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Shelby Cnty Judge of Probate, AL
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This Instrument Prepared By:

James W. Fuhrmeister
ALLISON, MAY, ALVIS, FUHRMEISTER
KIMBROUGH & SHARP, L.L.C.
P. O. Box 380275
Birmingham, AL 35238
(205) 991-6367

DECLARATION OF VACATION OF STREET, HIGHWAY OR RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, ROY H. HOLLADAY, II and CATHY W. HOLLADAY are the owners of all the property abutting or in any way served by the property herein described and the road, street or highway situated thereon, and owns all the lands abutting on or touching said property, and is desirous of vacating said public road, street, highway or right-of-way over and across the property herein described, as provided for by §23-4-20, *Code of Alabama*, 1975.

NOW THEREFORE, the undersigned, being the owners of all the lands abutting on the following described property and the road, street or highway situated thereon:

That portion of a public road designated as Shelby County Highway 57 commencing at the intersection of the said Shelby County Highway 57 and Kelly Creek in Section 11, Township 18 South, Range 2 East and continuing South along the said Shelby County Highway 57 in Section 11, Township 18 South, Range 2 East until it intersects with the North boundary line of that certain Non-Exclusive Private Road Easement granted to Thomas Matthew Zopfi, III and Marianne A. Zopfi by Kimberly-Clark Corporation and more particularly described in Instrument # 1992-27937 in the Probate Office of Shelby County, Alabama. Situated in Shelby County, Alabama.

do hereby declare the above property and the road, street or highway situated thereon vacated and annulled, and all public rights and easements therein divested of the property subject, however, to all existing rights-of-way or easements for public utilities and to all utility facilities presently situated in said area vacated hereby.

The undersigned owners do hereby further declare that after vacation of the said public street and alley located as described above, 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 by the said map, plat or, survey, wherein the above

described property was dedicated for public purposes.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal this the
23 day of April, 2003.



ROY H. HOLLADAY, II




CATHY W. HOLLADAY

STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that ROY H. HOLLADAY, II, whose name 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 declaration, he executed the same voluntarily for and as his act on the day the same bears date.

Given under my hand and official seal, this the 23rd day of April, 2003.




NOTARY PUBLIC
My Commission Expires: 2-2-05

STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that CATHY W. HOLLADAY, whose name 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 declaration, she executed the same voluntarily for and as her act on the day the same bears date.

Given under my hand and official seal, this the 23rd day of April, 2003.



NOTARY PUBLIC
My Commission Expires: 2-2-05