

STATE OF ALABAMA

SHELBY COUNTY

MINUTES FOR PASSAGE OF RESOLUTION OF PERMANENT OPERATION

The following Resolution of Permanent Operation, as follows:

"WHEREAS, Marina Road, or that portion thereof as described in the vacation of public road attached hereto as Exhibit "A" and made part and parcel hereof as fully as if set out herein, has heretofore been dedicated as a public road, and,

WHEREAS, said road or portion thereof described on Exhibit "A" attached hereto is not located within the limits of any municipality, and

WHEREAS, the sole owner of the land abutting said road or portion thereof which is sought to be vacated has executed the written instrument declaring said road or portion thereof described on Exhibit "A" attached hereto to be vacated, and

WHEREAS, convenient and reasonable means of ingress and egress to and from their property is afforded to all other property owners owning property in the tract of land embraced in the said map or plat recorded in Map Book 6, page 107, in the Probate Records of Shelby County, Alabama, either by the remaining road dedicated by said map or plat or other streets or roads which have been dedicated to public use, and

WHEREAS, it is now desirable and expedient for Shelby County Commission, being the Commission of the County in which such road is located, to join in and assent to the vacation of said street or alley or portion thereof described on Exhibit "A":

NOW, THEREFORE, be it resolved by the Shelby County Commission that the said County Commission does hereby assent to the vacation of said road and that said road or portion thereof encompassed within the bounds thereof as shown on said Exhibit "A"

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RECORDED

if set out herein, be, and the same is hereby dedicated by the Shelby County Commission to be vacated as a public road and all rights of the public and all other persons, firms or corporations in and to said road or portion thereof described on said Exhibit "A" are hereby divested":

The above said resolution was introduced by James E. "Jake" Morris, Commissioner, at the regular meeting of the Shelby County Commission held in Columbiana, Alabama, on the 13th day of September, 1982, and the same having been read in full by the Chairman, it was moved by Member James E. "Jake" Morris and seconded by Member Harold L. Haverport that all rules governing the Shelby County Commission which might, unless suspended, prevent the passage and adoption of said resolution at this meeting, be and the same are hereby suspended for the purpose of permitting said resolution to be finally passed and adopted at this meeting.

Whereupon the Chairman put the question on said motion for suspension of the rules and on roll call the vote was as follows: Voting yes, members J. Alpha Lowe, Harold L. Haverport, Don A. Murphy, James E. "Jake" Morris

Voting no, none

Thereupon the Chairman declared said motion carried and the rules suspended.

Member James E. "Jake" Morris then moved that said Resolution be now placed before the Shelby County Commission for final passage and that it be finally passed and adopted as introduced. Member Harold L. Haverport seconded the motion. The question being put upon the placing of said Resolution before the Shelby County Commission for its final passage and that said Resolution be finally passed and adopted as introduced, the roll was called with the following results, voting yes, members Morris, Murphy, Haverport and Lowe.

Voting no, None

The Chairman then declared said motion carried and resolution finally passed and adopted. The chairman signed said Resolution in approval thereof.



Michael P. Ray
Clerk

Thomas A. [Signature]
Chairman, Shelby County Commission

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EXHIBIT "A"

STATE OF ALABAMA

SHELBY COUNTY

VACATION OF PUBLIC ROAD

I, the undersigned, Diane B. Ellis, being the sole owner of the land abutting that portion of Marina Road, as recorded in Map Book 6, page 107, in the Probate Records of Shelby County, Alabama, as described on Exhibit "F" attached hereto and made part and parcel hereof as fully as if set out herein, do hereby execute this instrument declaring that portion of said Marina Road to be vacated so as to destroy the force and effect of the dedication of said portion of said road by said map recorded in Map Book 6, page 107 in said Probate Records, as so as to divest all public rights, including any rights which may have been acquired by prescription or dedication, in and to said portion of said Marina Road.

Such vacation of said portion of said Marina Road shall and will not deprive other property owners of such right as they may have to convenient and reasonable means of ingress and egress to and from their property, such right being afforded by the remaining streets and alleys.

In Witness Whereof, I the undersigned do hereby set my hand and seal on this the 7th day of September, 1982.

Diane B. Ellis
Diane B. Ellis

State of Alabama
Shelby County

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Diane B. Ellis, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 7th day of September, 1982.

Sarah Jackson
Notary Public

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EXHIBIT "F"

PARCEL 29 A

Beginning at the Northernmost corner of Lot 12 according to the Map of Shelby Shores - 1976 Addition as recorded in Map Book 6, page 107 in the office of Probate Judge of Shelby County Alabama. Said point being situated on the Southeast 30 foot right-of-way line of Marina Road; Thence run in a Northeasterly direction along said right-of-way line along a curve to the right (Concave Southeasterly) having a radius of 330.59 feet and a central angle of $17^{\circ} 19' 04''$ an arc distance of 99.92 feet to a point; Thence turn an angle of 90° to the left from the tangent of said curve and run in a Northwesterly direction a distance of 60.0 feet to a point on the Northwest 30 foot right-of-way line of said Marina Road; Thence turn an angle of 90° to the left and run Southwesterly along said Northwest right-of-way line along a curve to the left (Concave Southeasterly) having a radius of 390.59 feet and a central angle of $17^{\circ} 19' 04''$ an arc distance of 118.06 feet to a point; Thence turn an angle of 90° to the left from the tangent of said curve and run in a Southeasterly direction a distance of 60.0 feet to the point of beginning. Said parcel of land is lying in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 7, T22S, R2E and contains 0.15 acre.

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SHELBY COUNTY, ALABAMA
CLERK OF COURTS
OFFICE OF THE CLERK

1982 SEP 28 PM 3:30

Thomas A. Spaulding, Jr.
CLERK OF PROBATE