

RESOLUTION NO. 1633-96

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:

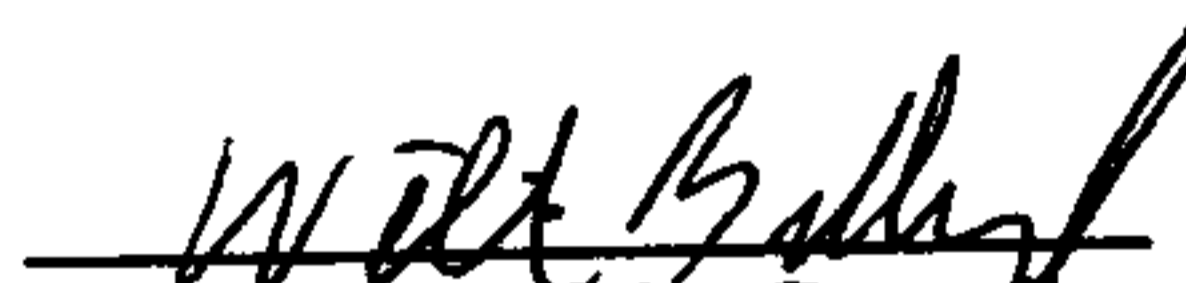
SEE ATTACHED EXHIBIT "A"

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 the 20th day of May, 1996.


President of the Council

APPROVED:


Mayor

ATTESTED BY:


City Clerk

Inst # 1996-31886

09/26/1996-31886
04:27 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NCO 13.50

Inst # 1996-31886

EXHIBIT "A"

An easement to be vacated situated in Lot 12 Greystone 7th Sector as recorded in Map Book 18, on Page 119, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of said Lot 12, thence run in a northwesterly direction along the Southwest line of said Lot 12 for a distance of 10.18 feet to the point of beginning; thence continue along last stated course for a distance of 16.79 feet to a point; thence turn an angle to the right of 38 degrees 56 minutes 01 seconds and run in a northwesterly direction for a distance of 233.40 feet to a point; thence turn an angle to the right of 82 degrees 43 minutes 21 seconds and run in a northeasterly direction for a distance of 20.16 feet to a point; thence turn an angle to the right of 97 degrees 16 minutes 39 seconds and run in a southeasterly direction for a distance of 243.97 feet to a point that is 10 feet from the Southeast line of said Lot 12; thence turn an angle to the right of 61 degrees 56 minutes 45 seconds and run in a southwesterly direction 10 feet from and parallel to said Southeast line of Lot 12 for a distance of 10.71 feet to the point of beginning and the end of said easement to be vacated.

An easement to be vacated situated in Lot 13 Greystone 7th Sector as recorded in Map Book 18, on Page 119, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of said Lot 13, thence run in a northwesterly direction along the Northeast line of said Lot 13 for a distance of 10.18 feet to the point of beginning; thence continue along last stated course for a distance of 387.62 feet to a point; thence turn an angle to the left of 155 degrees 46 minutes 20 seconds and run in a southeasterly direction for a distance of 87.62 feet to a point; thence turn an angle to the left of 27 degrees 28 minutes 41 seconds and run in a southeasterly direction for a distance of 304.62 feet to a point that is 10 feet from the Southeast line of said Lot 13; thence turn an angle to the left of 75 degrees 52 minutes 13 seconds and run in a northeasterly direction 10 feet from and parallel to said Southeast line of Lot 13 for a distance of 19.03 feet to the point of beginning and the end of said easement to be vacated.

An easement to be vacated situated in Lot 9 Greystone 7th Sector as recorded in Map Book 18, on Page 119, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of said Lot 9, thence run in a northwesterly direction along the Southwest line of said Lot 9 for a distance of 18.60 feet to a point; thence turn an angle to the right of 30 degrees 53 minutes 50 seconds and run in a northwesterly direction for a distance of 90.78 feet to the point of beginning; thence continue along last stated course for a distance of 35.80 feet to a point; thence turn an angle to the left of 40 degrees 29 minutes 28 seconds and run in a southwesterly direction for a distance of 76.71 feet to a point; thence turn an angle to the right of 27 degrees 30 minutes 47 seconds and run in a northwesterly direction for a distance of 34.52 feet to a point; thence turn an angle to the right of 21 degrees 58 minutes 12 seconds and run in a northwesterly direction for a distance of 5.33 feet to a point; thence turn an angle to the right of 130 degrees 31 minutes 01 seconds and run in a southeasterly direction for a distance of 118.16 feet to a point; thence turn an angle to the right of 40 degrees 29 minutes 28 seconds and run in a southeasterly direction for a distance of 75.43 feet to a point; thence turn an angle to the right of 148 degrees 11 minutes 52 seconds and run in a northwesterly direction for a distance of 37.95 feet to the point of beginning and the end of said easement to be vacated.

1033-46

**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 easements 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 Greystone 7th Sector as recorded in Map Book 18, on Page 119, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of said Lot 12, thence run in a northwesterly direction along the Southwest line of said Lot 12 for a distance of 10.18 feet to the point of beginning; thence continue along last stated course for a distance of 16.79 feet to a point; thence turn an angle to the right of 38 degrees 56 minutes 01 seconds and run in a northwesterly direction for a distance of 233.40 feet to a point; thence turn an angle to the right of 82 degrees 43 minutes 21 seconds and run in a northeasterly direction for a distance of 20.16 feet to a point; thence turn an angle to the right of 97 degrees 16 minutes 39 seconds and run in a southeasterly direction for a distance of 243.97 feet to a point that is 10 feet from the Southeast line of said Lot 12; thence turn an angle to the right of 61 degrees 56 minutes 45 seconds and run in a southwesterly direction 10 feet from and parallel to said Southeast line of Lot 12 for a distance of 10.71 feet to the point of beginning and the end of said easement to be vacated.

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does (do) hereby declare the above easements 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 easements 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 13th day of May, 1996.

DANIEL OAK MOUNTAIN LIMITED
PARTNERSHIP

BY: DANIEL REALTY INVESTMENT CORPORATION -

OAK MOUNTAIN
BY: DH Lloyd
SENIOR VICE PRESIDENT

Inst # 1996-31886

09/26/1996-31886
04:27 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
13.50
003 MCB

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. 1633-96** which was adopted by the City Council of the City of Hoover, Alabama, on the 20th day of May, 1996.

Linda Crump
City Clerk