

**RESOLUTION NO. 2090-99**

**WHEREAS, Daniel Oak Mountain Limited Partnership** is the owner of all the property abutting or adjacent to the following described right of way proposed to be vacated, situated in Shelby County, Alabama, to-wit:

An easement to be vacated in Lot 40, Greystone 7<sup>th</sup> Sector Phase IV, as recorded in Map Book 21 on Pages 38 A & B, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

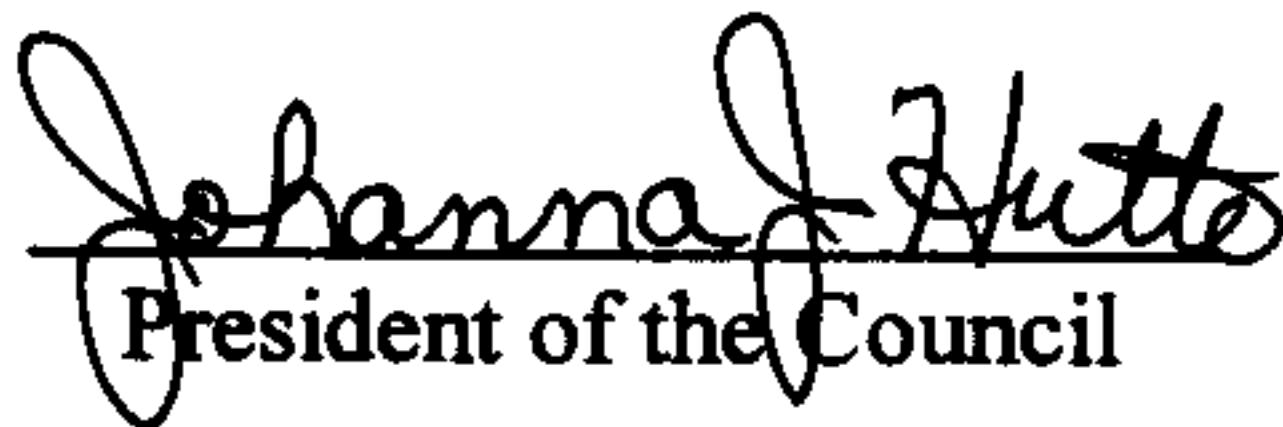
Commence at the Southeast corner of said Lot 40; thence run in a Northeasterly direction along the Southeast line of said Lot 40 and also along the Northwest line of Lot 41 in said Greystone 7<sup>th</sup> Sector Phase IV for a distance of 109.74 feet to the point of beginning; thence continue along last stated course for a distance of 47.99 feet to a point 10 feet from the Northeast line of said Lot 40; thence turn an angle to the left of 87 degrees, 13 minutes, 49 seconds and run in a Northwesterly direction 10 feet from and parallel to the Northeast line of said Lot 40 for a distance of 30.13 feet to a point; thence turn an angle to the left of 90 degrees, 00 minutes, 00 seconds and run in a Southwesterly direction for a distance of 63.00 feet to a point; thence turn an angle to the right of 20 degrees, 25 minutes, 44 seconds and run in a Southwesterly direction for a distance of 63.15 feet to a point; thence turn an angle to the left of 71 degrees, 51 minutes, 03 seconds and run in a Southerly direction for a distance of 20.00 feet to a point; thence turn an angle to the left of 104 degrees, 26 minutes, 35 seconds and run in a Northeasterly direction for a distance of 95.03 feet to the point of beginning. Said vacated easement containing 3,458 square feet, more or less.

