

RESOLUTION NO. 2549-01

WHEREAS, The City of Hoover 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:

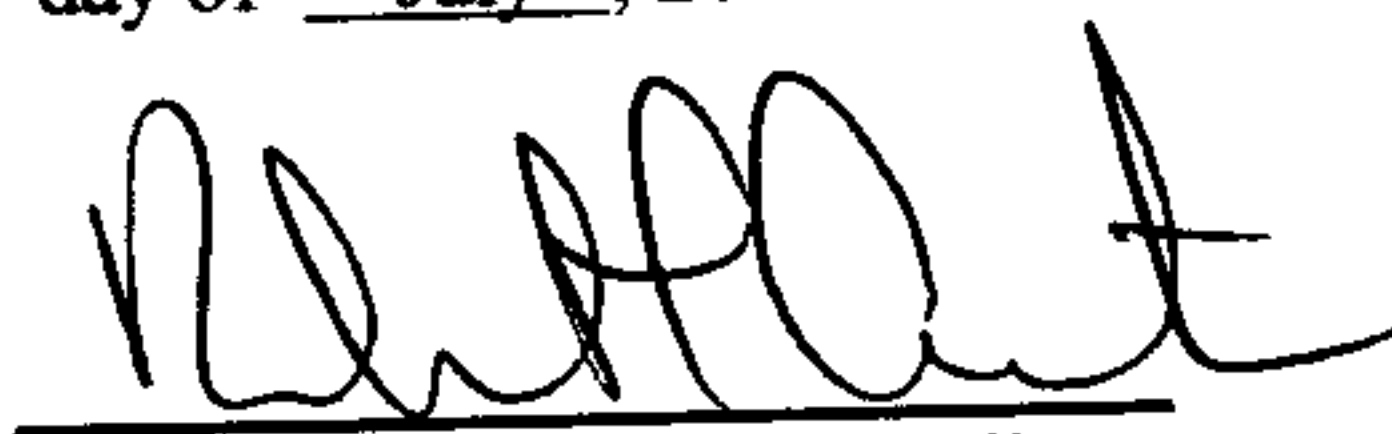
SEE ATTACHED EXHIBIT "A"

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, 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 easement 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 16th day of July, 2001.



President of the Council

APPROVED:



Mayor

ATTESTED BY:



City Clerk

Inst # 2001-47997

11/06/2001-47997
12:06 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 CH 23.00

EXHIBIT "A"**ACCESS EASEMENT TO BE VACATED**

An Access Easement 20 feet in width as depicted on the plat of Colonial Promenade Hoover Phase I as recorded in Map Book 28, Page 12 in the Probate Office of Shelby County, Alabama (also recorded in Map Book 35, Page 56 in the Probate Office of Jefferson County, Alabama – Bessemer Division), being more particularly described as follows:

Commence at the Northwest Corner of the NE 1/4 of the NW 1/4 of Section 26, Township 19 South, Range 3 West and run in a Southerly direction along the West line of said 1/4-1/4 section a distance of 225.46 feet to a point; thence $37^{\circ}24'53''$ to the left in a Southeasterly direction a distance of 24.48 feet to a point on the property boundary of Lot 1, Colonial Promenade Hoover Phase I; thence continue along the last described course in a Southeasterly direction along the property boundary of said Lot 1 a distance of 30.88 feet to a point; thence $79^{\circ}09'40''$ to the left in a Northeasterly direction along the Northwestern property boundary of said Lot 1 a distance of 131.22 feet to the POINT OF BEGINNING of the parcel herein described; thence $90^{\circ}00'00''$ to the right in a Southeasterly direction a distance of 20.00 feet to a point; thence $90^{\circ}00'00''$ to the right in a Southwesterly direction a distance of 119.27 feet to the P.C. (point of curve) of a curve to the left having a radius of 55.00 feet and a central angle of $60^{\circ}21'09''$; thence in a Southwesterly direction along the arc of said curve a distance of 57.93 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southwesterly direction a distance of 76.69 feet to a point on the Northwestern right-of-way line of Cahaba River Estates Drive (Shelby County Highway #271), said point also lying on a curve to the left having a radius of 194.86 feet and a central angle of $7^{\circ}23'07''$; thence $130^{\circ}51'47''$ to the right (angle measured to tangent) along the arc of said curve and the Northeasterly right-of-way line of said Cahaba River Estates Drive (Shelby County Highway #271) a distance of 25.12 feet to a point; thence $56^{\circ}31'19''$ to the right (angle measured to tangent) in a Northeasterly direction a distance of 61.53 feet to the P.C. (point of curve) of a curve to the right having a radius of 75.00 feet and a central angle of $60^{\circ}21'09''$; thence in a Northeasterly direction along the arc of said curve a distance of 79.00 feet to the P.T. (point of tangent) of said curve, said point lying on the Northwestern property boundary of said Lot 1; thence tangent to said curve in a Northeasterly direction along the Northwestern property boundary of said Lot 1 a distance of 119.27 feet to the Point of Beginning.

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. 2549-01** which was adopted by the City Council of the City of Hoover on the 16th day of July, 2001.


Margie Handley
Assistant City Clerk

**APPLICATION FOR VACATION OF EASEMENT
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,

See Exhibit "A"

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 16th day of July, 2001.

BY: Barbara B. McCallum
Mayor, City of Hoover

BY: _____

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