



RESOLUTION NO. 3005-03

WHEREAS, Sheila Ellis, Asst. Secretary, Daniel Oak Mtn. Limited Partnership by: Daniel Realty Investment Corporation – Oak Mountain, Its General Partner are the owners of all the property abutting or adjacent to the following easement proposed to be vacated, situated in Shelby County, Alabama, to-wit:

A 10 foot easement lying South of the North line and a 10 foot easement lying East of the West line of Lot 16A of a Resurvey of Lots 16 & 17 Greystone 8th Sector, Phase 1 and acreage as recorded in Map Book 28 on Page 149 in the office of the Judge of Probate of Shelby County, Alabama.

WHEREAS, the above owners are desirous of vacating 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 the owners 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 15th day of September 2003.

President of the Council

APPROVED:

Mayor


ATTESTED BY:

City Clerk

City of Hoover

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. 3005-C3** which was adopted by the City Council of the City of Hoover on the 15th day of September, 2003.


Margie Handley
Assistant City Clerk

APPLICATION FOR VACATION FOF EASEMENT

DEDICATED FOR PUBLIC PURPOSES

KNOW BY ALL THESE PRESENT THAT: Whereas the undersigned partys are the owners 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 is desirous of vacating the easement herein described as provided by the Statutes of the State of Alabama.

NOW, THEREFORE, the undersigned partys, being the owners of all lands abutting on the following described property; a 10 foot easement lying South of the North line and a 10 foot easement lying East of the West line of Lot 16A of A Resurvey of Lots 16 and 17 Greystone 8th Sector Phase 1 and Acreage as recorded in Map Book 28 on Page 149 in the Office of the Judge of Probate of Shelby County, Alabama.

Do hereby declare the above easement vacated and annulled, and all public rights and easements therein devested of the property.

The undersigned owners 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 partys here unto has signed and affixed its hand and seal this declaration of vacation on this the 28th day of July, 2003.

Daniel Oak Mountain Limited Partnership
By: Daniel Realty Investment Corporation -
Oak Mountain, Its General Partner
BY: Shel D. Ellis
Asst. Secretary

By: Julie Starnes