**WHEREAS,** the above owner is desirous of vacating a portion of said right of way 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;

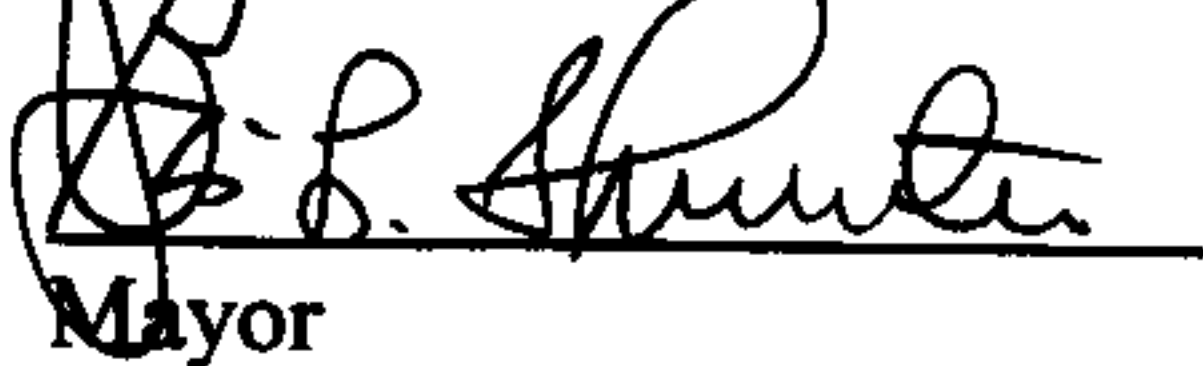
After vacation of the above described right of way, convenient means of ingress and egress to and from the property will be afforded to all other property owners owning property in or near the tract of land embraced in said map, plat or survey.

**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 right of way 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 15th day of March, 1999.

  
President of the Council

**APPROVED:**

  
Mayor

**ATTESTED BY:**

  
City Clerk

Inst # 2001-44690

10/16/2001-44690  
08:35 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CH 17.00

**CERTIFICATION**

I, Margie Handley, Assistant City Clerk for the City of Hoover, Alabama, hereby certify that the attached is a true and correct copy of **Resolution No.** 2090-99 which was adopted by the City Council of the City of Hoover on the 15<sup>th</sup> day of March, 1999.

Margie Handley  
Margie Handley  
Assistant City Clerk

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**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 Storm Sewer 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,

An easement to be vacated in Lot 40, Greystone 7<sup>th</sup> Sector Phase IV, as recorded in Map Book 21 on Pages 38 A & B, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of said Lot 40; thence run in a Northeasterly direction along the Southeast line of said Lot 40 and also along the Northwest line of Lot 41 in said Greystone 7<sup>th</sup> Sector Phase IV for a distance of 109.74 feet to the point of beginning; thence continue along last stated course for a distance of 47.99 feet to a point 10 feet from the Northeast line of said Lot 40; thence turn an angle to the left of 87 degrees, 13 minutes, 49 seconds and run in a Northwesterly direction 10 feet from and parallel to the Northeast line of said Lot 40 for a distance of 30.13 feet to a point; thence turn an angle to the left of 90 degrees, 00 minutes, 00 seconds and run in a Southwesterly direction for a distance of 63.00 feet to a point; thence turn an angle to the right of 20 degrees, 25 minutes, 44 seconds and run in a Southwesterly direction for a distance of 63.15 feet to a point; thence turn an angle to the left of 71 degrees, 51 minutes, 03 seconds and run in a Southerly direction for a distance of 20.00 feet to a point; thence turn an angle to the left of 104 degrees, 26 minutes, 35 seconds and run in a Northeasterly direction for a distance of 95.03 feet to the point of beginning. Said vacated easement containing 3,458 square feet, more or less.

does (do) hereby declare the above Storm Sewer 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 Storm Sewer 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 17<sup>th</sup> day of February, 1999.

*Judith Ann Lawson  
My Commission expires  
February 17, 2002*

BY: Bata Weeks, President  
Weeks Engineering Construction & Consulting, LLC  
LOT 40

BY: [Signature]  
DIXIE L. GALE MOUNTAIN  
LOT 4 10/15/2001-44890  
08:35 AM CERTIFICATE  
SHELBY COUNTY JUDGE OF PROBATE  
003 CH 17.00