

RESOLUTION 00-08-14-13

WHEREAS, Equine Partners, L.L.C, an Alabama limited liability company ("Equine"). Has executed a Declaration of Vacation, a copy of which is attached hereto as Attachment 2 vacating portions of Old Highway 280 in The Narrows which are legally described in Exhibits B & C attached to said Declaration (the "The Narrows Right-of-Ways"), which have heretofore been portions of a public road, and

WHEREAS, Equine is the sole owner of the land abutting said The Narrows Right-of-Ways, and

WHEREAS, the above referenced The Narrows Right-of-Ways are not located within the limits of any municipality, and

WHEREAS, convenient and reasonable means of ingress and egress to and from their respective properties is afforded to all other property owners by the remaining public way dedicated to the public for public way purposes, and

WHEREAS, the Shelby County Commission has determined that it is in the public interest for The Narrows Right-of-Ways to be vacated, and

WHEREAS, it is now desirable and expedient for the Shelby County Commission, being the Commission of the County in which such The Narrows Right-of-Ways are located, to join in and assent to the vacation of said The Narrows Right-of-Ways.

NOW, THEREFORE, be it resolved by the Shelby County Commission that the Shelby County Commission has determined that it is in the public interest that The Narrows Right-of-Ways, as described in Exhibit B & C of Attachment 2, be vacated as a public road; that the assent of the Shelby County Commission be and hereby is given and granted to the vacation of The Narrows Right-of-Ways as such are described in the above referenced Declaration of Vacation; and that said The Narrows Right-of-Ways be, and the same are hereby vacated by the Shelby County Commission as public roads and all rights of the public and all other persons, firms or corporations in and to said The Narrows Right-of-Ways are hereby divested."

The above said Resolution was introduced by Commissioner Acker at the regular meeting of the Shelby County Commission held in Columbiana, Alabama, on the 14th day of August, 2000, and the same having been read in full by the Chairman, it was moved by Member Acker and seconded by member Armstrong, that all rules governing the Shelby County Commission which might, unless suspended, prevent the passage and adoption of said Resolution at this meeting, be and the same are hereby suspended, prevent the passage and adoption of said Resolution at this meeting, be and the same are hereby suspended for the purpose of permitting

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11:25 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
008 MMB 26.00

said Resolution to be finally passed and adopted at this meeting.

Whereupon the Chairman put the question on said motion for suspension of the rules and on roll call the vote was as follows: Voting yes, Members Acker, Allison, Armstrong, Crockett, Dailey, Dillard and Thompson. Voting no, Members - None. Whereupon the Chairman declared said motion carried and the rules suspended.

Member Acker then moved that said Resolution be now placed before the Shelby County Commission for final passage and that it be finally passed and adopted as introduced, the roll was called and the vote was as follows: Voting Yes - Unanimous.

The Chairman then declared said motion carried and Resolution finally passed and adopted.

**This signature shall denote that this is a certified copy of
Resolution 00-08-14-13 passed at the Shelby County Commission
meeting August 14, 2000.**

A handwritten signature in black ink, appearing to read "Alex Dudchock", written over a horizontal line.

Alex Dudchock
County Manager

STATE OF ALABAMA)
)
SHELBY COUNTY)

DECLARATION OF VACATION

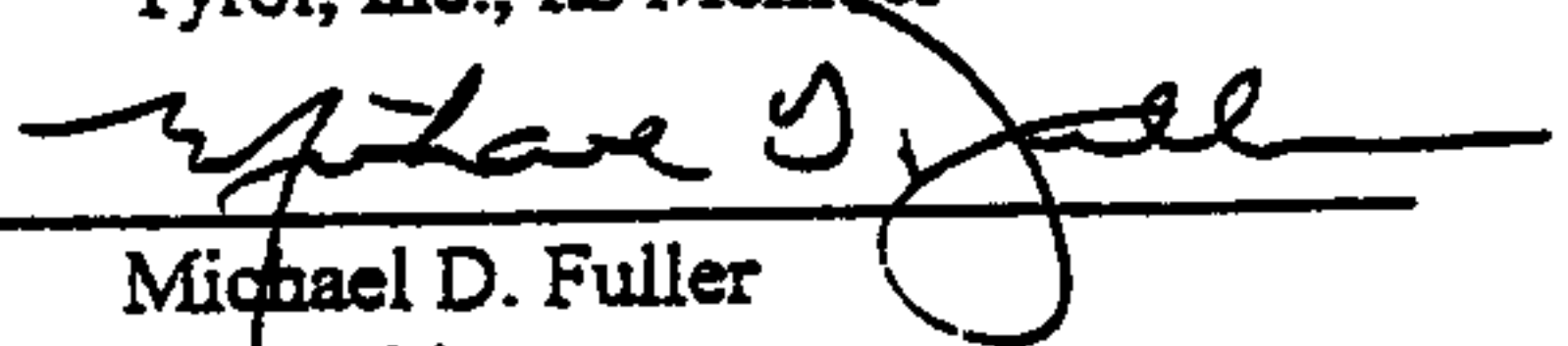
The undersigned EQUINE PARTNERS, L.L.C., an Alabama limited liability company ("Equine"), as the sole owner of all the real property abutting those public right-of-ways described in Exhibit B and Exhibit C attached hereto and made part and parcel hereof as fully as if set out herein (collectively Exhibit B and Exhibit C are "The Narrows Right-of-Ways"), does hereby declare vacated and divested out of the public The Narrows Right-of-Ways so as to divest all public rights, including any rights which may have been acquired by prescription or dedication, in and to said The Narrows Right-of-Ways.

