


STATE OF ALABAMA)
)
SHELBY COUNTY)


20021216000627350 Pg 1/4 20.00
Shelby Cnty Judge of Probate, AL
12/16/2002 11:58:00 FILED/CERTIFIED


DECLARATION OF VACATION AND RELEASE
OF A PORTION OF PUBLIC EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that pursuant to Resolution #02-12-09-06 of the County Commission of Shelby County, Alabama, **MICHAEL J. HARRIS and wife, CYNDEE D. W. HARRIS**, being the owners of Lot 10 as shown on that Plat and Survey of Sunny Meadows, Third Sector, as recorded in Map Book 9, Pages 91A & B, in the Probate Office of Shelby County, Alabama, do hereby (i) fully vacate and release that certain 2 foot wide westernmost strip of real property in the public easement running from north to south on Lot 10 as shown on the aforesaid plat, which 2 foot wide parcel is more particularly described in **Exhibit "A"** attached hereto and graphically shown on **Exhibit "B"**, from the operation and effect of said easement (the "Released Premises") and (ii) declare the said Released Premises and public easement situated thereon vacated and annulled, and all public rights and easements therein divested of the Released Premises. The intent of this instrument is to terminate and vacate the easement with respect to the Released Premises. As to the remaining property encumbered by said easement, the easement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the undersigned being the owners of all the land abutting the Released Premises have executed this Declaration of Vacation and Release of a Portion of Public Easement this 9th day of December, 2002.



MICHAEL J. HARRIS



CYNDEE D. W. HARRIS

THIS INSTRUMENT PREPARED BY:


Sandy S. Sparrow
✓ Berkowitz, Lefkovits, Isom & Kushner, P.C.
420 North 20th Street
Suite 1600, SouthTrust Tower
Birmingham, Alabama 35203-5202

STATE OF ALABAMA)
)
Shelby COUNTY)

I, the undersigned, a Notary Public, hereby certify that **MICHAEL J. HARRIS**, whose name is signed to the foregoing Declaration of Vacation and Release of a Portion of Public Easement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Declaration of Vacation and Release of a Portion of Public Easement, he executed the same voluntarily on the day the same bears date.

Given under my hand this 4th day of December, 2002.

[NOTARIAL SEAL]


Notary Public DEBORAH CRANE
My Commission Expires: ~~Notary Public, Alabama, State At Large~~
My Commission Expires August 22, 2004

STATE OF ALABAMA)
)
Shelby COUNTY)

I, the undersigned, a Notary Public, hereby certify that **CYNDEE D. W. HARRIS**, whose name is signed to the foregoing Declaration of Vacation and Release of a Portion of Public Easement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Declaration of Vacation and Release of a Portion of Public Easement, she executed the same voluntarily on the day the same bears date.

Given under my hand this 4th day of December, 2002.

[NOTARIAL SEAL]



Notary Public DEBORAH CRANE
My Commission Expires: ~~Notary Public, Alabama, State At Large~~
My Commission Expires August 22, 2004

EXHIBIT "A"

RELEASED PREMISES

Part of Lot 10, Sunny Meadows Third Sector, as recorded in Map Volume 9, Pages 91 A & B, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

From an existing ½" crimp iron pin being the locally accepted southeast corner of said Lot 10, run in a westerly direction along the south line of said Lot 10 for a distance of 22.0 feet to the point of beginning; thence continue in a westerly direction along last mentioned course for a distance of 2.0 feet to the edge of an existing easement; thence turn an angle to the right of 87° 51' 9" and run in a northerly direction along the edge of said easement for a distance of 160.11 feet, more or less, to a point of intersection of the edge of a 10 foot easement along the rear line of said lot; thence turn an angle to the right of 92° 08' 51" and run in an easterly direction for a distance of 2.0 feet; thence turn an angle to the right of 87° 51' 09" and run in a southerly direction along a line 2 feet east of and parallel with the edge of the existing easement line aforementioned for a distance of 160.11 feet, more or less, to the point of beginning.

