

RESOLUTION NO. 1731-96

WHEREAS, Daniel Oak Mountain Limited Partnership, 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:

An easement to be vacated situated in Lot 5A of A Resurvey of Lots 3, 4 & 5 Greystone Commercial 2nd Phase and a part of Lot 1, Greystone Commercial as recorded in Map Book 20, on page 139, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of said Lot 5A, said corner being on the Northeast right-of-way line of Village Street, a private roadway, as recorded in said Resurvey; thence run in a southeasterly direction along the Southwest line of said Lot 5A and also along said Northeast right-of-way line for a distance of 10.00 feet to a point; thence turn an angle to the left of 90 degrees 00 minutes 00 seconds and run in a northeasterly direction, parallel to and 10 feet from the Northwest side of said Lot 5A, for a distance of 263.81 feet to the point of beginning; thence continue along last stated course for a distance of 30.93 feet to a point on a curve to the left having a central angle of 7 degrees 05 minutes 35 seconds and a radius of 759.06 feet, said point being on the center line of a 60.00 foot easement as recorded in Map Book 206, on Page 913, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 14 degrees 24 minutes 00 seconds to the radius of said curve and run in a southeasterly direction along the arc of said curve and also along said center line for a distance of 93.97 feet to a point; thence run tangent to last stated curve in a southeasterly direction along said center line for a distance of 118.97 feet to a point; thence turn an angle to the right of 7 degrees 08 minutes 31 seconds and run in a southeasterly direction for a distance of 139.36 feet to a point on a curve to the right having a central angle of 41 degrees 04 minutes 57 seconds and a radius of 195.00 feet; thence turn an angle to the right of 103 degrees 20 minutes 23 seconds to the radius of said curve and run in a southeasterly direction along the arc of said curve for a distance of 139.82 feet to a point; thence turn an angle from the chord of last stated curve to the right of 16 degrees 15 minutes 01 seconds and run in a southeasterly direction for a distance of 66.82 feet to a point on the Northeast right-of-way of said Village Street, said point being on a curve to the left having a central angle of 4 degrees 18 minutes 17 seconds and a radius of 400.00 feet; thence turn an angle to the right of 9 degrees 35 minutes 59 seconds to the radius of said curve and run in a northwesterly direction along the arc of said curve and also along said Northeast right-of-way line for a distance of 30.05 feet to a point; thence turn an angle from the chord of last stated curve to the right of 86 degrees 50 minutes 43 seconds and run in a northwesterly direction for a distance of 64.98 feet to a point on a curve to the left having a central angle of 61 degrees 33 minutes 51 seconds and a radius of 170.00 feet; thence run in a northwesterly direction along the arc of said curve for a distance of 182.66 feet to a point; thence run tangent to last stated curve in a northwesterly direction for a distance of 189.02 feet to a point on a curve to the right having a central angle of 6 degrees 32 minutes 04 seconds and a radius of 789.06 feet; thence run in a northwesterly direction along the arc of said curve for a distance of 89.99 feet to the point of beginning. Said easement vacation containing 14,553 square feet, more or less.

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.

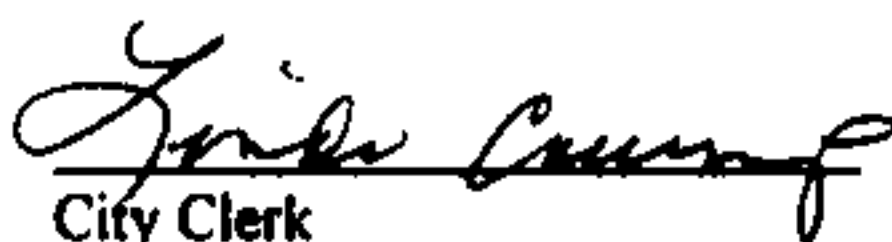
DONE this the 16th day of December, 1996.

  
President of the Council

APPROVED:

  
Mayor

ATTESTED BY:

  
City Clerk

Inst # 1997-05821

02/24/1997-05821  
03:57 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 13.50

Inst # 1997-05821

**APPLICATION FOR 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 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 5A of A Resurvey of Lots 3, 4 & 5 Greystone Commercial 2nd Phase and a part of Lot 1, Greystone Commercial as recorded in Map Book 20, on page 139, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of said Lot 5A, said corner being on the Northeast right-of-way line of Village Street, a private roadway, as recorded in said Resurvey; thence run in a southeasterly direction along the Southwest line of said Lot 5A and also along said Northeast right-of-way line for a distance of 10.00 feet to a point; thence turn an angle to the left of 90 degrees 00 minutes 00 seconds and run in a northeasterly direction, parallel to and 10 feet from the Northwest side of said Lot 5A, for a distance of 263.81 feet to the point of beginning; thence continue along last stated course for a distance of 30.93 feet to a point on a curve to the left having a central angle of 7 degrees 05 minutes 35 seconds and a radius of 759.06 feet, said point being on the center line of a 60.00 foot easement as recorded in Map Book 206, on Page 913, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 14 degrees 24 minutes 00 seconds to the radius of said curve and run in a southeasterly direction along the arc of said curve and also along said center line for a distance of 93.97 feet to a point; thence run tangent to last stated curve in a southeasterly direction along said center line for a distance of 118.97 feet to a point; thence turn an angle to the right of 7 degrees 08 minutes 31 seconds and run in a southeasterly direction for a distance of 139.36 feet to a point on a curve to the right having a central angle of 41 degrees 04 minutes 57 seconds and a radius of 195.00 feet; thence turn an angle to the right of 103 degrees 20 minutes 23 seconds to the radius of said curve and run in a southeasterly direction along the arc of said curve for a distance of 139.82 feet to a point; thence turn an angle from the chord of last stated curve to the right of 16 degrees 15 minutes 01 seconds and run in a southeasterly direction for a distance of 66.82 feet to a point on the Northeast right-of-way of said Village Street, said point being on a curve to the left having a central angle of 4 degrees 18 minutes 17 seconds and a radius of 400.00 feet; thence turn an angle to the right of 9 degrees 35 minutes 59 seconds to the radius of said curve and run in a northwesterly direction along the arc of said curve and also along said Northeast right-of-way line for a distance of 30.05 feet to a point; thence turn an angle from the chord of last stated curve to the right of 86 degrees 50 minutes 43 seconds and run in a northwesterly direction for a distance of 64.98 feet to a point on a curve to the left having a central angle of 61 degrees 33 minutes 51 seconds and a radius of 170.00 feet; thence run in a northwesterly direction along the arc of said curve for a distance of 182.66 feet to a point; thence run tangent to last stated curve in a northwesterly direction for a distance of 189.02 feet to a point on a curve to the right having a central angle of 6 degrees 32 minutes 04 seconds and a radius of 789.06 feet; thence run in a northwesterly direction along the arc of said curve for a distance of 89.99 feet to the point of beginning. Said easement vacation containing 14,553 square feet, more or less.

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 9<sup>th</sup> day of DECEMBER, 1996

DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP  
By: DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN

BY: 

Its: Sr. Vice President

BY: \_\_\_\_\_

Inst # 1997-05821

02/24/1997-05821  
03:57 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 13.50

### 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.** 1731-96 which was adopted by the City Council of the City of Hoover, Alabama, on the 16<sup>th</sup> day of December, 1996.

Inst # 1997-05821

Linda Crump  
City Clerk

02/24/1997-05821  
CERTIFIED  
JUDGE OF PROBATE