

DECLARATION OF VACATION OF ROAD

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, Peter J. DeFranco, Jr., Jerry W. Hartley and Linda B. Hartley, husband and wife, and Paul L. Kiker and Gladys R. Kiker, husband and wife, are the owners of all those portions of Lots 42, 43 and 44 of Lacoosa Estate Subdivision, as recorded in Map Book 5, Page 35, Shelby County Probate Office, which abut that portion of South River Drive a/k/a Panorama Point; herein vacated by the undersigned, and the undersigned, Peter J. DeFranco, Jr., Jerry W. Hartley and Linda B Hartley, husband and wife, and Paul L. Kiker and Gladys R. Kiker, husband and wife, do hereby vacate, discontinue, abandon and annul the following portion of said South River Drive, viz:

A description of that portion of South River Drive a/k/a Panorama Point, herein vacated being attached hereto marked Exhibit "A" and made a part hereof as if herein set forth in detail; a plat or map of the portion of said road herein vacated being attached hereto, marked Exhibit "B" and made a part hereof as if herein set forth in detail.

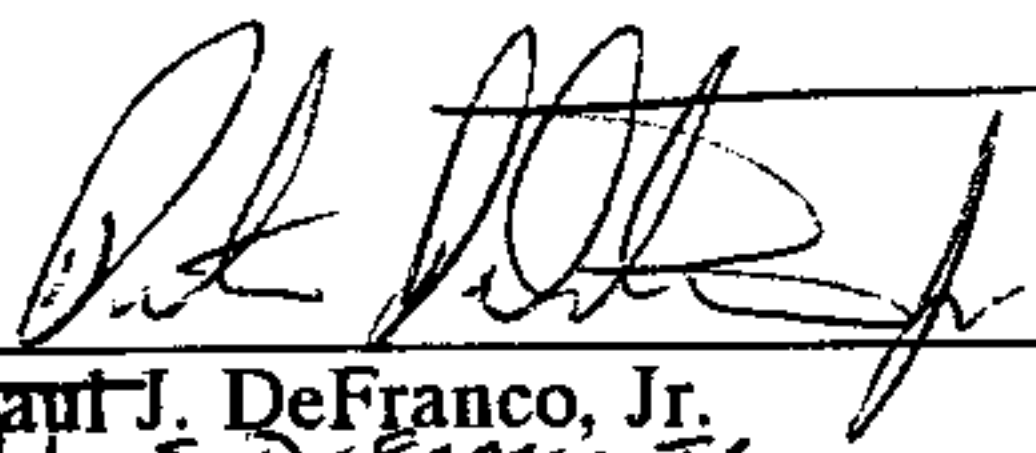
The undersigned hereby represent and declare that they are all of the owners of all of the lands abutting on the above described portion of said road and do hereby consent, agree and declare that the above portion of said road be vacated, discontinued, abandoned, and annulled, so as to destroy the force and effect of any dedication of said portion of said road by map, plat, or otherwise, and to divest any and all rights of the public, including any rights which may have been acquired by prescription or otherwise, in and to that portion of said road hereby vacated; that attached hereto, marked Exhibit "C",

