

## RESOLUTION NO. 2928-03

**WHEREAS, William R. McCrite** is the owner of all the property abutting or adjacent to the following easement proposed to be vacated, situated in Shelby County, Alabama, to-wit:

A 10 ft. easement to be vacated.

Situated in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 9, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

A 10 ft. easement lying 5 ft. either side and parallel to the following described centerline:

Begin at the Easterly most corner of Lot 7-B of 1<sup>st</sup> amended final plat of Heatherwood 9<sup>th</sup> Sector, Phase 2, as recorded in Map Book 19 Page 158, said point being the point of beginning: Thence run Southwesterly along the Southerly line of Lot 70B a distance of 168.97; thence turn an angle to the left of 25 degrees 01 minute 47 seconds and run Southwesterly along the Southerly line of said Lot 7-B for a distance of 16.67 to the point of termination.

**WHEREAS,** the above owner is desirous of vacating of said partial public 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 the owner of the described easement must provide convenient means of ingress and egress to and from the property 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 rights-of-way herein are hereby divested.

**ADOPTED** this 19th day of May 2003.



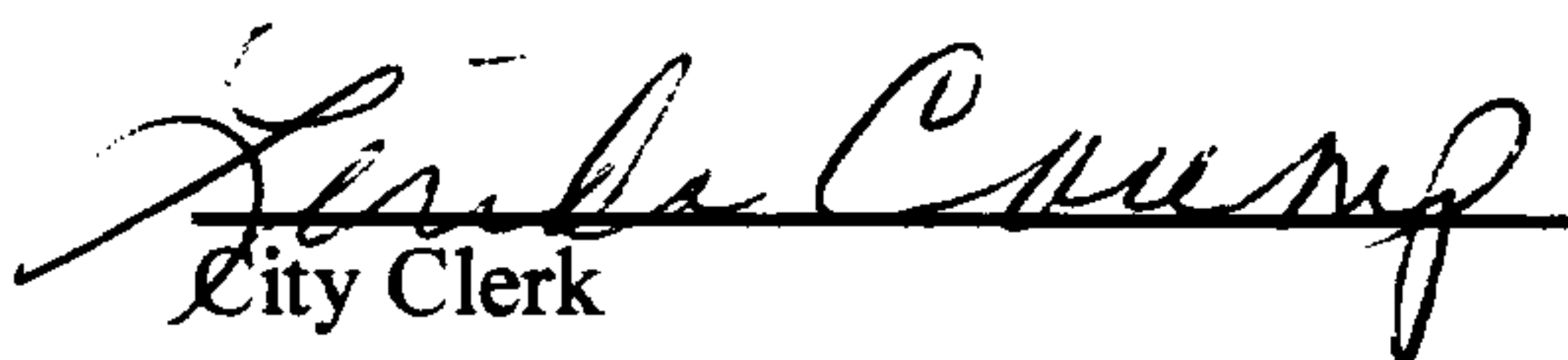
President of the Council

**APPROVED:**




Mayor

**ATTESTED BY:**

  
City Clerk

## CERTIFICATION

I, Linda H. Crump, City Clerk for the City of Hoover, Alabama, do hereby certify that the attached is a true and correct copy of **Resolution No. 2928-03** which was adopted by the Hoover City Council at their regular meeting held on Monday, May 19, 2003.

  
Linda Crump  
City Clerk

**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 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,

A 10' EASEMENT TO BE VACATED

SITUATED IN THE NE 1/4 OF THE SW 1/4 OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10' EASEMENT LYING 5' EITHER SIDE AND PARALLEL TO THE FOLLOWING DESCRIBED CENTERLINE:

BEGIN AT THE EASTERLY MOST CORNER OF LOT 7-B, OF 1ST AMENDED FINAL PLAT OF HEATHERWOOD 9TH SECTOR, PHASE 2, AS RECORDED IN MAP BOOK 19 PAGE 158, SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 7-B, A DISTANCE OF 168.97; THENCE TURN AN ANGLE TO THE LEFT OF 25°01'47", AND RUN SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 7-B, FOR A DISTANCE OF 16.67; TO THE POINT OF TERMINATION.

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 28<sup>th</sup> day of April, 2003

BY:

Will A. McRae

BY: \_\_\_\_\_