

## RESOLUTION NO. 1291-93

**WHEREAS,** Equitable Life Assurance Society of the U.S., Barnett J. Earles, President is the owner of all the property abutting or adjacent to the following described easement proposed to be vacated, situated in Shelby County, Alabama, to-wit:

Description for vacation of a twenty foot wide easement lying ten feet on either side of the center line; said center line being more particularly described as follows:

Beginning at the most Northerly corner of Lot 2335, Riverchase Country Club, 23rd Addition, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 10, Page 11, run in a southeasterly direction along the Northeast line of said Lot 2335 for a distance of 221.77 feet to the point of ending.

Description for vacation of an easement being part of Lot 2335 Riverchase Country Club, 23rd Addition, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 10, Page 11, being more particularly described as follows:

From the most Southerly corner of said Lot 2335 run in a northwesterly direction along the Southwest line of said Lot 2335 for a distance of 15.07 feet to the point of beginning; thence continue in a northwesterly direction along the last mentioned course for a distance of 19.93 feet to the edge of an existing 35 foot easement; thence turn an angle to the right of 99 degrees 03 minutes and run in a northeasterly direction for a distance of 128.46 feet to a point on the Northeast line of said Lot 2335; thence turn an angle to the right of 82 degrees 54 minutes and run in a southeasterly direction along the Northeast line of said Lot 2335 for a distance of 19.83 feet; thence turn an angle to the right of 97 degrees 06 minutes and run in a southwesterly direction for a distance of 127.78 feet, more or less, to the point of beginning.

**WHEREAS,** the above owners are desirous of vacating said easement described above and request that the assent of the Council of the City of Hoover, Alabama, be given as required by law in such cases;

After vacation of the above described easement convenient means of ingress and egress to and from the property will be afforded to all other property owners owning property in or near the tract of land embraced in said map, plat or survey.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoover, Alabama, that it does hereby assent to the vacation the said easement as above described and that the same is hereby vacated and annulled and all public rights and easements therein are hereby divested.

DONE this 15<sup>th</sup> day of Nov., 1993.

W. W. Gilly  
President of the Council

Inst. # 1994-08022

03/11/1994-08022  
11:31 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MCD 16.00

Inst # 1994-08022

**APPROVED:**



Mayor

**ATTESTED BY:**



City Clerk

APPLICATION FOR PARTIAL VACATION OF EASEMENT  
DEDICATED FOR PUBLIC PURPOSES

KNOW BY ALL THESE PRESENTS THAT: Whereas, the undersigned party (parties) is (are) owner(s) of all of the property abutting, or in any way served by the property herein described, and own all of the lands abutting on or touching said property, and as such owner(s) is desirous of vacating the easement herein described as provided by the Statutes of the State of Alabama.

NOW, THEREFORE, the undersigned party (parties), being the owner(s) of all lands abutting the following described property:

- ① Description for vacation of a twenty foot wide easement, lying ten feet on either side of the center line; said center line, being more particularly described as follows:

Beginning at the most Northerly corner of Lot 2335, Riverchase County Club, 23rd Addition, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 10, Page 11, run in a southeasterly direction along the Northeast line of said Lot 2335 for a distance of 221.77 feet to the point of ending.

- ② Description for vacation of an easement being part of Lot 2335, Riverchase Country Club, 23rd Addition, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 10, Page 11, being more particularly described as follows:

From the most Southerly corner of said Lot 2335 run in a northwesterly direction along the Southwest line of said Lot 2335 for a distance of 15.07 feet to the point of beginning; thence continue in a northwesterly direction along the last mentioned course for a distance of 19.93 feet to the edge of an existing 35 foot easement; thence turn an angle to the right of 99° 03' and run in a northeasterly direction for a distance of 128.46 feet to a point on the Northeast line of said Lot 2335; thence turn an angle to the right of 82° 54' and run in a southeasterly direction along the Northeast line of said Lot 2335 for a distance of 19.83 feet; thence turn an angle to the right of 97° 06' and run in a southwesterly direction for a distance of 127.78 feet, more or less, to the point of beginning.

does (do) hereby declare the above easement vacated and annulled, and all public rights and easements therein divested of the property.

The undersigned owner(s) further declared that after vacation of the said easement located as above described, and all public rights and easements therein, convenient means of ingress and egress to and from the property will be afforded to all other property owners owning property in or near the tract of land embraced in said map, plat or survey by the remaining easements dedicated by said map, plat or survey.

IN TESTIMONY AND WITNESS WHEREOF, the party hereunto has signed and affixed its hand and seal this declaration of vacation on this

5<sup>th</sup> day of November, 1993.


BY: Equitable Life Assurance Society of the U.S.  
By: Karen E. Thompson Its: acting in fact  
BY: Barnett S. Barnes  
PRESIDENT

Inst # 1994-08022

03/11/1994-08022  
11:31 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MCD 16.00

### Clerk's Certification

I, Linda Crump, City Clerk for the City of Hoover, Alabama, hereby certify that the attached is a true and correct copy of Resolution No. 291-93 which was adopted by the City Council of the City of Hoover, Alabama, on the 15<sup>th</sup> day of Nov, 19 93.

  
City Clerk