Such vacation of said The Narrows Right-of-Ways shall and will not deprive other property owners of such right as they may have to convenient and reasonable means of ingress and egress to and from their property, such right being afforded by the remaining public ways dedicated to the public for public way purposes.

IN WITNESS WHEREOF, the undersigned EQUINE PARTNERS, L.L.C., an Alabama limited liability company, does hereby set its hand and seal as of the 30th day of September, 1999.

EQUINE PARTNERS, L.L.C.,
an Alabama limited liability company

By: Tyrol, Inc., Its Member

By: 

Michael D. Fuller
Its President

ATTACHMENT 2

13

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Michael D. Fuller, whose name as President of Tyrol, Inc., an Alabama corporation, as Member of Equine Partners, LLC, an Alabama limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as Member as aforesaid.

Given under my hand and seal this the 30th day of September, 1999.

[SEAL]

Mary Beullette Johnson
Notary Public

My commission expires:

7/24/2001

82687

THE NARROWS RIGHT-OF-WAYS**EXHIBIT "B"****LEGAL DESCRIPTION**

Also a part of the NW 1/4 of NE 1/4, Section 20, T-19-S, R-1-W on Project No. F-214 (19) in Shelby County, Alabama and being more fully described as follows: Commencing at the northwest corner of said NW 1/4 of NE 1/4; thence easterly along the north line of said NW 1/4 of NE 1/4 a distance of 167 feet, more or less, to the present northwest right-of-way line of U.S. Highway No. 280; thence southeasterly along said present northwest right-of-way line a distance of 141 feet, more or less, to a point that is 255 feet southwesterly of and at right angles to the centerline of said project at Station 369+00; thence southeasterly along a line (which if extended would intersect a point on the present northwest right-of-way line of Old U.S. Highway No. 280 that is westerly of and at right angles to the traverse of Old U.S. Highway No. 280 at Station 1217+35) a distance of 57.80 feet to a point that is southwesterly of and at right angles to the centerline of said project at Station 369+58 and the point of beginning of the property herein to be conveyed; thence easterly along a line a distance of 139.29 feet to a point that is 150 feet southwesterly of and at right angles to said centerline at Station 370+15; thence S31°-33'-44"E, parallel with said centerline, a distance of 451.44 feet to a point that is 150 feet southwesterly of and at right angles to said centerline at Station 374+66; thence northwesterly along a line a distance of 160.72 feet to a point on the present southeast right-of-way line of Old U.S. Highway No. 280 that is easterly of and at right angles to the traverse of said highway at Station 1217+00; thence northwesterly along a line a distance of 105.95 feet to a point on the present northwest right-of-way line of said highway that is westerly of and at right angles to said traverse at Station 1217+35; thence northwesterly along a line a distance of 299.29 feet to the point of beginning and containing 0.91 acre, more or less.

The above referenced legal description is depicted on the survey designated as Exhibit "B" attached hereto and made a part hereof.

THE NARROWS RIGHT-OF-WAYS

EXHIBIT "C"

LEGAL DESCRIPTION

**STATE OF ALABAMA
SHELBY COUNTY**

A parcel of land situated in the Northwest 1/4 of the Northeast 1/4 of Section 20, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of the Northwest 1/4 of the Northeast 1/4 of said section 20; thence run in an Easterly direction along the North line of said 1/4-1/4 section, on a bearing of N 89°49'41" E, a distance of 121.99 feet to a point on the Westerly right-of-way of U. S. Highway 280; thence turn an angle to the right and run in a Southeasterly direction along said right-of-way on a bearing of S 08°48'29" E, a distance of 64.84 feet to a point; thence turn an angle to the left and continue along said right-of-way on a bearing of S 30°13'29" E, a distance of 363.15 feet to the POINT OF BEGINNING of the parcel herein described, said point also being on the Westerly right-of-way of County Highway 280; thence turn an angle to the left and run in a Southeasterly direction along the common line of U. S. 280 right-of-way and County Highway 280 right-of-way on a bearing of S 59°51'00" E, a distance of 105.95 feet to a point; thence turn an angle to the right and run in a Southwesterly direction along the East line of said county right-of-way on a bearing of S 10°51'42" W, a distance of 49.62 feet to a point; said point being beginning of a curve to the left; thence continue along said county right-of-way along the arc of said curve having a radius 676.86 feet and a central angle of 34° 56'41" a chord bearing of S 6°36'38" E, an arc distance of 412.82 feet to a point; thence turn an angle to the right and run in a Northwesterly direction along the proposed Northeasterly right-of-way of relocated County Highway 280 on a bearing of N 31° 03'07" W, a distance of 266.37 feet to a point, said point being on a curve to the right; thence turn an angle to the right and run along the West line of said County right-of-way, along the arc of said curve, having a radius of 756.86 feet, a central angle of 14°29'51", a chord bearing of N 3°36'47" E, an arc distance of 191.51 feet to a point; thence turn an angle to the left and run in a Northwesterly direction along said right-of-way on a bearing of N 79°08'18" W, a distance of 20.00 feet; thence turn an angle to the right and run in a Northeasterly direction along said right-of-way on a bearing of N 10°51'42" E, a distance of 84.62 feet to the POINT OF BEGINNING, said parcel containing 0.616 acres more or less.

