

RESOLUTION NO. 3112-04

WHEREAS, B. J. Harris, President, Harbar Construction Co., Inc., Managing Partner Caldwell Mill LLP, Owner 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:

All of that easement which lies 10 feet east of and parallel to the most westerly line of Lot 51, Phase Four Caldwell Crossings 2nd Sector, as recorded in the office of the Judge of Probate, Shelby County, Alabama, in Map Book 32, Page 7.

WHEREAS, the above owner is 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 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 easement herein are hereby divested.

ADOPTED this 15th day of March 2004.



President of the Council

APPROVED:

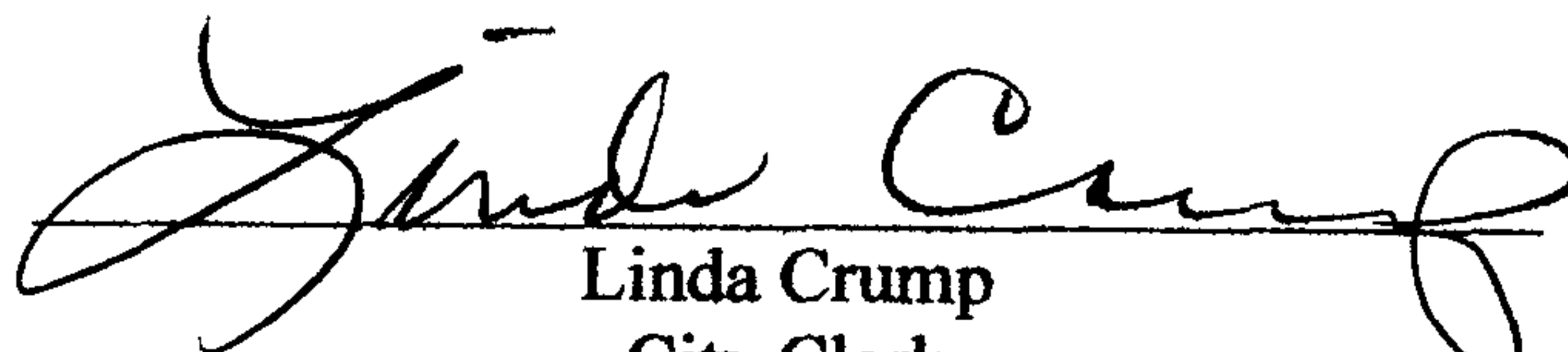

Mayor

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. 3112-04** which was adopted by the Hoover City Council at their regular meeting held on Monday, March 15, 2004.


Linda Crump
City Clerk

APPLICATION FOR VACATION OF EASEMENT**DEDICATED FOR PUBLIC PURPOSES**

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,

All of that easement which lies 10 feet east of and parallel to the most westerly line of Lot 51, Phase Four Caldwell Crossings 2nd Sector, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 32, Page 7.

CITY OF HOOVER

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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 23rd day of FEB., ~~2004~~ 2004

BY:

B. J. Harris
B.J. Harris, President, Harbar
Construction Co., Inc, Managing Partner
Caldwell Mill LLP, Owner

BY:

Managing Partner