


CERTIFICATE

I, Marsha Massey, do hereby certify that I am clerk of the City of Alabaster, Alabama, and as such am the custodian of the minutes of said body, that I have compared the document to which this certificate is attached with the original thereof as the same appears of record and on file in my office at City Hall in the City of Alabaster, County of Shelby, State of Alabama, and that the same is a true and correct copy of said original.

In testimony whereof, I have hereunto set my hand and affixed the seal of the City of Alabaster, Alabama, this the 15th day of May, 1998.


Marsha Massey
Clerk of the City of Alabaster,
Alabama

05/18/1998-18082
09:29 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
009 MEL 28.50

Inst # 1998-18082

Joel Watson

Council Member Harmon Acker introduced the following Resolution:

RESOLUTION NO. 050798-A

A RESOLUTION TO VACATE THAT PORTION OF THE COMMON ALLEY BETWEEN LOTS 2, 3, AND 4 AND LOTS 17, 16 AND 15 OF MAXWELL'S ADDITION TO ELLIOTTSVILLE.

WHEREAS, a Petition has been filed by Harold A. Rubin to vacate a portion of the common alley, a copy of said petition is attached hereto and incorporated by reference, said petition having been reviewed by the City Attorney, Honorable Bill Justice, and follows Applicable Law of the State of Alabama.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ALABASTER, AS FOLLOWS:

Section 1. That the City of Alabaster agrees with the terms and conditions set out in the proposed Petition to Vacate Alley. That portion of the Common Alley between Lots, 2, 3, and 4 and Lots 17, 16, and 15 of Maxwell's Addition to Elliottsville is hereby vacated.

Section 2. The Mayor is authorized and directed to execute the agreement and any other documents necessary to carry out the terms of the agreement.

ADOPTED AND APPROVED THIS 7th day of May, 1998.

ATTEST:

CITY OF ALABASTER, ALABAMA


Marsha Massey, City Clerk


John J. Sarris, Council President

APPROVED:


Steven K. Rauch, Mayor

STATE OF ALABAMA)
SHELBY COUNTY)

PETITION TO VACATE ALLEY

COMES NOW Harold A. Rubin, as sole surviving grantee of deed recorded in Deed Book 250, page 831, conveying Lot 15, 16 and 17 according to Maxwell's Addition to Ellitsville as shown in recorded Map Box 3, page 118, in the Probate Office of Shelby County and deed recorded in Deed Book 234, page 231, conveying Lots 2, 3 and 4 of same subdivision, Maxwell's Addition to Ellitsville and hereby petitions the City of Alabaster, Alabama, its Mayor and Council, as per Code of Alabama, paragraph 35-2-54 to vacate that portion of the common alley between Lots 2, 3 and 4 and Lots 17, 16 and 15 and as grounds avers:

1. Harold A. Rubin is the owner of all of the alley abutting that portion of the alley to be vacated. See Exhibits A and B for copies of recorded deeds.

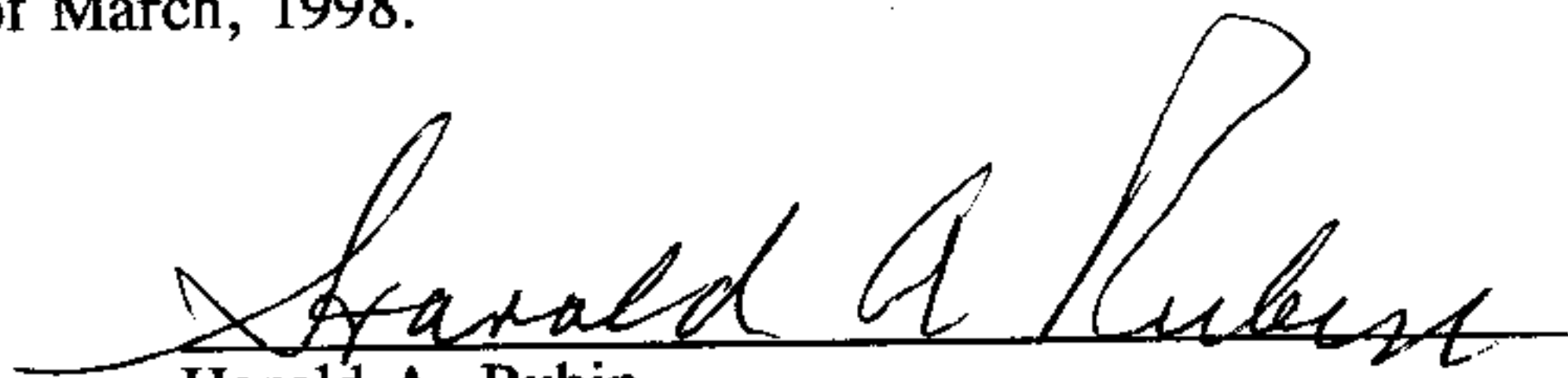
2. Harold A. Rubin hereby declares said portion of the alley shown above and described by Exhibit C (Recorded Plat Map) attached herewith to be vacated. It is my intention to duly record my declaration to operate and destroy the force and dedication by the map, plat or survey and to divest all public rights which may have been acquired by prescription.