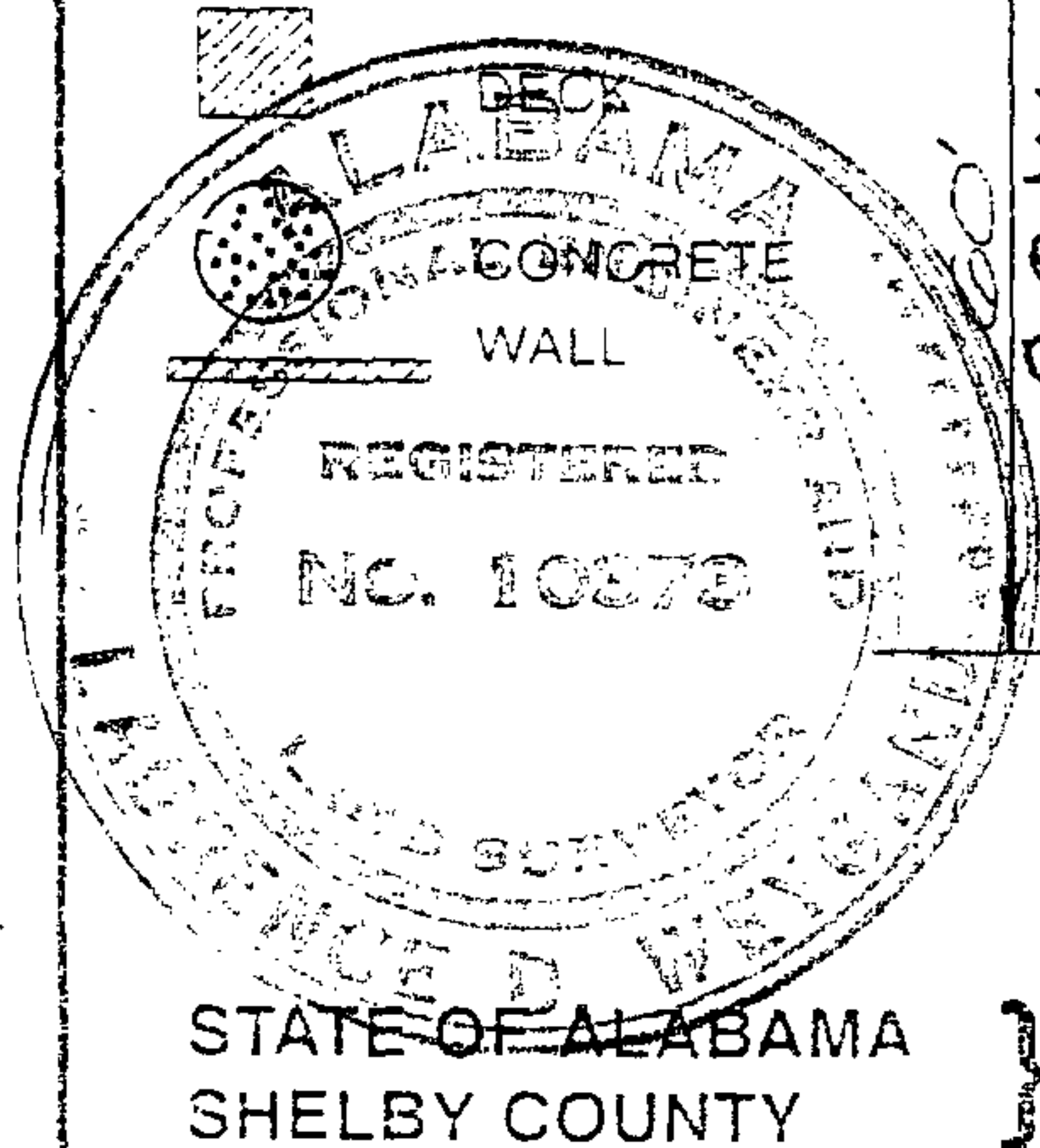
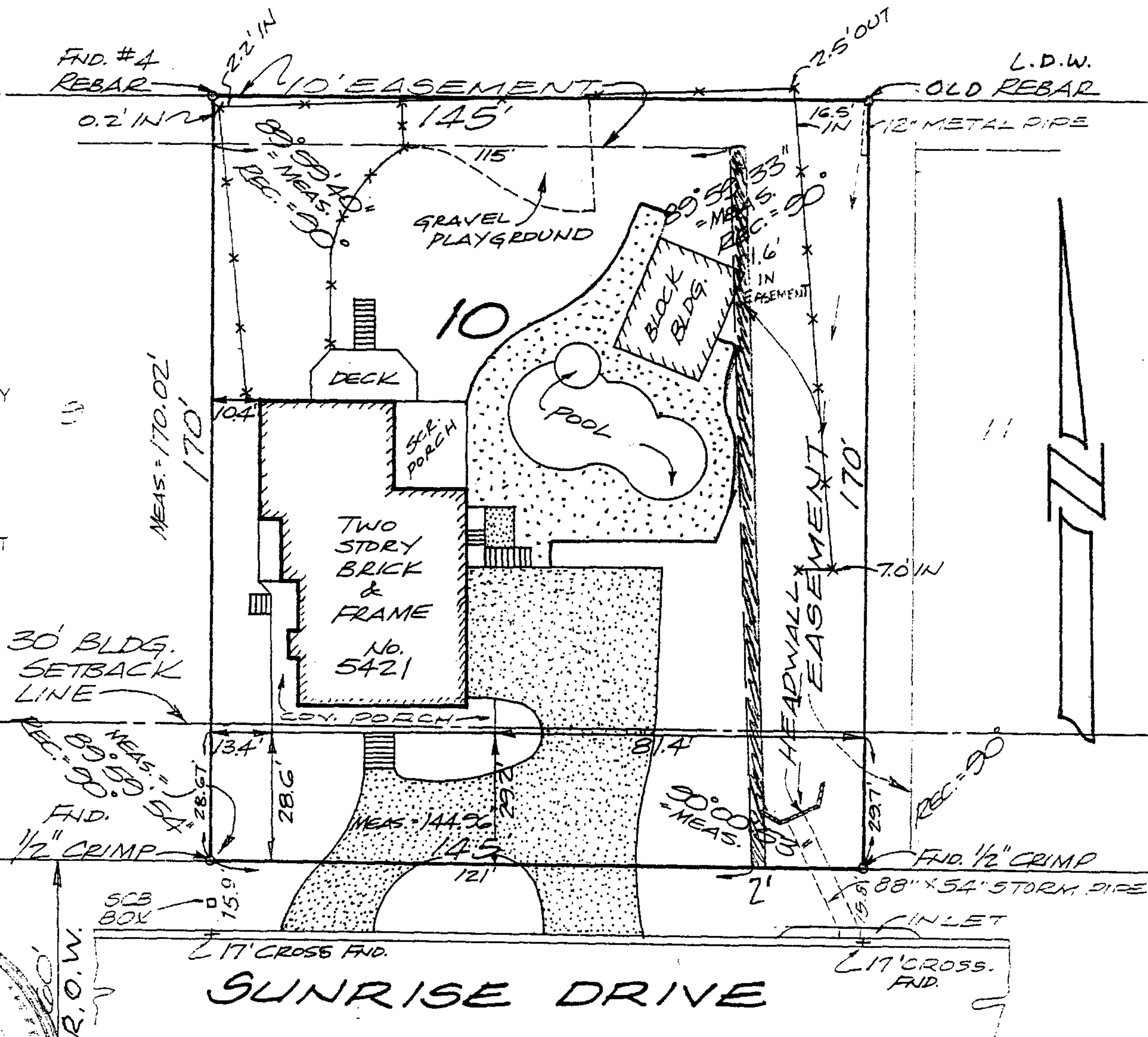
Situated in Shelby County, Alabama.

