of Alabaster, County of Shelby, State of Alabama, vacating said Avenue has been duly presented to the City Council of the City of Alabaster, Alabama, for the assent of approval of said governing body, said declaration being hereto affixed marked Exhibit "A", and made a part hereof, and

WHEREAS, the part of the Avenue referred to more particularly described as follows:

A 50 foot wide avenue being 450 feet long (more or less), described as 4th Avenue N.W., lying east of the East boundary of Lot 10 in Block 9 & 15 of Alabaster Gardens Subdivision and west of the west boundary of 9th Street N.W., running along the north borderline of Block 9, Alabaster Gardens Subdivision, in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 35, Township 20 South, Range 3 West, Shelby County, Alabama, as recorded in Map Volume 3, page 156, in the Office of Judge of Probate of Shelby County, Alabama.

and,

WHEREAS, it appears to the City Council of the City of Alabaster, Alabama, that the vacation of said Avenue is in order and that convenient and reasonable means of ingress and egress is afforded to all property owners within the area of said alley.

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

That the vacation of the hereinabove part of said avenue is in order and the City Council does hereby assent to and approve and the same is hereby vacated pursuant to the provisions of Title 23, Section 4-20, Code of Alabama 1975.

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Harrison - Council

Said Resolution was read at length and thereupon Councilman
Wheeler moved that unanimous consent of the Mayor and
 Council be given for the immediate consideration of and action upon said
 Resolution, which motion was seconded by Councilman Naish.
 Said motion for unanimous consent was submitted to a vote and said vote
 resulted as follows:

AYES: Wheeler, Naish, Farris, McCune and Reagin

NAYS: None

Thereupon, the Mayor in open council declared said motion carried
 and unanimous consent given for immediate consideration of the action upon
 said resolution.

Councilman Wheeler moved that said resolution be adopted,
 which motion was seconded by Councilman Naish. Said motion for the
 adoption of said resolution was submitted to a vote of the Mayor and Council
 and said vote resulted as follows:

AYES: Wheeler, Naish, Farris, McCune and Reagin

NAYS: None

Mayor H.A. Rubin declared the motion carried and said Resolution
 passed and adopted as introduced and read.

This the 20th day of April, 1981.

CITY OF ALABASTER

BY

As Its Mayor

ATTEST:

Clerk



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 Shelby Cnty Judge of Probate, AL
 04/23/1981 12:00:00 AM FILED/CERT

STATE OF ALABAMA

SHELBY COUNTY

EXHIBIT "A"

DECLARATION OF VACATION OF A PART OF A CERTAIN ALLEY
WITHIN THE CITY OF ALABASTER, ALABAMA

WHEREAS, we the undersigned, Caroline B. Scott, a widow, (Mrs. Albert L. Scott), Emmett Waldrop, Jr., and wife, Barbara Waldrop, and First Baptist Church of Alabaster, separately and severally, are the owners of the property abutting the hereinafter described part of an avenue in the Alabaster Gardens Subdivision in Alabaster, Alabama, which is more particularly described as follows:

A 50 foot wide avenue being 450 feet long (more or less), described as 4th Avenue N.W. lying east of the East boundary of Lot 10 of Block 9 & 15 of Alabaster Gardens Subdivision, and west of the west boundary of 9th Street N.W., running along the north borderline of Block 9, Alabaster Gardens Subdivision, in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 35, Township 20 South, Range 3 West, Shelby County, Alabama, as recorded in Map Volume 3, page 156, in the Office of the Judge of Probate of Shelby County, Alabama.

WHEREAS, we the said Caroline B. Scott, a widow, (Mrs. Albert L. Scott), Emmett Waldrop, Jr. and wife, Barbara Waldrop; and Dave Ledbetter, Eddy Bentley and Ed Kines, as the Trustees of First Baptist Church of Alabaster do hereby declare the above described avenue in the Alabaster Gardens Subdivision to be vacated.

