

This instrument prepared by:

✓ James W. Fuhrmeister (File)
ALLISON, MAY, ALVIS, FUHRMEISTER,
KIMBROUGH & SHARP, L.L.C.
P. O. Box 380275
Birmingham, AL 35238

DECLARATION OF VACATION OF PUBLIC EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, **ERNEST A. JOSEPH** is the owner of all the property abutting or in any way served by the property herein described and the public easement situated thereon, and owns all the lands abutting on or touching said property, and is desirous of vacating said public easement over and across the property herein described, as provided for by Alabama law.

NOW THEREFORE, the undersigned, being the owner of all the lands abutting on the following described property and the public easement situated thereon:

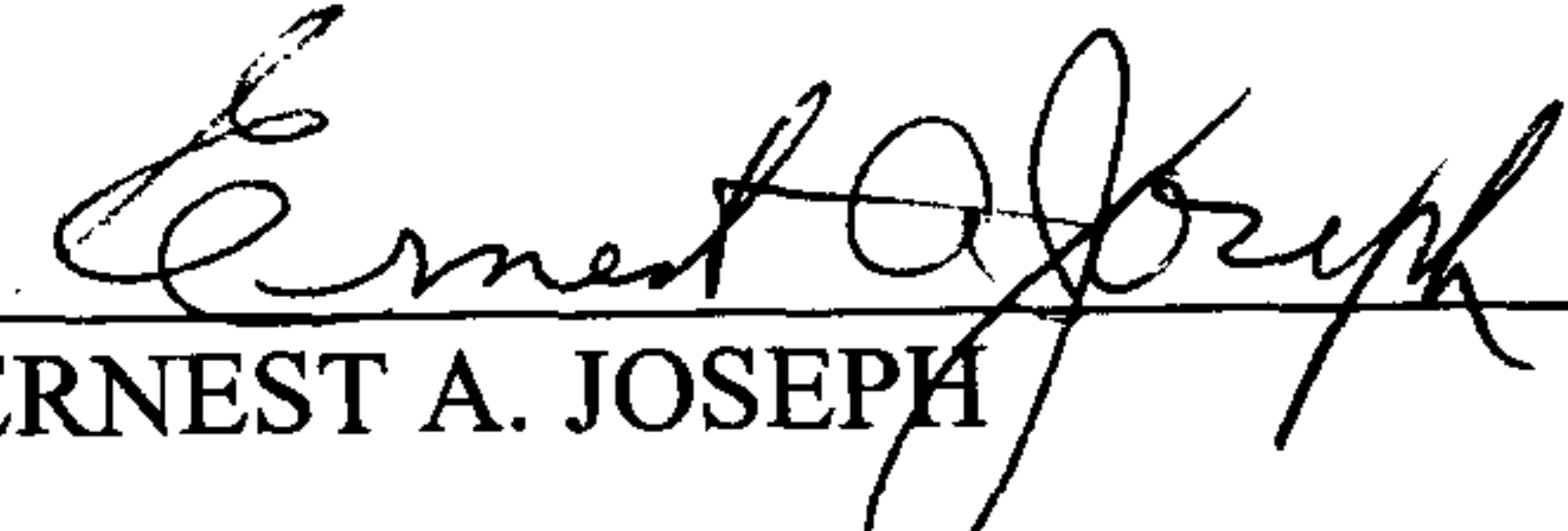
The following description describes that portion of an existing easement to be vacated which is currently a 30 feet wide along WYNGATE LANE and 75 feet wide along the fifty foot building line located on Lot 4, Block 4, AMENDED MAP OF WYNGATE – FIRST SECTOR, as shown on the map or plat thereof, recorded in Map Book 12, Page 1, in the Office of the Judge of Probate of Shelby County, Alabama, the vacation area of the easement is described as follows:

Commence at the Northwest Corner of Lot 4, Block 4, AMENDED MAP OF WYNGATE – FIRST SECTOR, as shown on the map or plat thereof, recorded in Map Book 12, Page 1, in the Office of the Judge of Probate of Shelby County; thence run East along the North line of Lot 4 a distance of 40 feet to the Point of Beginning of the vacated portion of the easement; thence 90°00'00" right Southerly parallel to and forty feet from the Easterly right of way line of WYNGATE LANE a distance of 45 feet; thence Northwesterly 47 feet, more or less, to a point being twenty feet South of the Northwest Corner of Lot 4 and along the East right of way line of WYNGATE LANE; thence run Southerly 10 feet along the East right of way line of WYNGATE LANE; thence Southeasterly 60 feet, more or less, to a point being fifty feet from the Easterly right of way line of WYNGATE LANE and seventy five feet from the North line of Lot 4; thence run Northerly, parallel to and fifty feet from the Easterly right of way line of WYNGATE LANE a distance of 75 feet to the North line of Lot 4; thence 90°00'00" left Westerly 10 feet to the Point of Beginning of the vacated portion of the easement.

Situated in Shelby County, Alabama.

does hereby declare the above property and the public easement situated thereon vacated and annulled, and all public rights and easements therein divested of the property.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal this the 11th day of October, 2002.


ERNEST A. JOSEPH

STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that ERNEST A. JOSEPH, whose name is signed to the foregoing declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the declaration, he executed the same voluntarily.

Given under my hand and official seal, this the 11th day of October, 2002.


NOTARY PUBLIC
My Commission Expires: MY COMMISSION EXPIRES JULY 9, 2005