LEGEND

ASPH	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG CH	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT.	EASEMENT
HW	HEADWALL
MIN	MINIMUM
MH	MANHOLE
OH	OVERHANG
POR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAN	SANITARY
STM	STORM
UTIL	UTILITY
AC.	ACRES
S.F.	SQUARE FEET
CL	CENTERLINE
●	POLE
—	ANCHOR
—	FENCE
—	POWER LINE
PVMT	PAVEMENT
W	WITH
TAN	TANGENT
RES	RESIDENCE
o LGT	LIGHT
COV	COVERED

EXHIBIT B

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AS-BUILT SURVEY

SCALE: 1" = 40'

I, Laurence D. Weygand, a registered Engineer - Land Surveyor, certify that I have surveyed Lot 10, Block 10, Sunny Meadows 3rd Sector, as recorded in Map Volume 9, Page 91 A & B in the office of the Judge of Probate, Shelby County, Alabama, that there are no rights-of-way, easements, or joint driveways over or across said land visible on the surface except as shown, that there are no electric or telephone wires (excluding wires which serve premises only) or structures or supports therefor including poles, anchors and guy wires, on or over said premises except as shown, that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is not located in "a special flood hazard area", that there are no encroachments on said lot except as shown, that improvements are located as shown above, that this survey meets the minimum technical standards for surveys as required by the State of Alabama (using 14" long #5 iron rebars); and that the correct address is as follows: 5421 Sunrise Drive, according to my survey of: OCT. 25, 2002.

Survey invalid if not sealed in red.

Flood Zone "C"

Community Panel No.:

Laurence D. Weygand, Reg. P.E. & L.S. #10373

169 Oxmoor Road, Birmingham, AL 35209

PH: 942-0086 FAX: 942-0087

Order No.

41578

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