We the said Caroline B. Scott, a widow, (Mrs. Albert L. Scott), Emmett Waldrop, Jr. and wife, Barbara Waldrop; and Dave Ledbetter, Eddy Bentley and Ed Kines, as the Trustees of First Baptist Church of Alabaster do hereby, pursuant to and in accordance with provisions of Title 23, Section 4-20, Code of Alabama, 1975, join in the execution of this written Declaration of Vacation of part of said Avenue, the same being within the city limits of Alabaster, Alabama, a municipality, do hereby pray and request the assent of the Mayor and council of the City of Alabaster, Alabama, the said vacation of said avenue, and its approval of same.



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BOOK 40 PAGE 405

Said vacation will not deprive other property owners of a convenience and reasonable means of ingress and egress to their property.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this the 31 day of March, 1981.

Caroline B. Scott

Caroline B. Scott
(Mrs. Albert L. Scott)

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for the County of Shelby, State of Alabama, hereby certify that Caroline B. Scott, a widow, (Mrs. Albert L. Scott), 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 said instrument she executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this the 31 day of March, 1981.

Helein M. Waldrop

Notary Public

Emmett Waldrop, Jr.

Emmett Waldrop, Jr.

Barbara Waldrop

Barbara Waldrop

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for the County of Shelby, State of Alabama, hereby certify that Emmett Waldrop, Jr. and wife, Barbara Waldrop, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that being informed of the contents of said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this the 31 day of March, 1981.

Helein M. Waldrop

Notary Public



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Shelby Cnty Judge of Probate, AL
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BOOK 40 PAGE 406

FIRST BAPTIST CHURCH OF ALABASTER

BY Dave Ledbetter
Dave Ledbetter - Trustee

BY Eddy Bentley
Eddy Bentley - Trustee


BY Ed Kines
Ed Kines - Trustee

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public, in and for the County of Shelby, State of Alabama, hereby certify that Dave Ledbetter, Eddy Bentley and Ed Kines, whose names are signed to the foregoing instrument, as Trustees of First Baptist Church of Alabaster, and who are known to me, acknowledged before me, on this day that, being informed of the contents of such conveyance, they, as such officers and with full authority, executed the same voluntarily for and as the act of said church.

Given under my hand and official seal, this the 31 day of March, 1981.

Allen M. Zacher
Notary Public



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Shelby Cnty Judge of Probate, AL
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EASEMENT FOR WATER MAIN

KNOW ALL MEN BY THESE PRESENTS, that Caroline B. Scott, a widow, (Mrs. Albert L. Scott); Emmett Waldrop, Jr. and wife, Barbara Waldrop; and Dave Ledbetter, Eddy Bentley and Ed Kines, as the Trustees of First Baptist Church of Alabaster, of the County of Shelby, State of Alabama, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, do hereby grant to the City of Alabaster, a corporation organized and existing under the laws of the State of Alabama, whose address is P.O. Box 277, Alabaster, Alabama, and to its successors and assigns, an easement forever for a right-of-way 20 feet in width to be used for the construction, operation and maintenance of one or more water mains and/or water lines including any necessary equipment and/or appurtenant equipment, in, over, upon and across the following described lands of the Grantors, situated in the City of Alabaster, County of Shelby, and State of Alabama, and more particularly described as follows:

A 20 foot easement to be 10 feet on the North side and 10 feet on the south side of the presently existing water main which runs parallel with the north line of Block 9 of Alabaster Gardens and within the boundaries of what was known as 4th Avenue, N.W., in the City of Alabaster, Alabama. Said easement is bounded on the West by 10th Street, N.W., and on the East by 9th Street, N.W. All being within the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 35, Township 20 South, Range 3 West, in Shelby County, Alabama.

together with the right and privilege to reconstruct, inspect, alter, improve, remove or relocate such water lines and/or mains on the right-of-way above described, with all rights, and privileges necessary or convenient for the full enjoyment or the use thereof for the above mentioned purposes, including the right to cut and keep clear all trees and undergrowth and other obstructions within said right-of-way, and also including the right of ingress and egress over adjoining lands of Grantors for the purpose of exercising the easement herein granted.


