

**RESOLUTION NO. 1944-98**

**WHEREAS, Fred L. Keith** 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:

Commence and begin at the Northernmost corner of Lot 30, Heatherwood Forest, Sector two, as recorded in Map Book 17, Page 129 in the office of the Judge of Probate of Shelby County, Alabama; thence run Southeasterly along the Southwesterly right of way of Bayhill Road a distance of twenty feet to a point being 210.04 feet Northwesterly of the Northeastern corner of Lot 30; thence run Southwesterly 1170 feet, more or less, to the centerline of Acton Creek; thence run Northwesterly along the centerline of Acton Creek to its intersection with the West line of Lot 30; thence run Northeasterly to a point of Intersection of the Northerly line of Lot 30 being 415.20 feet East of the northwest corner of Lot 30; thence continue Northeasterly along the Westerly line of Lot 30 a distance of 294.09 feet; thence left 6 degrees 55 minutes 09 seconds Northeasterly along the Westerly line of Lot 30 a distance of 163.39 feet to the Point of Beginning.

**WHEREAS,** the above owner is 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, 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 20<sup>th</sup> day of April, 1998

Barbara B. McCollum  
President of the Council

**APPROVED:**

[Signature]  
Mayor

**ATTESTED BY:**

[Signature]  
City Clerk

Inst # 1998-44128

11/06/1998-44128  
04:16 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CRH 13.50

4-13-1998 2:56PM FROM FINANCE ADMIN 285 444 7672 P.1

**APPLICATION FOR VACATION OF EASEMENT  
DEDICATED FOR PUBLIC PURPOSES**

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KNOW BY ALL THINGS 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 drainage 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,

Commence and Begin at the Northernmost Corner of Lot 30, Heatherwood Forest, Sector Two, as recorded in Map Book 17, Page 129 in the Office of the Judge of Probate of Shelby County, Alabama; thence run Southeasterly along the Southwesterly right of way of Bayhill Road a distance of twenty feet to a point being 210.04 feet Northwesterly of the Northeastern Corner of Lot 30; thence run Southwesterly 1170 feet, more or less, to the centerline of Action Creek; thence run Northwesterly along the centerline of Action Creek to its intersection with the West line of Lot 30; thence run Northeasterly to a point of intersection of the Northerly line of Lot 30 being 415.20 feet East of the northwest Corner of Lot 30; thence continue Northeasterly along the Westerly line of Lot 30 a distance of 294.09 feet; thence left 8°55'09" Northeasterly along the Westerly line of Lot 30 a distance of 163.39 feet to the Point of Beginning.

does (do) hereby declare the above drainage easement vacated and annulled, and all public rights and easements therein devoted to the property.

The undersigned owner(s) further declared that after vacation of the said drainage 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 herunto has signed and affixed its hand and seal this declaration of vacation on this the 13 day of APRIL 1998

BY: [Signature]


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

Inst # 1998-44128

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04:16 PM CERTIFIED  
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## 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.** 1944-98 which was adopted by the City Council of the City of Hoover on the 20<sup>th</sup> day of April, 1998.

  
Linda Crump, CMC/AAE  
City Clerk