

RESOLUTION NO. 3096-04

WHEREAS, Amanda Fox, AmSouth Bank and Mary Ann Byers 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:

An easement to be vacated within Lot 58, Greystone 6th Sector as recorded in Map Book 17 on Page 54 A, B & C in the office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

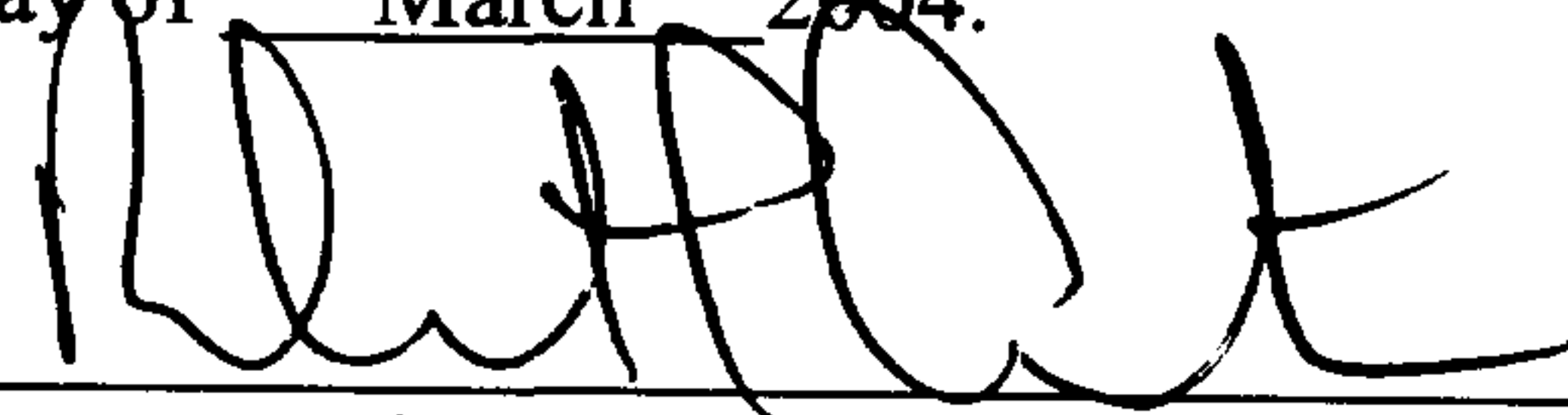
Commence at the Northeast corner of said Lot 58 and run in a Northwesterly direction along the North line of said Lot 58 for a distance of 28.1 feet to the point of beginning; thence continue along last stated course along said North line of said Lot 58 for a distance of 11.9 feet to a point; thence turn an angle to the left of 68 degrees 42 minutes 47 seconds and run in a Southwesterly direction for a distance of 27.6 feet to a point; thence turn an angle to the right of 24 degrees 51 minutes 15 seconds and run in a Southwesterly direction for a distance of 23.8 feet to a point; thence turn an angle to the left of 24 degrees, 51 minutes 15 seconds and run in a Southwesterly direction for a distance of 120.7 feet to a point on the South line of said Lot 58; thence turn an angle to the left of 129 degrees 24 minutes 26 seconds and run in an Easterly direction along the South line of said Lot 58 for a distance of 51.8 feet to a point; thence turn an angle to the left of 50 degrees 34 minutes 34 seconds and run in a Northeasterly direction for a distance of 119.7 feet to a point; thence turn an angle to the left of 41 degrees, 12 minutes 33 seconds and run in a Northeasterly direction for a distance of 28.7 feet to the point of beginning; said vacated easement containing 0.13 acres, more or less.

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 1st day of March 2004.



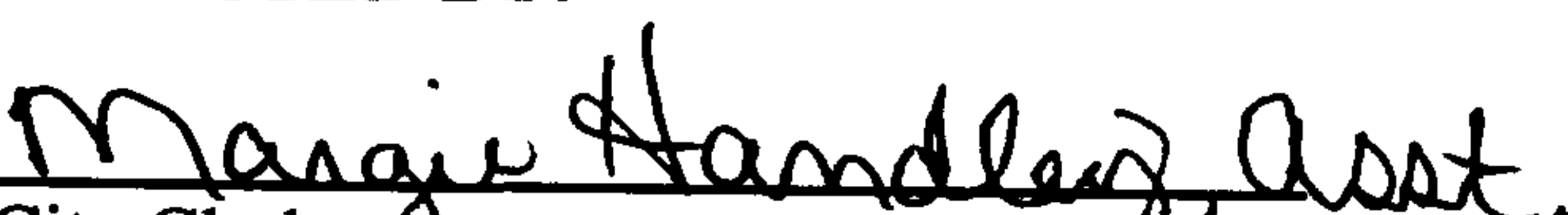
President of the Council

APPROVED:



Mayor

ATTESTED BY:




City Clerk

at 11:00 AM

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. 3096-04** which was adopted by the City Council of the City of Hoover on the 1st day of March, 2004.


Margie Handley
Assistant City Clerk

APPLICATION FOR VACATION FOF EASEMENT

DEDICATED FOR PUBLIC PURPOSES

KNOW BY ALL THESE PRESENT THAT: Whereas the undersigned party is owner 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 drainage easement herein described as provided by the Statutes of the State of Alabama.

NOW, THEREFORE, the undersigned party, being the owner of all lands abutting on the following described property:

An easement to be vacated within Lot 58, Greystone 6th Sector, as recorded in Map Book 17, on Page 54 A, B & C, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of said Lot 58 and run in a Northwesterly direction along the North line of said Lot 58 for a distance of 28.1 feet to the point of beginning; thence continue along last stated course along said North line of said Lot 58 for a distance of 11.9 feet to a point; thence turn an angle to the left of 68 degrees, 42 minutes, 47 seconds and run in a Southwesterly direction for a distance of 27.6 feet to a point; thence turn an angle to the right of 24 degrees, 51 minutes, 15 seconds and run in a Southwesterly direction for a distance of 23.8 feet to a point; thence turn an angle to the left of 24 degrees, 51 minutes, 15 seconds and run in a Southwesterly direction for a distance of 120.7 feet to a point on the South line of said Lot 58; thence turn an angle to the left of 129 degrees, 25 minutes, 26 seconds and run in an Easterly direction along the South line of said Lot 58 for a distance of 51.8 feet to a point; thence turn an angle to the left of 50 degrees, 34 minutes, 34 seconds and run in a Northeasterly direction for a distance of 119.7 feet to a point; thence turn an angle to the left of 41 degrees, 12 minutes, 33 seconds and run in a Northeasterly direction for a distance of 28.7 feet to the point of beginning; said vacated easement containing 0.13 acres, more or less.

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

The undersigned owner further declared that after vacation of the said drainage 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 here unto has signed and
affixed its hand and seal this declaration of vacation on this the 13 day of

January 20 04.

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Sept 24, 2005
BONDED THRU NOTARY PUBLIC UNDERWRITERS

BY: Amanda Joy
AmSouth Bank

BY: Mary Ann Byers