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The Grantors, however, reserve the right and privilege to use the above described right-of-way for agriculture and all other purposes except as herein granted or as might interfere with Grantee's use, occupation or enjoyment thereof, or as might cause a hazardous condition; and provided further by way of illustration and not of limitation to the grant herein made, no portion of the right-of-way shall be excavated or altered without written permission of the Grantee and no building, structure or obstruction shall be located or constructed on said right-of-way by the Grantors, or their heirs, assigns or successors.

IN WITNESS WHEREOF, the Grantors have executed this agreement this the 31 day of March, 1981.

Caroline B. Scott

Caroline B. Scott, a widow
(Mrs. Albert L. Scott)

Emmett Waldrop, Jr.

Emmett Waldrop, Jr.

Barbara L. Waldrop

Barbara Waldrop

FIRST BAPTIST CHURCH OF ALABASTER

BY Dave Ledbetter
Dave Ledbetter - Trustee

by Eddy Bentley
Eddy Bentley - Trustee

by Ed Kines
Ed Kines - Trustee



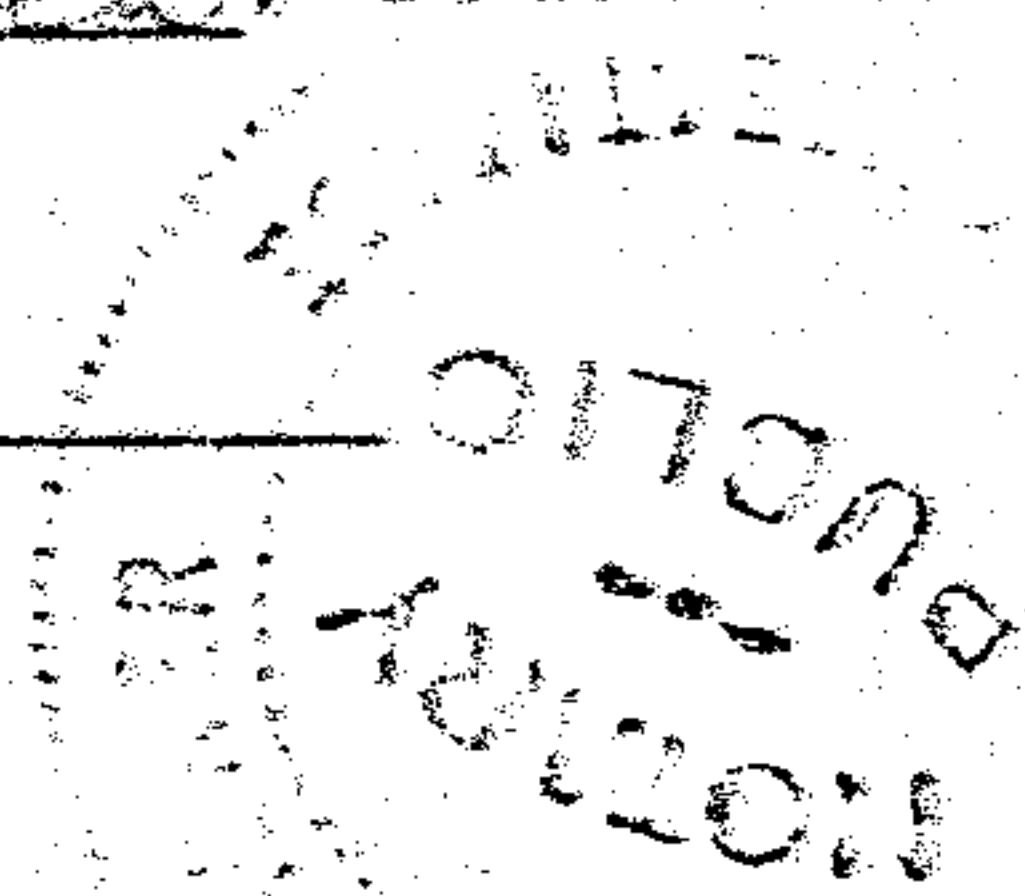
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STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for the County of Shelby, State of Alabama, hereby certify that Caroline B. Scott, a widow, (Mrs. Albert L. Scott), 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 said instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this the 31 day of March, 1981.

