

599  
STATE OF ALABAMA

SHELBY COUNTY

VACATION OF PLAT

WHEREAS, Birmingham Federal Savings and Loan Association is the owner of land described in Exhibit "A" attached hereto by virtue of a foreclosure deed recorded in Book 218 Page 797 in the office of the Judge of Probate of Shelby County, Alabama, except for a small lot conveyed to the City of Pelham, Alabama, by virtue of deed recorded in Map Book 147, Page 933, in the office of the Judge of Probate, Shelby County, Alabama.

WHEREAS, there is presently recorded a plat of the land described in Exhibit "A" attached hereto in Book 11 Page 112 in the office of the Judge of Probate of Shelby County, Alabama, said land at the time of said recordation being within the corporate limits of Hoover, Alabama, due to a "long-lasso" annexation of said land by the City of Hoover, Alabama.

WHEREAS, since the recording of said plat in Book 11 Page 112 in the office of the Judge of Probate of Shelby County, Alabama the land described in Exhibit "A" attached hereto and reflected in said plat has been removed from within the corporate limits of the City of Hoover, Alabama, and now is located in the unincorporated area of Shelby County. This done due to a ruling of the Supreme Court of Alabama holding "long-lasso" annexation to be invalid and therefore invalidating the previous annexation of said land by the City of Hoover, Alabama.

WHEREAS, due to the different and varying zoning requirements between the City of Hoover, Alabama where the said land was previously located and Shelby County, Alabama where the land is now located and therefore due to the requirement of Shelby County that the present plat recorded in Book 11 Page 112 be vacated since that plat was drawn based on the requirements of the City of Hoover and the land is no longer located within the corporate limits of Hoover, Alabama, and a new plat be recorded

*Smith & Hynds Blocker*  
*Suite 1624 - 2121 Bldg. 8th Ave. N.*  
*Birmingham, AL 35203*

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that conforms to the Shelby County zoning requirements.

WHEREFORE, Premises Considered, Birmingham Federal Savings and Loan Association, the owner of the land described in Exhibit "A" attached hereto, and the City of Pelham, Alabama, under authority of Section 35-2-53, Code of Alabama, 1975, hereby vacates the plat or map of said land recorded in Book 11 Page 112 in the office of the Judge of Probate of Shelby County, Alabama, and hereby requests the Judge of Probate of Shelby County, Alabama to write in plain letters across the record of said map or plat the word "vacated" and also refer on the same to the volume and page in which this Vacation of Plat is recorded.

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ATTEST:

Mildred M. Son  
MILDRED SON,  
Executive Vice President

BIRMINGHAM FEDERAL SAVINGS AND  
LOAN ASSOCIATION

BY:

[Signature]  
ITS: President

CITY OF PELHAM

BY:

[Signature]  
ITS: Mayor

STATE OF ALABAMA

Jefferson COUNTY

I, Lilla B. McKee, a Notary Public in and for said County in said State, hereby certify that Albert C. Hultquist whose name as President of Birmingham Federal Savings and Loan Association, 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 association.

Given under my hand and official seal, this the 20th day of February, 1989.

Lilla B. McKee  
Notary Public

My Commission Expires June 29, 1992

STATE OF ALABAMA

Jefferson COUNTY

I, Lilla B. McKee, a Notary Public in and for said County in said State, hereby certify that Mildren Son whose name as Executive Vice-President of Birmingham Federal Savings and Loan Association, 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, as such officer

and with full authority, executed the same voluntarily for and as the act of said association.

Given under my hand and official seal, this the 20th day of February, 1989.

Lilla B. McRae  
Notary Public

My Commission Expires June 29, 1991

STATE OF ALABAMA  
Shelby COUNTY

I, Laura H. Hays, a Notary Public in and for said County in said State, hereby certify that Bobby Hayes whose name as Mayer of the City of Pelham, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said association.

Given under my hand and official seal, this the 20th day of February, 1989.

Laura H. Hays  
Notary Public

MY COMMISSION EXPIRES APRIL 7, 1990

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

89 MAR -8 PH 3:23

Thomas G. Snowden, Jr.  
JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ <u>750</u>
Index Fee	<u>100</u>
TOTAL	<u>850</u>