

RESOLUTION NO. 1464-95

WHEREAS, Fairways Partnership (Percy W. Brower, Jr., General Partner) is the owner of all the property abutting or adjacent to the following described easements proposed to be vacated, situated in Shelby County, Alabama, to-wit:

A 25 foot wide easement lying 12.5 feet on either side of the centerline, said centerline being described as follows: Beginning at the southwest corner of Lot 34, The Fairways at Riverchase, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 13, Page 18, run in a northerly direction along the west line of said Lot 34 for a distance of 64.0 feet to the point of ending.

ALSO:

Part of Lot 39, The Fairways at Riverchase, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 13, Page 18, being more particularly described as follows: From the northwest corner of said Lot 39, which is the most northerly corner of Lot 40 of said subdivision, run in a southeasterly direction along the west line of said Lot 39 for a distance of 56.01 feet to the point of beginning; thence continue in a southeasterly direction along the west line of said Lot 39 for a distance of 84.44 feet to the southwest corner of said Lot 39 being on a curve; thence turn an angle to the left and run in a northeasterly direction along the curved southeast line of said Lot 39 and being the northwest right-of-way line of Chestnut Oak Circle for a distance of 21.96 feet to the point of ending of said curve; thence continue in a northeasterly direction along a line tangent to the end of said curve and being the southeast line of said Lot 39 and the northwest right-of-way line of Chestnut Oak Circle for a distance of 14 feet to the point of intersection with the edge of an existing easement; thence turn an angle to the left of 117 degrees 47 minutes 16 seconds and run in a northwesterly direction along the edge of an existing easement for a distance of 94.68 feet; thence turn an angle to the left of 74 degrees 30 minutes 14 seconds and run in a southwesterly direction for a distance of 10.0 feet, more or less, to the point of beginning.

WHEREAS, the above owner is desirous of vacating a portion of said easements described above and requests 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 easements, 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 of the said easements as above described and that the same is hereby vacated and annulled and all public rights and easements therein are hereby divested.

DONE this 17th day of April, 1995.


President of the Council

APPROVED:


Mayor

ATTESTED BY:


City Clerk

Inst. # 1995-20591

08/02/1995-20591
10:20 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 REC 16.00

Inst # 1995-20591

CLERK'S CERTIFICATION

I, Margie Handley, Assistant City Clerk for the City of Hoover, Alabama, hereby certify that the attached is a true and correct copy of Resolution No. 1464-95 which was passed and adopted by the City Council of the City of Hoover on the 17th day of April, 19 95.

Margie Handley
Assistant City Clerk

**APPLICATION FOR PARTIAL VACATION OF EASEMENT
DEDICATED FOR PUBLIC PURPOSES**

KNOW BY ALL THESE PRESENT THAT: Whereas the undersigned party (parties) is (are) owner(s) of all 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 on the following described property,

A 25 foot wide easement lying 12.5 feet on either side of the centerline, said centerline being described as follows:
Beginning at the southwest corner of Lot 34, The Fairways at Riverchase, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 13, Page 18, run in a northerly direction along the west line of said Lot 34 for a distance of 64.0 feet to the point of ending.

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 or plat.

IN TESTIMONY AND WITNESS WHEREOF, the party hereunto has signed and affixed its hand and seal this declaration of vacation on this the 22 day of MARCH, 1995.

BY: Ray W. Brower Jr.

BY: _____

APPLICATION FOR PARTIAL VACATION OF EASEMENT
DEDICATED FOR PUBLIC PURPOSES
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KNOW BY ALL THESE PRESENT THAT: Whereas the undersigned party (parties) is (are) owner(s) of all 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 on the following described property,

Description of easement to be vacated:
Part of Lot 39, The Fairways at Riverchase, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 13, Page 18, being more particularly described as follows: From the northwest corner of said Lot 39, which is the most northerly corner of Lot 40 of said subdivision, run in a southeasterly direction along the west line of said Lot 39 for a distance of 56.01 feet to the point of beginning; thence continue in a southeasterly direction along the west line of said Lot 39 for a distance of 84.44 feet to the southwest corner of said Lot 39 being on a curve; thence turn an angle to the left and run in a northeasterly direction along the curved southeast line of said Lot 39 and being the northwest right-of-way line of Chestnut Oak Circle for a distance of 21.96 feet to the point of ending of said curve; thence continue in a northeasterly direction along a line tangent to the end of said curve and being the southeast line of said Lot 39 and the northwest right-of-way line of Chestnut Oak Circle for a distance of 14 feet to the point of intersection with the edge of an existing easement; thence turn an angle to the left of 117°47'16" and run in a northwesterly direction along the edge of an existing easement for a distance of 94.68 feet; thence turn an angle to the left of 74°30'14" and run in a southwesterly *
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and all public rights and easements therein devested 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 or plat.

IN TESTIMONY AND WITNESS WHEREOF, the party hereunto has signed and affixed its hand and seal this declaration of vacation on this the 22 day of MARCH, 1995.

BY: Debra W. Brummett

BY: _____

* direction for a distance of 10.0 feet, more or less, to the point of beginning.