3. Petitioner further requests that the City of Alabaster consider same at its next business meeting and adopt a resolution approving same and cause the City Clerk or other authorized official to certify and record, as legally required, with this declaration.

4. Other convenient means of egress and ingress to all other owners exist to egress and ingress their property.

5. That portion of the alley to be vacated is not used as a public road nor outside of the City of Alabaster.

DONE THIS 6th day of March, 1998.


Harold A. Rubin
An Unmarried Widower

STATE OF ALABAMA)
SHELBY COUNTY)

I, Joel C Watson, a Notary Public, in and for said County in said State, hereby certify that Harold A. Rubin, whose name is signed to the foregoing instrument/conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument/conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand this the 6 day of March, 1998.

Joel C Watson
Notary Public

State of Alabama

County

Know All Men By These Presents,

That in consideration of Thirty six hundred and fifty (\$3,650.00) DOLLARS

to the undersigned grantor Henry Smith and wife Margie Smith

in hand paid by Harold A. Rubin and wife T. Sue Rubin

the receipt whereof is acknowledged we the said Henry Smith and wife Margie Smith

do grant, bargain, sell and convey unto the said Harold A. Rubin and wife T. Sue Rubin

as joint tenants, with right of survivorship, the following described real estate; situated in

Shelby County, Alabama, to-wit: Lots 2, 3, and 4, Maxwell's Addition to Elliottsville, according to Map as recorded in Map Book 3, Page 118, in Probate Office of Shelby County, Alabama. Said lots also being described as follows: Commencing at the NE corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 14, Township 21, Range 3, West; thence South 2° 30' East 15 feet; thence North 87 deg. 30' East 60 feet; thence South 22 deg. 30' West 375 feet to the point of beginning, which said point is the NE corner of lot 4 according to Maxwell's Addition to Elliottsville, as recorded in the Probate Office of Shelby County, Alabama, in Map Book 3 Page 118, and which said point is on the West margin of the Montevallo-Siluria Highway; thence continue in the same direction South 22 deg. 30' West 150 feet to the SE corner of lot 2 according to Maxwell's Addition to Elliottsville; thence North 67 deg. 30' West 150 feet to the SW corner of said lot #2; thence North 22 deg. 30' East 150 feet to the NW corner of lot #4 in said Maxwell's Addition; thence South 67 deg. 30' East 150 feet to point of beginning.

There is not to be any open toilets on this property.

TO HAVE AND TO HOLD Unto the said Harold A. Rubin and wife T. Sue Rubin

as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein), in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one grantee does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And we do, for ourselves and for our heirs, executors and administrators, covenant with the said grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances;

that we have a good right to sell and convey the same as aforesaid; that we will, and our heirs, executors and administrators shall warrant and defend the same to the said grantees, their heirs, and assigns forever against the lawful claims of all persons.

In Witness Whereof, we have hereunto set our hands and seal,
this 11 day of February 1965

WITNESSES:

James F. Livingston

Henry Smith (Seal.)

Margie Smith (Seal.)

(Seal.)

(Seal.)

BOOK 234 PAGE 231

Exhibit
A

243-323

FORM 207-A

Seamus Davis

TO

Albion A.

WARRANTY DEED

JOINT GRANTEE WITH SURVIVORSHIP

STATE OF ALABAMA

County

Office of the Judge of Probate

I hereby certify that the within deed was
recorded in this office for record on the

day of 19

at o'clock M, and was duly re-

corded in Volume of Deeds

at page, and examined.

Judge of Probate.

