

STATE OF ALABAMA)
SHELBY COUNTY)

1698

VACATION OF PUBLIC STREET

We, the undersigned, JAMES O. McCRARY and wife, W. JEAN McCRARY, and DEWEY SMITH, an unmarried man, being all of the owners of the lands abutting that certain street in the Town of Wilsonville, Alabama, being more particularly described or designated as follows:

That certain street shown or designated as lying Southeasterly of Lot 1 and Lot No. 2 of Smith's Camp, according to map as recorded in the Probate Office of Shelby County, Alabama, in Map Book 4, at page 51, and lying Northwesterly of the South line of said subdivision as shown on said recorded subdivision map, said street being 200 feet in length (Easterly and Westerly) and, to-wit, 25 feet in width (Northerly and Southerly), the exact width of said street not being clearly designated on said subdivision map; said street is bounded Westerly by lands of Dewey Smith which are not included in said subdivision and is bound Easterly by the subdivision street as shown on said subdivision map,

do hereby join in this written instrument declaring said subdivision street, as described and designated above, to be vacated so as to destroy the force and effect of the dedication of said street by said map recorded in Map Book 4, at page 51 in said Office of the Judge of Probate of Shelby County, Alabama, and so as to divest all public rights, including any rights which may have been acquired by prescription, in and to said street.

Said street, as described and designated above, being located within the limits of the municipality of the Town of Wilsonville, Alabama, the assent of the Mayor and Council of the Town of Wilsonville, Alabama (being the governing body of said municipality), to the vacation of said street has been procured as is evidenced by a Resolution duly adopted by such governing body, and a copy of such Resolution, certified by the Clerk of the Town of Wilsonville, Alabama, the ministerial officer in charge of the records of said municipality, is attached hereto as Exhibit "A" and by reference hereto is made a part hereof, and is filed and recorded with this written declaration of vacation, as provided by 1975 Code of Alabama, 35-2-54 and 55.

Convenient means of ingress and egress to and from their property has been afforded to all other property owners owning property in the tract of land embraced in said Map or Plat of said subdivision recorded in Map Book 4, page 51, Office of the Judge of Probate of Shelby County, Alabama, either by the remaining streets and alleys, or by other streets or alleys which have subsequently been dedicated.

Rt. 1 Box 364-B
Wilsonville, AL 35186

Municipality Book 1 PAGE 9
BOOK 050 PAGE 562

IN WITNESS WHEREOF, we the undersigned do hereby set our hands and seals
hereto on this 18th day of November, 1985.

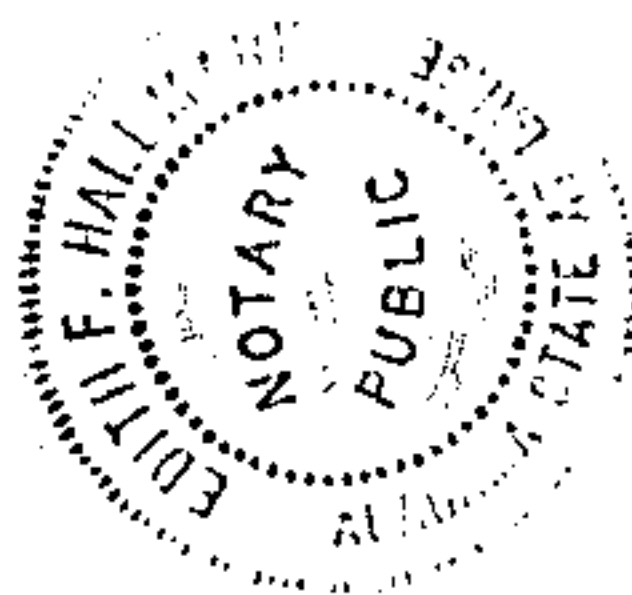
James O. McCrary
James O. McCrary
W. Jean McCrary
W. Jean McCrary
Dewey Smith
Dewey Smith

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State,
hereby certify that James O. McCrary and wife, W. Jean McCrary
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 the
instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18 day of November, 1985.

Edith F. Hallmark
Notary Public

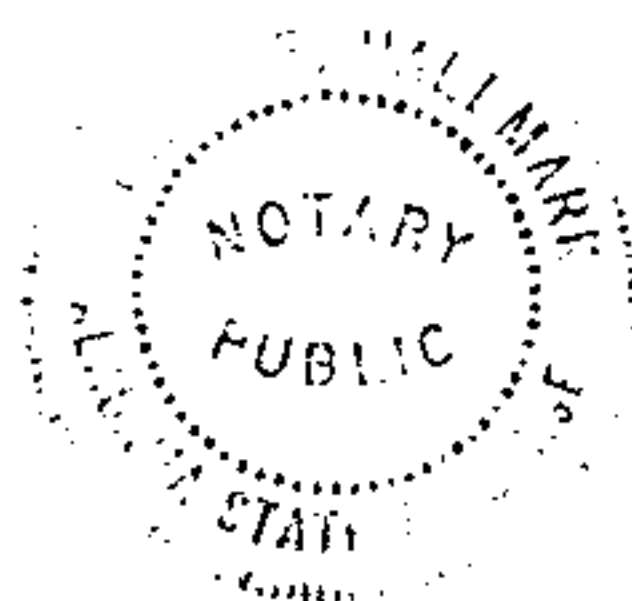


STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State,
hereby certify that Dewey Smith, an unmarried man
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 18th day of November, 1985.