Helvie M. Walker
Notary Public

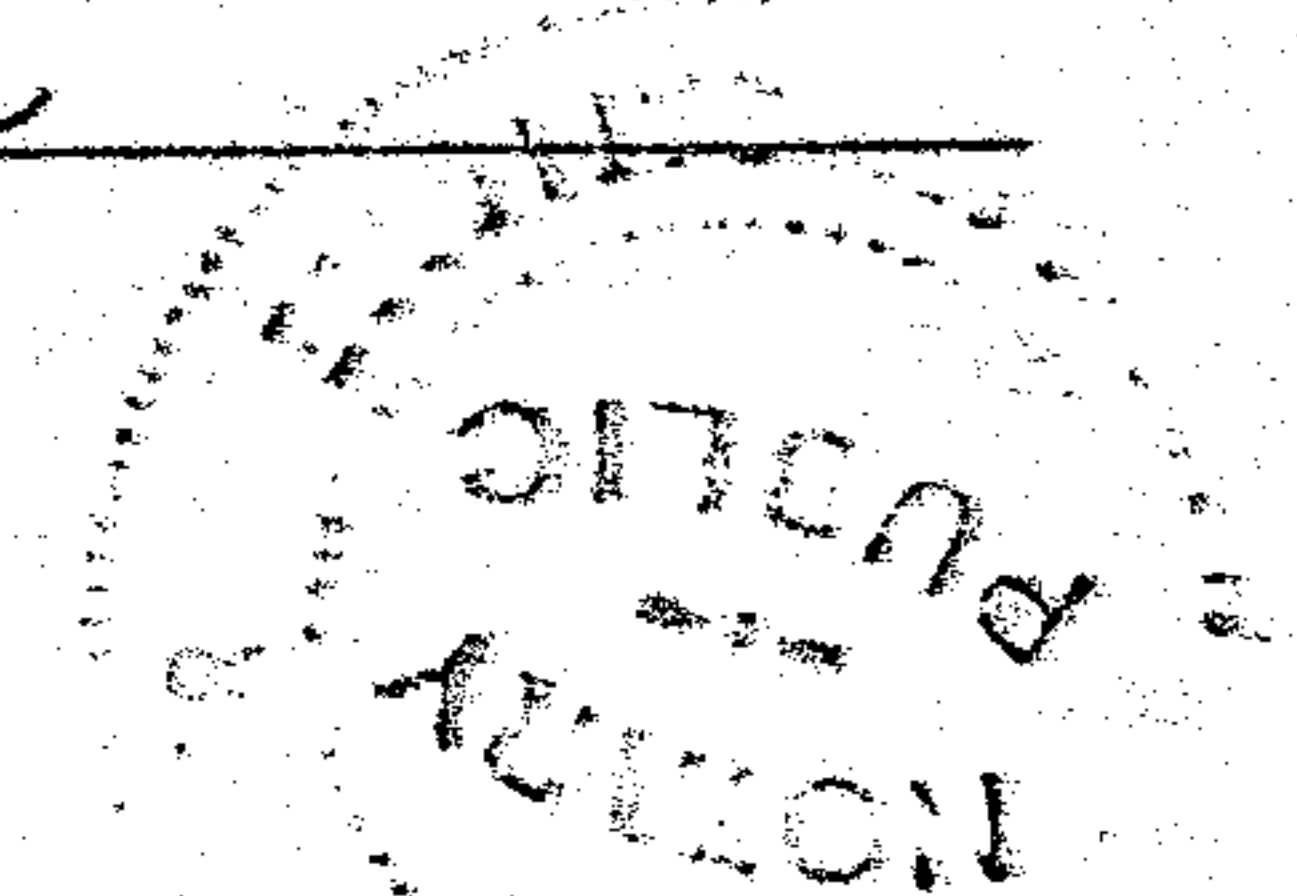


STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for the County of Shelby, State of Alabama, hereby certify that Emmett Waldrop, Jr. and wife, Barbara Waldrop, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that being informed of the contents of said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this the 31 day of March, 1981.

Helvie M. Walker
Notary Public

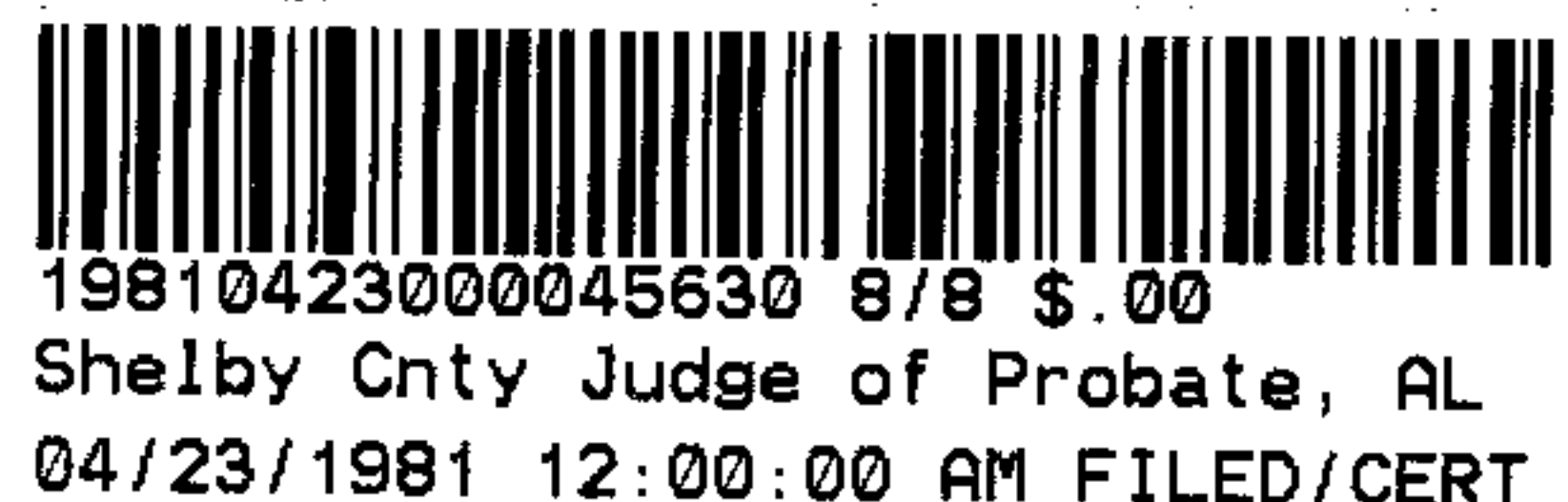


STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public, in and for the County of Shelby, State of Alabama, hereby certify that Dave Ledbetter, Eddy Bentley and Ed Kines, whose names are signed to the foregoing instrument, as Trustees of First Baptist Church of Alabaster, and who are known to me, acknowledged before me, on this day that, being informed of the contents of such conveyance, they, as such officers and with full authority, executed the same voluntarily for and as the act of said church.

Given under my hand and official seal, this the 31 day of March, 1981.

Helvie M. Walker
Notary Public



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

1981 APR 23 AM 10:10

Thomas A. Snowdon, Jr.
JUDGE OF PROBATE

Rec. 12.00
Incl. 1.00
13.00

BOOK 40 PAGE 410