

STATE OF ALABAMA     )

SHELBY COUNTY         )

DECLARATION OF VACATION

Know all men by these presents, that the undersigned AmSouth Bank N.A, The Industrial Development Board of the City of Hoover, Bud's Best Cookies, Inc., and SouthTrust Bank of Alabama, National Association, being the owners, lessees and mortgagees of all lands abutting the portion of the public right of way herein declared vacated, do hereby declare vacated and divested out of the public the portion of the public right of way described as follows:

A parcel of land situated in the East 1/2 of the S.E. 1/4 of Section 19, Township 19 South, Range 2 West, being a portion of the right-of-way of Parkway Office Circle as recorded in Map Book 7, Page 125 and Map Book 9, Page 175 in the office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of the N.E. 1/4 of the S.E. 1/4 of Section 19, Township 19 South, Range 2 West, and run in a Northerly direction along the East line of said 1/4-1/4 section a distance of 327.70 feet to a point; thence 99 degrees 43'32" to the left in a Southwesterly direction a distance of 632.53 feet to point on the Northeasterly right-of-way line of Parkway Office Circle for the POINT OF BEGINNING; thence 111 degrees 35'56" to the left in a Southeasterly direction along the Northeasterly right-of-way line of said Circle a distance of 22.62 feet to the P.C. (point of curve) of a curve to the right having a radius of 410.00 feet and a central angle of 109 degrees 11'43"; thence in a Southeasterly, then Southerly, then Southwesterly direction along the right-of-way line of said Circle and along the arc of said curve a distance of 781.39 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Southwesterly direction along the Southeasterly right-of-way line of said Circle a distance of 536.25 feet to the P.C. (point of curve) of a curve to the right having a radius of 745.00 feet and a central angle of 7 degrees 23'39"; thence in a Southwesterly direction along the Southeasterly right-of-way line of said Circle and along the arc of said curve a distance of 96.14 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Southwesterly direction along the Southeasterly right-of-way line of said Circle a distance of 332.31 feet to a point; thence 90 degrees 00' to the right in a Northwesterly direction a distance of 60.00 feet to a point on the Northwesterly right-of-way line of Parkway Office Circle; thence 90 degrees 00' to the right in a Northeasterly direction along the Northwesterly right-of-way line of said Circle a distance of 332.31 feet to the P.C. (point of curve) of a curve to the left having a radius of 685.00 feet and a central angle of 7 degrees 23'39"; thence in a Northeasterly direction along the Northwesterly right-of-way line of said Circle and along the arc of said curve a distance of 88.40 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Northeasterly direction along the Northwesterly right-of-way line of said Circle a distance of 536.25 feet to the P.C. (point of curve) of a curve to the left having a radius of 350.00 feet and a central angle of 109 degrees 11'43"; thence in a Northeasterly, then Northerly, then Northwesterly direction along the right-of-way line of said Circle and along the arc of said curve a distance of 667.04 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said

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curve in a Northwesterly direction along the Southwesterly right-of-way line of said Circle a distance of 100.42 feet to the P.C. (point of curve) of a curve to the right having a radius of 460.00 feet and a central angle of 3 degrees 51' 42"; thence in a Northwesterly direction along the Southwesterly right-of-way line of said Circle and along the arc of said curve a distance of 31.00 feet to a point; thence 90 degrees 00' to the right (angle measured to tangent) in a Northeasterly direction a distance of 60.00 feet to a point on the Northeasterly right-of-way line of Parkway Office Circle, said point being on the arc of a curve to the left having a radius of 400.00 feet and a central angle of 3 degrees 51' 42"; thence 90 degrees 00' to the right (angle measured to tangent) in a Southeasterly direction along the Northeasterly right-of-way line of said Circle and along the arc of said curve a distance of 26.96 feet to the P.T. (point of tangent) of said curve; thence in the tangent to the said curve in a Southeasterly direction along the Northeasterly right-of-way line of said Circle a distance of 77.80 feet to the POINT OF BEGINNING.

The said owners do further declare that there are no utilities located in said right of way hereby vacated.

The said owners do further declare that after the vacation hereinabove declared, convenient means of ingress and egress to and from their respective properties will be afforded to all other property owners by the remaining public ways dedicated to the public for public way purposes.

In witness whereof, the each of the undersigned AmSouth Bank N.A., The Industrial Development Board of the City of Hoover, Bud's Best Cookies, Inc., and SouthTrust Bank of Alabama, National Association, have caused this Declaration to be executed by its duly authorized officer as of the 12<sup>th</sup> day of July, 1993.

**AMSOUTH BANK N.A.**

By Henry A. Long Jr.  
Title SR. VICE PRESIDENT

**THE INDUSTRIAL DEVELOPMENT BOARD  
OF THE CITY OF HOOVER**

By Walter McMahon  
Title CHAIRMAN

**BUD'S BEST COOKIES, INC.**

By Robert L. Danner  
Title Pres

**SOUTHTRUST BANK, NATIONAL  
ASSOCIATION**

By Stephen F. Vickers  
Title Vice President

STATE OF ALABAMA

JEFFERSON COUNTY

I, Connie K. Young, a Notary Public in and for said county and in said state, do hereby certify that Henry A. Long, Jr., whose name as Sr. Vice President of AmSouth Bank N.A., a national banking association, is signed to the foregoing Declaration of Vacation and who is known to me acknowledged before me on this day that, being informed of the contents of said Declaration of Vacation, he as such officer and with full authority, executed the same voluntarily for and as the act of said public corporation.

Given under my hand and official seal this the 30<sup>th</sup> day of July, 1993.

Connie K. Young  
Notary Public

My Commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.  
MY COMMISSION EXPIRES: Dec. 4, 1996.  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF ALABAMA

JEFFERSON COUNTY

I, B. Lynn McGaughy, a Notary Public in and for said County in said State, hereby certify that Walter E. McMahon, whose name as Chairman of The Industrial Development Board of the City of Hoover, 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 said Declaration of Vacation, he/she, 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 2<sup>nd</sup> day of August, 1993.

B. Lynn McGaughy  
Notary Public

My Commission expires:

7-15-95

STATE OF ALABAMA

SHELBY COUNTY

I, B. Lynn McLaughly, a Notary Public in and for said county and in said state, do hereby certify that ALBERT L. CASON, whose name as PRESIDENT of Bud's Best Cookies, Inc., a corporation organized under the laws of the State of ALABAMA, is signed to the foregoing Declaration of Vacation and who is known to me acknowledged before me on this day that, being informed of the contents of said Declaration of Vacation, he as such officer and with full authority, executed the same voluntarily for and as the act of said public corporation.

Given under my hand and official seal this the 2<sup>nd</sup> day of August, 1993.

B. Lynn McLaughly  
Notary Public

My Commission expires:

7-15-95

STATE OF ALABAMA

JEFFERSON COUNTY

I, Shepherd A. Rogers, a Notary Public in and for said county and in said state, do hereby certify that Stephen F. Vickrey, whose name as Vice President of SouthTrust Bank, National Association, a corporation organized under the laws of the State of Alabama, is signed to the foregoing Declaration of Vacation and who is known to me acknowledged before me on this day that, being informed of the contents of said Declaration of Vacation, he as such officer and with full authority, executed the same voluntarily for and as the act of said public corporation.

Given under my hand and official seal this the 10<sup>th</sup> day of August, 1993.

Shepherd A. Rogers  
Notary Public

My Commission expires:

My Commission Expires April 22, 1997

This instrument prepared by:

Edward J. Ashton  
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ANDERSON & BAINS  
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