

STATE OF ALABAMA

SHELBY COUNTY

DECLARATION OF VACATION OF EASEMENTS

KNOW ALL MEN BY THESE PRESENTS, WHEREAS, Merchants & Planters Bank, a corporation, is the sole owner of Lots 26, 33, and 34 according to the amended map of Shoal Creek Highlands, Second Sector, as recorded in Map Book 16, Page 41 in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, Merchants & Planters Bank, a corporation, is the sole owner of the lands abutting said Lots 26, 33, and 34; and

WHEREAS, said Merchants & Planters Bank, a corporation, as the owner of said Lots 26, 33, and 34 desires to vacate the easements as described and located on said Lots 26, 33, and 34 as provided under Section 23-4-20 of the Code of Alabama (1975); and

WHEREAS, the vacation of said easements will not deprive said property owner whose properties abut said Lots 26, 33, and 34 of any right, title, or interest in its respective properties nor will the vacation of said easements adversely affect the interest of said property owner in its respective properties; and

WHEREAS, the said abutting land owner does not object to the vacation of said easements as located and described on Lots 26, 33, and 34 and in fact does assent to said vacation; and

WHEREAS, said Lots 26, 33, and 34 are located within the corporate limits of the City of Montevallo, Alabama and the assent of said vacation has thus been obtained from the City Council of the City of Montevallo, Alabama, as evidenced by a resolution duly adopted by the City Council at a regular meeting thereof on the 13th day of November, 1995, a certified copy of which is attached hereto as Exhibit "B";

12/11/1995-35510
12:50 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
007 MD 24.50

Inst # 1995-35510

NOW, THEREFORE, Merchants and Planters Bank, a corporation, does assent and hereby declares the easements as located and described on Lots 26, 33, and 34 according to the amended map of Shoal Creek Highlands, Second Sector, as recorded in Map Book 16, Page 41 in the Office of the Judge of Probate of Shelby County, Alabama as shown on Exhibit "A" attached hereto and incorporated by reference herein, to be vacated in whole pursuant to the provisions of Section 23-4-20 of the Code of Alabama (1975).

IN WITNESS WHEREOF, the parties have hereunto set our hands and seals on this the 15th day of November, 1995.

Attest:

MERCHANTS & PLANTERS BANK,
a corporation

Mary B. Hughes
Secretary

By: J. P. Kelly
J. P. Kelly, President

STATE OF ALABAMA)

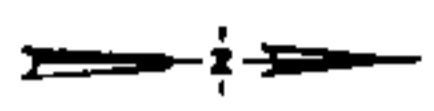
SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that J. P. Kelly, whose name as President of Merchants & Planters Bank, 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 the instrument, he, 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 on this the 15 th day of November, 1995.

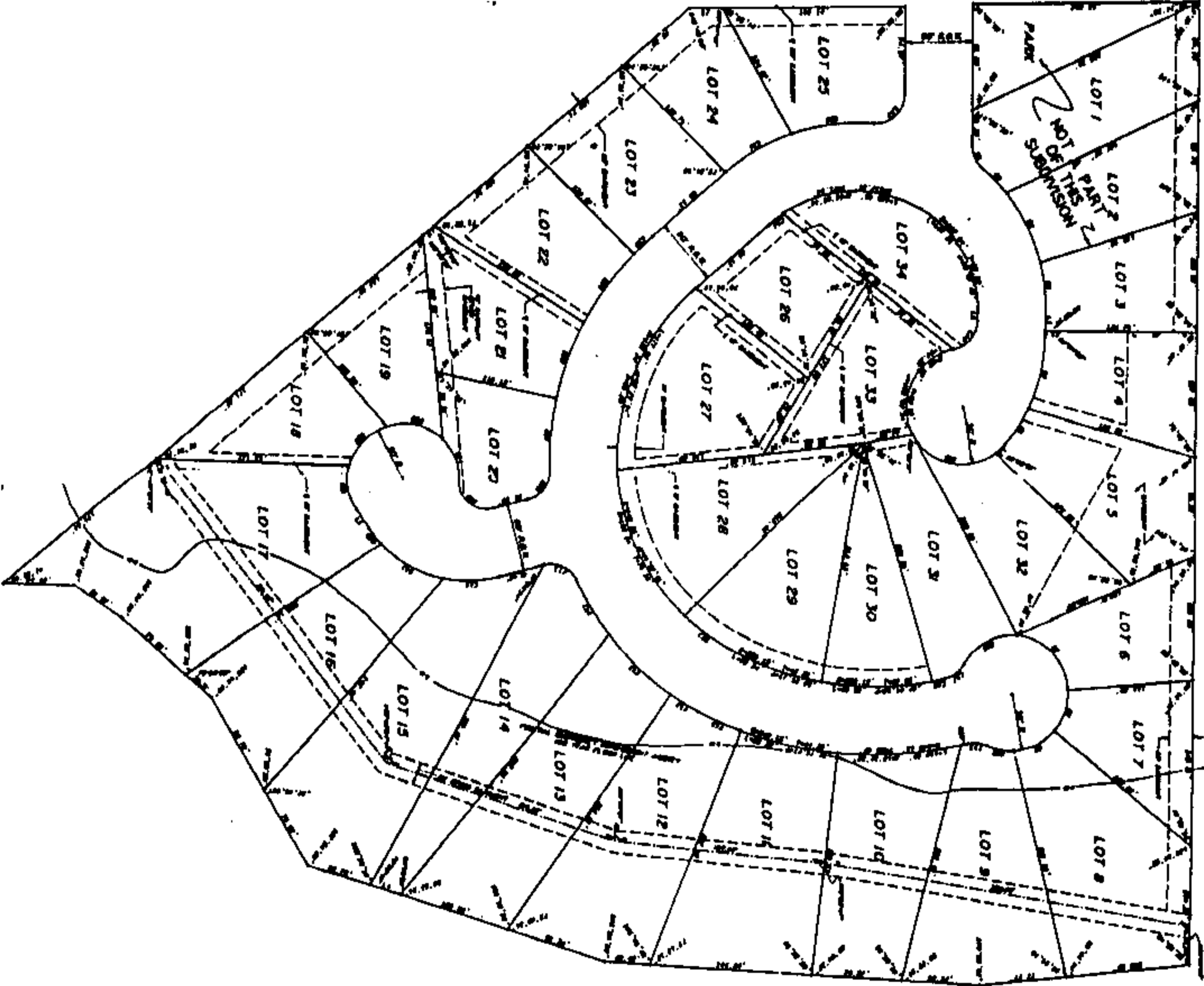
Landra C. Davidson
Notary Public 10-5-98 Expiration