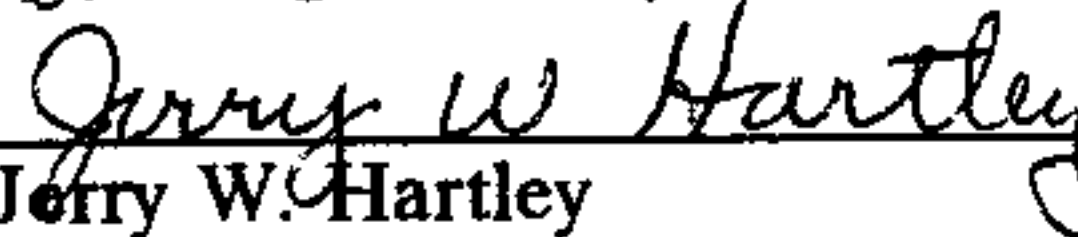
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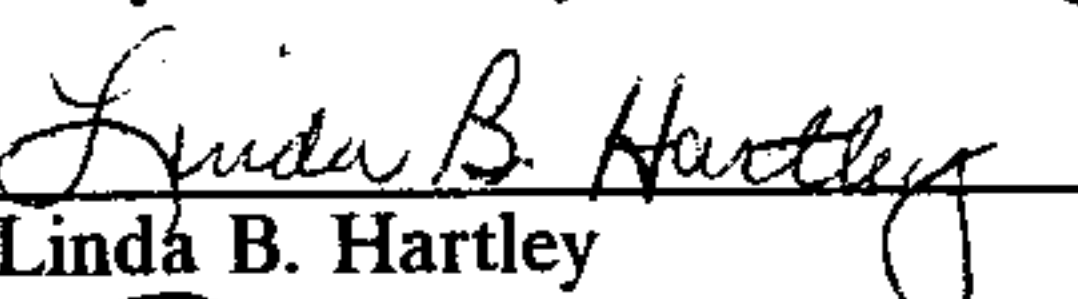
11/23/1994-34815
11:56 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
18:50
ODS HCD

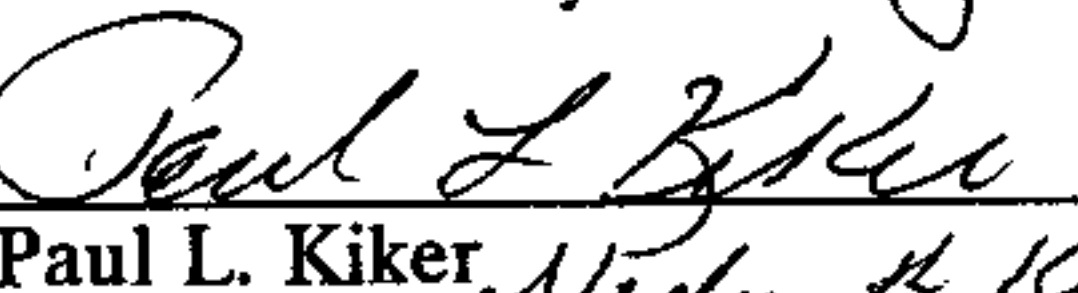
and made a part hereof as if herein set forth in detail, is a certified copy of a resolution adopted by the Shelby County Commission assenting to the vacation of said portion of South River Drive, a/k/a Panorama Point.


GIVEN UNDER OUR HANDS AND SEALS on this the 11th day of August, 1994.

 (SEAL)
Paul J. DeFranco, Jr.
De Fran, Jr.

 (SEAL)
Jerry W. Hartley

 (SEAL)
Linda B. Hartley

 (SEAL)
Paul L. Kiker

Gladys R. Kiker
by Paul L. Kiker her attorney in fact
 (SEAL)
Gladys R. Kiker

STATE OF ALABAMA <>

COUNTY OF SHELBY <>

I, the undersigned authority, a Notary Public, in and for said County and State, do hereby certify that Peter J. DeFranco, Jr., whose name is signed to the foregoing Declaration of Vacation, and who is each known to me, acknowledged before me on this day that, being informed of the contents of said Declaration of Vacation, he executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND SEAL on this the 23 day of

September, 1994.

Susan B. Martin
Notary Public, State of Alabama
at Large

(NOTARIAL SEAL)

My Commission Expires: MY COMMISSION EXPIRES MARCH 14, 1995

STATE OF ALABAMA <>

COUNTY OF SHELBY <>

I, the undersigned authority, a Notary Public, in and for said County and State, do hereby certify that Jerry W. Hartley and Linda B. Hartley, husband and wife, whose names are signed to the foregoing Declaration of Vacation, and who are each known to me, acknowledged before me on this day that, being informed of the contents of said Declaration of Vacation, they executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND SEAL on this the 5 day of

Oct., 1994.

