

RESOLUTION NO. 1544-95

WHEREAS, Daniel Oak Mountain Limited Partnership 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:

An easement to be vacated situated in Lot 12 of Greystone 5th Sector Phase II as recorded in Map Book 17, on Page 118, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows: Commence at the northwest corner of said Lot 12, thence run in a southeasterly direction along the Northeast line of said Lot 12 for a distance of 56.00 feet to a point; thence turn an angle to the right of 90 degrees 00 minutes 00 seconds and run in a southwesterly direction for a distance of 28.00 feet to the point of beginning; thence turn an angle to the left of 31 degrees 35 minutes 48 seconds and run in a southerly direction for a distance of 223.27 feet to the southernmost corner of said Lot 12, said corner being a common corner between Lots 11 and 12 in said Greystone 5th Sector Phase II, said corner also being on a curve to the left having a central angle of 19 degrees 10 minutes 43 seconds and a radius of 50.00 feet; thence turn an angle to the right of 64 degrees 29 minutes 51 seconds to the radius of said curve and run in a northwesterly direction along the arc of said curve and also along the Southwest line of said Lot 12 for a distance of 16.74 feet to a point; thence turn an angle to the right from the chord of last stated curve of 33 degrees 58 minutes 47 seconds and run in a northerly direction for a distance of 220.05 feet to a point; thence turn an angle to the right of 127 degrees 57 minutes 02 seconds and run in a southeasterly direction for a distance of 17.30 feet to the point of beginning. Said easement containing 2,562 square feet more or less.

WHEREAS, the above owners are desirous of vacating a portion of said easement 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 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 of 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 20th day of November, 1995.


President of the Council

APPROVED:


Mayor

ATTESTED BY:


City Clerk

Inst # 1996-09811

03/26/1996-09811
11:27 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 REC 13.50

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. 1544-95 which was passed and adopted by the City Council of the City of Hoover on the 20th day of November, 1995.

Margie Handley
Assistant City Clerk

**APPLICATION FOR 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,

An easement to be vacated situated in Lot 12 of Greystone 5th Sector Phase II as recorded in Map Book 17, on Page 118, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows: Commence at the northwest corner of said Lot 12, thence run in a southeasterly direction along the Northeast line of said Lot 12 for a distance of 56.00 feet to a point; thence turn an angle to the right of 90 degrees 00 minutes 00 seconds and run in a southwesterly direction for a distance of 28.00 feet to the point of beginning; thence turn an angle to the left of 31 degrees 35 minutes 48 seconds and run in a southerly direction for a distance of 223.27 feet to the southernmost corner of said Lot 12, said corner being a common corner between Lots 11 and 12 in said Greystone 5th Sector Phase II, said corner also being on a curve to the left having a central angle of 19 degrees 10 minutes 43 seconds and a radius of 50.00 feet; thence turn an angle to the right of 64 degrees 29 minutes 51 seconds to the radius of said curve and run in a northwesterly direction along the arc of said curve and also along the Southwest line of said Lot 12 for a distance of 16.74 feet to a point; thence turn an angle to the right from the chord of last stated curve of 33 degrees 58 minutes 47 seconds and run in a northerly direction for a distance of 220.05 feet to a point; thence turn an angle to the right of 127 degrees 57 minutes 02 seconds and run in a southeasterly direction for a distance of 17.30 feet to the point of beginning. Said easement containing 2,562 square feet more or less.

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 9th day of November, 1995.

DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP,
an Alabama limited partnership

BY: DANIEL REALTY INVESTMENT CORPORATION -
OAK MOUNTAIN, an Alabama corporation,
Its General Partner

BY: [Signature]
Its: Sr. Vice President

Inst # 1996-09811

03/26/1996-09811
11:27 AM CERTIFIER
SHELBY COUNTY JUDGE PROBATE
AND NO 13:30