SECTION 22, TOWNSHIP 22 NORTH
RANGE 12 EAST
DEKALB COUNTY, ALABAMA



1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90
91	92	93	94	95	96	97	98	99	100

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



AMENDED MAP
OF
SHOAL CREEK HIGHLANDS
SECOND SECTOR

PREPARED BY THE DEPT. OF AGRICULTURE
AND FORESTRY
WASHINGTON, D. C.

DEKALB COUNTY, ALABAMA
JAN 2 1904
J. S. CAMP

EXHIBIT "B"

RESOLUTION ASSENTING TO THE VACATION OF EASEMENTS

WHEREAS, Merchants & Planters Bank, a corporation, is the sole owner of Lots 26, 33, and 34, according to the amended map of Shoal Creek Highlands, Second Sector, as recorded in Map Book 16, Page 41 in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, Merchants & Planters Bank, a corporation, is the sole owner of the lands abutting said Lots 26, 33, and 34; and

WHEREAS, said Merchants & Planters Bank, a corporation, as the owner of said Lots 26, 33, and 34 desires to vacate the easements as described and located on said Lots 26, 33, and 34 as provided under Section 23-4-20 of the Code of Alabama (1975); and

WHEREAS, the vacation of said easements will not deprive said property owner whose properties abut said Lots 26, 33, and 34 of any right, title, or interest in its respective properties nor will the vacation of said easements adversely affect the interest of said property owner in its respective properties; and

WHEREAS, the said abutting land owner does not object to the vacation of said easements as located and described on Lots 26, 33, and 34 and in fact does assent to said vacation; and

WHEREAS, said Lots 26, 33, and 34 are located within the corporate limits of the City of Montevallo, Alabama and the assent of of the City Council of the City of Montevallo, Alabama, the governing body of said municipality, to the vacation of said easements has been requested and is desired by Merchants & Planters Bank, a corporation; and

WHEREAS, it appears to the City Council of Montevallo, Alabama that the vacation of said easements will not deprive said property owner whose properties abut said Lots 26, 33, and 34 of any right, title, or interest in its respective properties nor will the vacation of said easements adversely

affect the interest of said property owner in its respective properties; and

WHEREAS, it appears to the City Council of Montevallo, Alabama that the vacation of said easements will not adversely affect the interests of the public in any way;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MONTEVALLO, ALABAMA that the assent of said City Council be, and the same is hereby given to the vacation of the easements as located and described on Lots 26, 33, and 34 according to the amended map of Shoal Creek Highlands, Second Sector, as recorded in Map Book 16, Page 41 in the Office of the Judge of Probate of Shelby County, Alabama and as shown on Exhibit "A" which is attached hereto and incorporated by reference herein, said Lots 26, 33, and 34 lying and being in the City of Montevallo, County of Shelby, State of Alabama.

BE IT FURTHER RESOLVED that the Mayor of the City of Montevallo, Alabama be and is hereby authorized to present a copy of this Resolution, duly certified as correct by the Clerk of the City of Montevallo, Alabama the officer in charge of the records of said municipality, to the said Merchants & Planters Bank, a corporation, in order that same may be attached to and filed and recorded with the Declaration of Vacation of said easements.

Introduced and passed on the 13th day of November, 1995.

AYES:

J. A. Brown, Johnny Holsomback, Willie Goldsmith, Sharon Anderson, and Grady Parker

NAYS:

none

ABSENT:

none

APPROVED:

Ralph W. Sears
Mayor

ATTEST:

[Signature]
City Clerk

STATE OF ALABAMA
CITY OF MONTEVALLO

I, Steven D. Gibbs, City Clerk of the City of Montevallo, Alabama, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the City Council of Montevallo, Alabama at a regular meeting of said Council held on the 13th day of November, 1995, as the same appears and remains of record in the Record Book in my office wherein are recorded the Minutes of the proceedings of said Council.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the official seal of said City of Montevallo, Alabama on the 13th day of November, 1995.



City Clerk