Edith F. Hallmark
Notary Public



Municipality Book 1 Page 10

BOOK 050 PAGE 563

EXHIBIT "A"

STATE OF ALABAMA)
SHELBY COUNTY)

MINUTES FOR PASSAGE OF RESOLUTION
OF PERMANENT OPERATION

The following resolution of permanent operation, as follows:

"WHEREAS, that certain street which is situated in Smith's Camp, according to map as recorded in the Probate Office of Shelby County, Alabama, in Map Book 4, at page 51, being more described or designated as follows:

That certain street shown or designated as lying South-easterly of Lot 1 and Lot No. 2 of Smith's Camp, according to map as recorded in the Probate Office of Shelby County, Alabama in Map Book 4, at page 51, and lying Northwesterly of the South line of said subdivision as shown on said recorded subdivision map, said street being 200 feet in length (Easterly and Westerly) and, to-wit, 25 feet in width (Northerly and Southerly), the exact width of said street not being clearly designated on said subdivision map; said street is bounded Westerly by lands of Dewey Smith which are not included in said subdivision and is bounded Easterly by the subdivision street as shown on said subdivision map,

has heretofore been dedicated as a public street, and

WHEREAS, said street is located and situated within the corporate limits of the Town of Wilsonville, Alabama, and

WHEREAS, all of the owners of the lands abutting said street being James O. McCrary and wife, W. Jean McCrary, and Dewey Smith, have joined in a written instrument declaring the same to be vacated, and

WHEREAS, convenient and reasonable means of ingrees and egress to and from their property has been afforded to all other property owners owning property in the tract of land embraced in the same map or plat, or by other streets or alleys which have been dedicated by said map or plat, or by other streets or alleys which have been deciated to the public use, and

WHEREAS, it is now desirable and expedient for the Town of Wilsonville, Alabama, to join in and assent to the vacation of said street, as a public street,

NOW, THEREFORE, BE IT RESOLVED, by the Town of Wilsonville, Alabama, and by the Mayor and Council thereof, being the governing body of said municipality, that said Town of Wilsonville, Alabama, and said Mayor and Council thereof, do assent to the vacation of said street as a public street in and for the Town of Wilsonville, Alabama, and that said street, and the area encompassed within the bounds thereof as shown by the plat of said subdivision as shown in Map Book 4, at page 51, Office of Judge of Probate of Shelby County, Alabama, be, and the same is hereby declared by the Town of Wilsonville, Alabama, to be so vacated as a public street."

was introduced by Councilman BERTHA COOPER, at the regular meeting of the Town Council of the Town of Wilsonville, Alabama on 25 Nov, 1985, and the same having been read in full by the Clerk, it was moved by Councilman DUFFEY and seconded by Councilman Thompson that all rules governing the Town Council which might, unless suspended, prevent the

Municipality Book 1 Page 11
050 564

passage and adoption of said Resolution at this meeting, be and the same are hereby suspended, for the purpose of permitting the said Resolution to be finally passed and adopted at this meeting.

Whereupon, the Mayor put the question on said motion for the suspension of the rules and on roll call the vote was as follows: Voting yea, Mayor Frances Phelps, Councilman Dennis, Gill, Cosper, Duffey & Thompson

Voting nay, none

Thereupon, the Mayor declared said motion carried and the rules suspended. Councilman Dennis then moved that said Resolution be now placed before the Council for its final passage. Councilman Gill seconded the motion.

The question being put upon the placing of said Resolution before the Council for its final passage, the roll was called for the following results:

Voting ayes: Mayor Frances Phelps, Dennis, Gill, Cosper, Duffey & Thompson

Councilmen. Voting nay: None.

The Mayor declared the motion carried. Councilman Cosper thereupon moved that said Resolution be finally passed and adopted as introduced. Councilman Duffey seconded the motion.

The question being put upon the final passage and adoption of said Resolution, the roll was called with the following results: Voting ayes: Mayor Frances Phelps, Dennis, Gill, Cosper, Duffey & Thompson, Councilmen.

Voting nay: None.

The Mayor thereupon declared said motion carried and the Resolution finally passed and adopted. The Mayor signed said Resolution in approval thereof.

Edith P. Whelmark
CLERK

CERTIFICATE

STATE OF ALABAMA)
SHELBY COUNTY)

I, Edith P. Whelmark, Clerk of the Town of Wilsonville, Alabama, a municipal corporation, hereby certify that the foregoing is a true and correct copy of a portion of the Minutes of the Town Council of the Town of

Municipality Book 1 Page 12

050 565

Wilsonville, Alabama, as transcribed, prepared, and entered in the permanent records of the Town of Wilsonville, Alabama, by me, as Clerk of said Town of Wilsonville, Alabama, at the Regular session of said Town Council of the Town of Wilsonville, Alabama, at City Hall, at 6:00 o'clock P. M., on the 25th day of November, 1985.
Witness my hand and seal this 25th day of November, 1985.

Edith J. Hallmark
CLERK, TOWN OF WILSONVILLE, ALABAMA

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Edith J. Hallmark whose name as Clerk of the Town of Wilsonville, Alabama is signed to the foregoing Certificate, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Certificate, ^{hee} ~~he~~, in ^{hee} ~~his~~ capacity as such Clerk of the Town of Wilsonville, Alabama, executed the same voluntarily on the day the same bears date.

Given under my hand this the 25th day of November, 1985.

Edith J. Hallmark
NOTARY PUBLIC

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1985 NOV 26 AM 10:50

Thomas H. [Signature]
JUDGE OF PROBATE



RECORDING FEES	
Recording Fee	\$ <u>12.50</u>
Index Fee	<u>1.00</u>
TOTAL	\$ <u>13.50</u>

Municipality Book 1 Page 13
BOOK 050 PAGE 566