The above referenced legal description is depicted on the survey designated as Exhibit "C" attached hereto and made a part hereof.

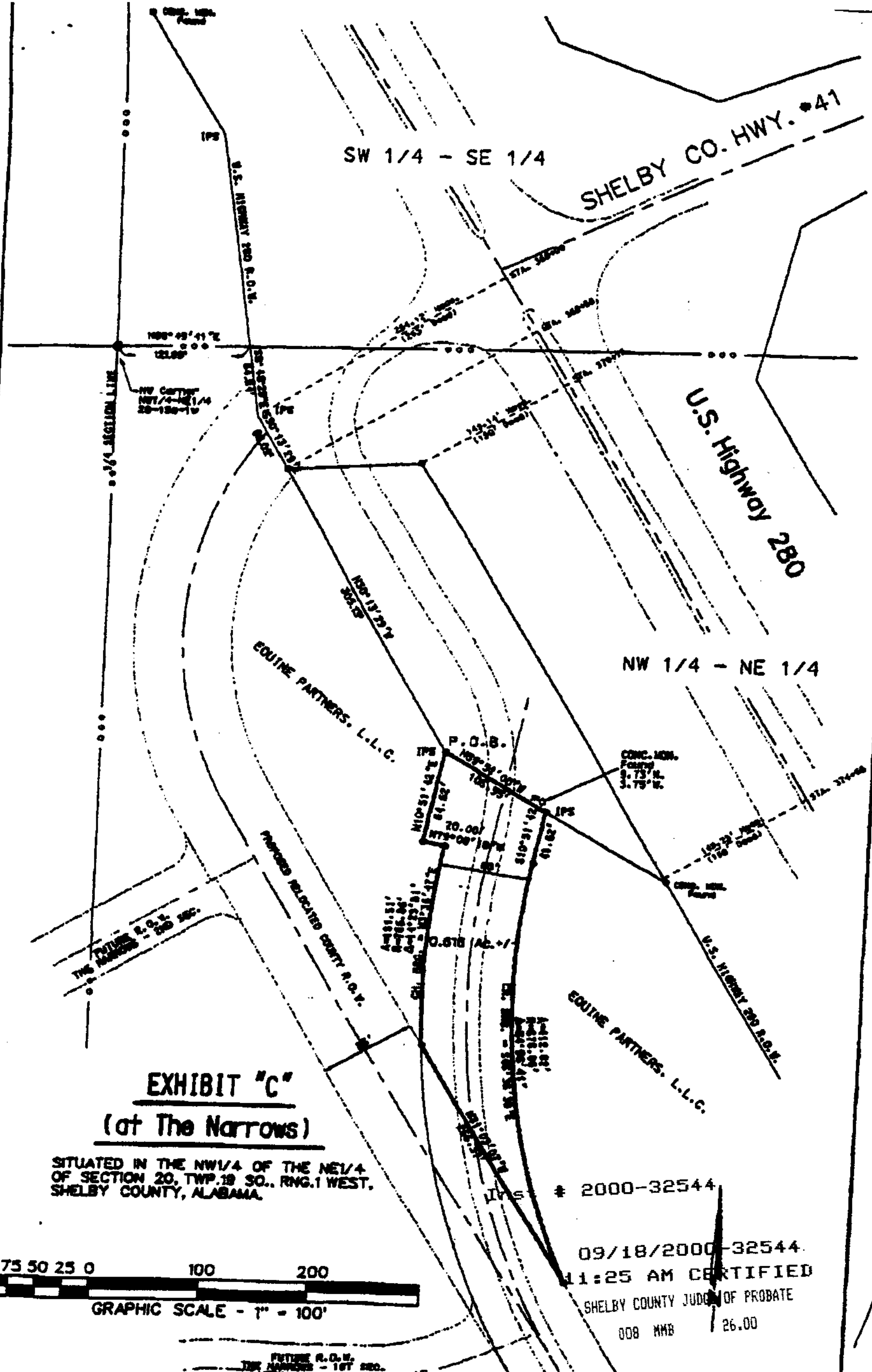


EXHIBIT "C"
(at The Narrows)

SITUATED IN THE NW 1/4 OF THE NE 1/4
OF SECTION 20, TWP. 19 SO., RNG. 1 WEST,
SHELBY COUNTY, ALABAMA.



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