Lisa F. Berry
Notary Public, State of Alabama
at Large

(NOTARIAL SEAL)

My Commission Expires: MY COMMISSION EXPIRES 9-16-95

STATE OF ALABAMA <>


COUNTY OF SHELBY <>

I, the undersigned authority, a Notary Public, in and for said County and State, do hereby certify that Paul L. Kiker and Gladys R. Kiker, ^{by Paul L. Kiker her attorney in fact} husband and wife, whose names are signed to the foregoing Declaration of Vacation, and who are each known to me, acknowledged before me on this day that, being informed of the contents of said Declaration of Vacation, they executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND SEAL on this the 11 day of

August, 1994.

(NOTARIAL SEAL)


Notary Public, State of Alabama
at Large

My Commission Expires: 1/27/98

Descriptions of three parcels submitted for vacating by the County Commission.

PARCEL 42-A: Begin at the northwest corner of Lot 42, Lacoosa Estates, as recorded in Map Book 5, Page 35, in the Office of Probate, Columbiana, Alabama; thence proceed in an easterly and northeasterly direction along the northwest boundary of said Lot, along a curve to the left, having a radius of 50 feet and a central angle of 57 degrees 04 minutes, for an arc distance of 49.80 feet; thence turn an angle of 118 degrees 35 minutes 14 seconds to the left from the extended tangent to the curve and run westerly along a curve to the right, having a radius of 134.42 feet and a central angle of 13 degrees 08 minutes 28 seconds, for an arc distance of 30.83 feet; thence turn an angle of 85 degrees 09 minutes 27 seconds to the left from the extended tangent to the curve and run southerly for 30.97 feet to the point of beginning. Owner: Peter J. DeFranco, Jr.

PARCEL 43-A: Begin at the northwest corner of Lot 43, Locoosa Estates, as recorded in Map Book 5, Page 35, in the Office of Probate, Columbiana, Alabama; thence proceed in an easterly direction along the north boundary of said Lot, along a curve to the left, having a radius of 50 feet and central angle of 52 degrees 46 minutes 32 seconds, for an arc distance of 46.03 feet to the northeast corner of said Lot 43; thence turn an angle of 67 degrees 40 minutes 13 seconds to the left from the extended tangent to the curve and run northerly for 30.97 feet; thence turn an angle of 94 degrees 50 minutes 33 seconds to the left and run along a curve to the right, having a radius of 134.42 feet and a central angle of 17 degrees 02 minutes 59 seconds, for an arc distance of 40.00 feet; thence turn an angle of 93 degrees 42 minutes 10 seconds to the left from the extended tangent to the curve and run southerly for 30.72 feet to the point of beginning. Owners: Jerry W. Hartley and Linda B. Hartley, husband and wife.

PARCEL 44-A: Begin at the southeast corner of Lot 44, Lacoosa Estates, as recorded in Map Book 5, Page 35, in the Office of Probate, Columbiana, Alabama; thence proceed in a northwesterly and northerly direction along the east boundary line of said Lot along a curve to the right, having a radius of 50 feet and a central angle of 56 degrees 20 minutes, for an arc distance of 49.16 feet; thence turn an angle of 118 degrees 34 minutes 09 seconds to the right from the extended tangent to the curve and run easterly along a curve to the left, having a radius of 134.42 feet and a central angle of 13 degrees 08 minutes 28 seconds, for an arc distance of 30.83 feet; thence turn an angle of 86 degrees 17 minutes 50 seconds to the right from the extended tangent to the curve and run southerly for 30.72 feet to the point of beginning. Owners: Paul L. Kiker and Gladys R. Kiker, husband and wife.

Inst # 1994-34815

11/23/1994-34815
SHELBY COUNTY JUDGE OF PROBATE
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