

**RESOLUTION NO. 1967-98**

**WHEREAS, The Water Works & Sewer Board of the City of Birmingham and District, Inc.** are the owners of all the property abutting or adjacent to the following described easement proposed to be vacated, situated in Shelby County, Alabama, to-wit:

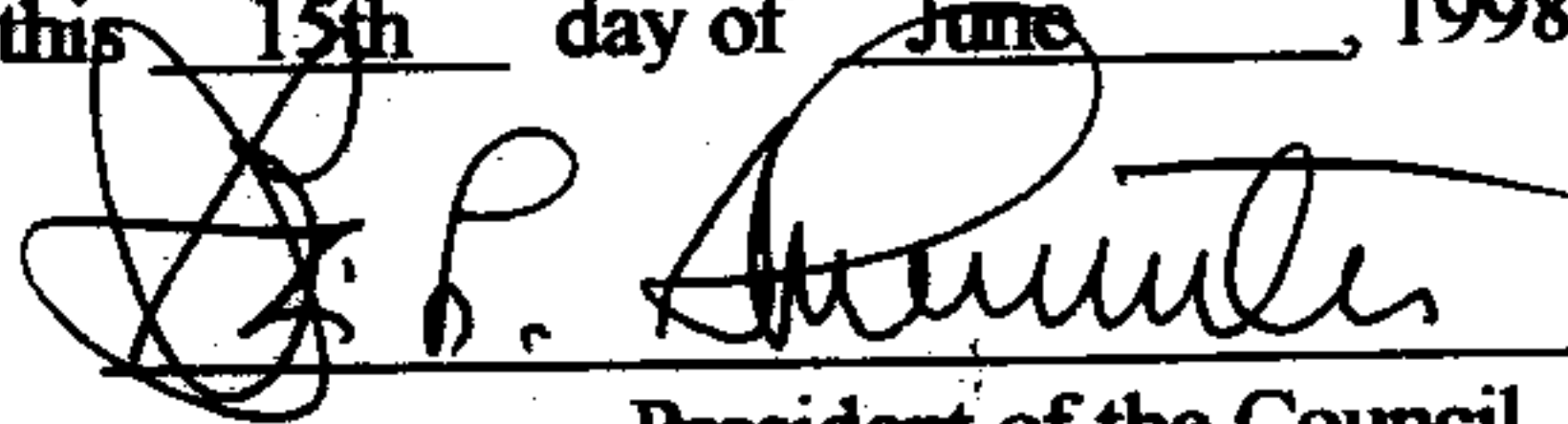
See Exhibit "A" attached

**WHEREAS,** the above owners are desirous of vacating 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, the owners of the described easement must provide convenient means of ingress and egress to and from the property 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 rights-of-way herein are hereby divested.

**DONE** this 15th day of June, 1998



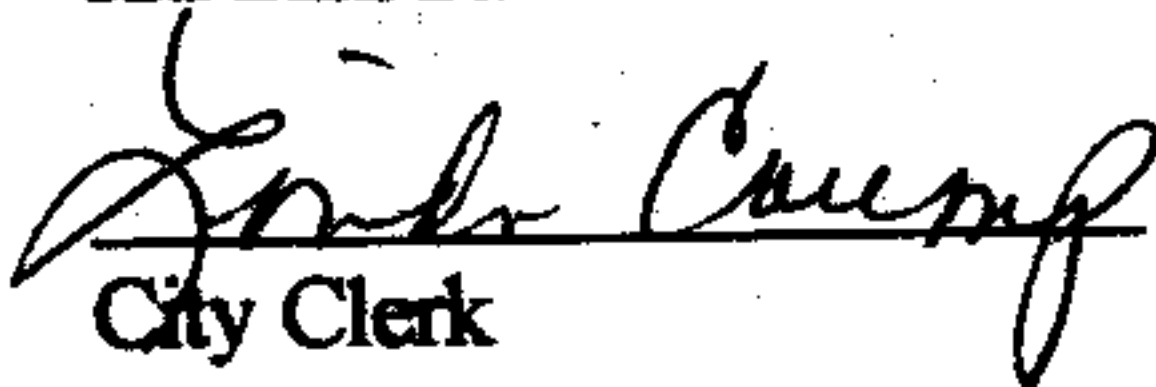
President of the Council  
Pro-Tempore

**APPROVED:**



Mayor

**ATTESTED BY:**



City Clerk

Inst # 1998-44127

11/06/1998-44127  
04:16 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE

004 CRH 16.00

### **EXHIBIT "A"**

A part of lot 1, School House Properties Subdivision as recorded in Map Book 20, Page 83 in the Probate Office of Shelby County, and situated in the S.W.1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Westernmost corner of said Lot 1, School House Properties Subdivision and run in a Northeasterly direction along the Northwest line of said Lot 1 a distance of 30.0 feet to a point; thence  $90^{\circ}00'$  to the right in a Southeasterly direction a distance of 30.0 feet to a point; thence  $90^{\circ}00'$  to the right in a Southwesterly direction a distance of 31.06 feet to a point on a curve to the left having a radius of 2944.79 feet and a central angle of  $0^{\circ}35'03''$ , said curve being the Northeastern Right-Of-Way of U.S. Highway 280; thence  $92^{\circ}18'23''$  to the right, angle measured to tangent, in a Northwesterly direction along said curve a distance of 30.02' to the POINT OF BEGINNING.

**APPLICATION FOR PARTIAL VACATION OF PUBLIC RIGHT-OF-WAY  
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,

A part of lot 1, School House Properties Subdivision as recorded in Map Book 20, Page 83 in the Probate Office of Shelby County, and situated in the S.W. 1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Westernmost corner of said Lot 1, School House Properties Subdivision and run in a Northeasterly direction along the Northwest line of said Lot 1 a distance of 30.0 feet to a point; thence 90°00' to the right in a Southeasterly direction a distance of 30.0 feet to a point; thence 90°00' to the right in a Southwesterly direction a distance of 31.06 feet to a point on a curve to the left having a radius of 2944.79 feet and a central angle of 0°35'03", said curve being the Northeastern Right-Of-Way of U.S. Highway 280; thence 92°18'23" to the right, angle measured to tangent, in a Northwesterly direction along said curve a distance of 30.02' to the POINT OF BEGINNING.

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 10th day of June, 1998.

BY: [Signature]  
For: The Water Works and Sewer Board of  
the City of Birmingham

BY: [Signature]  
For: Dantract, Inc.

Inst # 1998-44127

11/06/1998-44127  
04:16 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 CRH 16.00

## CERTIFICATION

I, Linda Crump, City Clerk of the City of Hoover, Ala., do hereby certify that the attached is a true and correct copy of **Resolution No.** 1967-98 which was adopted by the City Council of the City of Hoover on the 15<sup>th</sup> day of June, 1998.

  
Linda Crump, CMC/AAB  
City Clerk