1/14/5
195

State of

COUNTY

I, Willodene Jones, a Notary Public in and for said County, in said State, hereby certify that Henry Smith and wife, Margie Smith whose name are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11th day of February

Willodene Jones

19 65 12 01
Notary Public

State of

COUNTY

I, a Notary Public in and for said County, in said State, do hereby certify that on the day of 19, came before me the within named, known to me to be the wife of the within named who, being examined separate and apart from the husband touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraints, or threats on the part of the husband.

Given under my hand and official seal this the day of 19

As Notary Public

BOOK 234 PAGE 232

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 2/11/65

RECORDED & INDEXED
PD. ON THE INSTRUMENT

Com. H. S. ...
JUDGE OF PROBATE

MAY 2014

IG

JOINT GRANTEES WITH SURVIVORSHIP

County.

Thereby certify that the within deed was

Filed in this office for record on the _____


Day of 19.....

at 2 o'clock M, and was duly re-

Recorded in Volume of Deeds

at page _____, and examined.

Judge of Probate.


 I, Shirley Jones
 do hereby certify that
 whose name
 people me on this
 voluntarily on the

Hereby certify that William Lee Maxwell, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, has executed the same voluntarily on the day the same bears date.

W. Jones As Notary Public

I, _____, a Notary Public in and for said County, in said State,
do hereby certify that on the _____ day of _____, 19____, came before me
the within named _____, known to me
to be the wife of the within named _____ who, being examined
separate and apart from the husband touching her signature to the within conveyance, acknowledged that
she signed the same of her own free will and accord, and without fear, constraints, or threats on the part of
the husband.

...As Notary Public

4-10710-0000

BOOK 250 PAGE 814

Handwritten note: *Handwritten note: 10/10/10*

State of Alabama

Shelby

County

Know All Men By These Presents.

That in consideration of ^{One} thousand and fifty (1,050.00)

DOLLARS

to the undersigned grantor Bertie Lee Maxwell a widow

in hand paid by Harold A. Rubin and wife T. Sue Rubin

the receipt whereof is acknowledged I the said Bertie Lee Maxwell a widow

does grant, bargain, sell and convey unto the said Harold A. Rubin and wife T. Sue Rubin

as joint tenants, with right of survivorship, the following described real estate, situated in

Shelby County, Alabama, to-wit:

Lots 15, 16, & 17 according to "Maxwell's Addition to Elliottsville" being situated in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 14, Township 21, Range 3 W, as shown by Map recorded in Map Book 3, Page 118 in the Probate office of Shelby County, Alabama, and being more particularly described as follows: Begin at the NE corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 14, and run thence South, 2 degrees 30 minutes East 15 feet; Thence South 87 degrees 30 minutes West 287 feet to the intersection of the East line of 1st. Avenue with a Public Road; Thence along the Easterly line of 1st. Ave. in a Southwesterly direction 235 feet to the North most corner of Lot 15 in said Sub-division to the point of beginning of the Lots herein described; Thence South 67 degrees 30 Minutes East along the Northerly line of said Lot 15, run 150 feet to the Westerly line of an alley; Thence along said alley along the Easterly line of Lots 15, 16 and 17 run in a Southerly direction 150 feet to the Northerly line of an unnamed street in said Sub-division; Thence along the same, North 67 degrees 30 Minutes West 120 feet to the Southwest corner of Lot 17; Thence North 6 degrees 45 minutes West 58 feet to the Northwest corner of said Lot 17; Thence in a Northeasterly direction along the East line of 1st. Ave., 100 feet to the point of beginning.

TO HAVE AND TO HOLD Unto the said Harold A. Rubin and wife T. Sue Rubin

as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein), in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one grantee does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And I do, for myself and for my heirs, executors and administrators, covenant with the said grantees, their heirs and assigns, that I am lawfully seized in simple and undivided premises; that they are free from all encumbrances;

that I have a good right to sell and convey the same as aforesaid; that I will, and my heirs, executors and administrators shall warrant and defend the same to the said grantees, their heirs, and assigns forever against the lawful claims of all persons.

In Witness Whereof, I have hereunto set my hand and seal,

this 10 day of November

WITNESSES:

Bertie Lee Maxwell (Seal.)

BOOK 250 PAGE 813

Exhibit
B

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT WAS FILED
NOV 11 1930 9:28
C.C. FILE NUMBER OR
PAGE AS SHOWN ABOVE
JUDGE OF PROBATE

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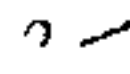
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