

RESOLUTION NO. 3166-04

WHEREAS, Sheila D. Ellis, Secretary, Greystone Developmnet Company, LLC, are the owners of all the property abutting or adjacent to the following portion of easement proposed to be vacated, situated in Shelby County, Alabama, to-wit:

Greystone Legacy 5th Sector, Phase II as recorded in Map Book 32, on Page 85, in the office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

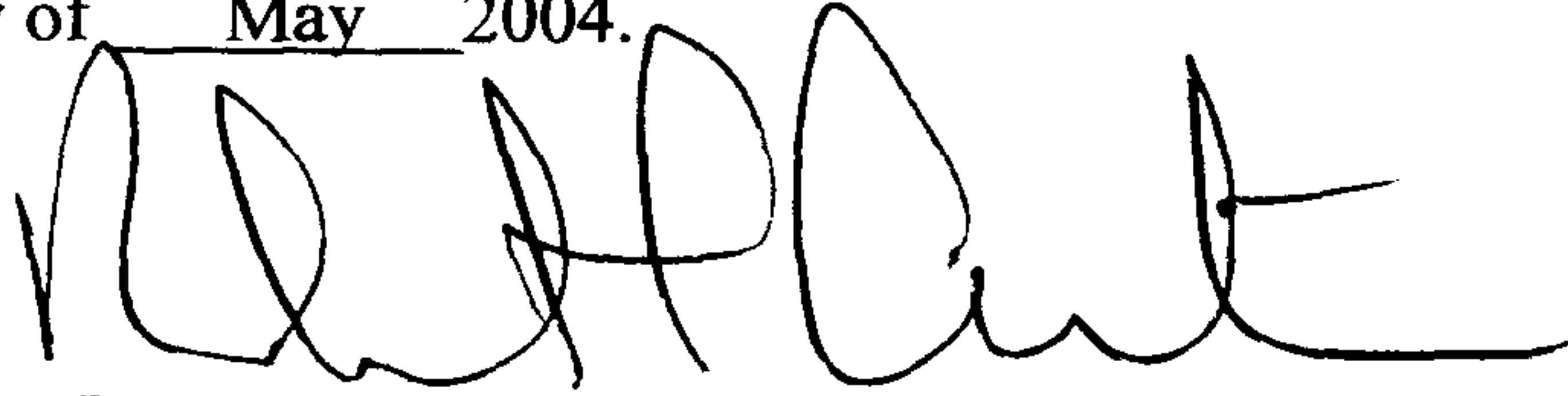
Commence at the Northeast corner of the Southeast quarter of Section 15, Township 18 South, Range 1 West, Shelby County, Alabama; thence run in a Westerly direction along the North line of said Southeast quarter for a distance of 610.94 feet to a point; thence turn an angle to the left of 76 degrees, 23 minutes, 21 seconds and run in a Southwesterly direction for a distance of 155.56 feet to the point of beginning; thence turn an angle to the left of 68 degrees, 12 minutes, 13 seconds and run in a Southeasterly direction for a distance of 349.47 feet to a point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Southwesterly direction for a distance of 26.13 feet to a point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Northwesterly direction for a distance of 384.14 feet to a point; thence turn an angle to the right of 93 degrees, 08 minutes, 52 seconds and run in a Northeasterly direction for a distance of 26.17 feet to a point thence turn an angle to the right of 86 degrees, 51 minutes, 08 seconds and run in a Southeasterly direction for a distance of 33.28 feet to the point of beginning; said vacated easement containing 10,018 square feet, more or less.

WHEREAS, the above owner is desirous of vacating of said portion of 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 portion of 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 portion of 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 17th day of May 2004.



President of the Council

APPROVED:



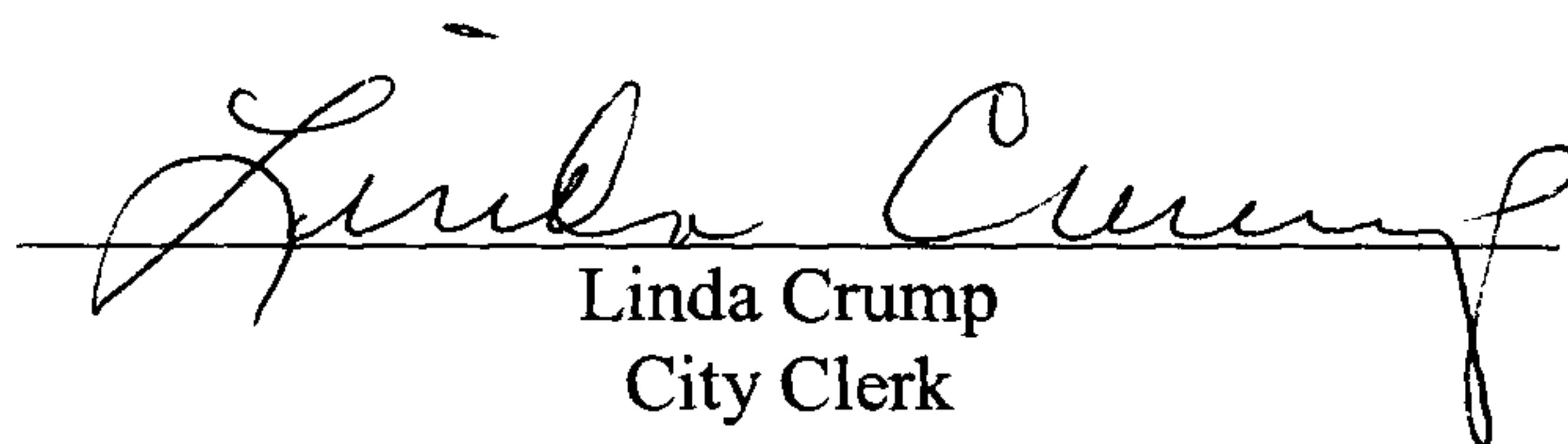
Mayor

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. 3166-04** which was adopted by the Hoover City Council at their regular meeting held on Monday, May 17, 2004.


Linda Crump
City Clerk

APPLICATION FOR VACATION OF 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 proposed sanitary sewer 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 as shown in the future development, Greystone Legacy 5th Sector, Phase II, as recorded in Map Book 32, on Page 85, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the Southeast quarter of Section 15, Township 18 South, Range 1 West, Shelby County, Alabama; thence run in a Westerly direction along the North line of said Southeast quarter for a distance of 610.94 feet to a point; thence turn an angle to the left of 76 degrees, 23 minutes, 21 seconds and run in a Southwesterly direction for a distance of 155.56 feet to the point of beginning; thence turn an angle to the left of 68 degrees, 12 minutes, 13 seconds and run in a Southeasterly direction for a distance of 349.47 feet to a point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Southwesterly direction for a distance of 26.13 feet to a point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Northwesterly direction for a distance of 384.14 feet to a point; thence turn an angle to the right of 93 degrees, 08 minutes, 52 seconds and run in a Northeasterly direction for a distance of 26.17 feet to a point; thence turn an angle to the right of 86 degrees, 51 minutes, 08 seconds and run in a Southeasterly direction for a distance of 33.28 feet to the point of beginning; said vacated easement containing 10,018 square feet, more or less.

Do hereby declare the above proposed sanitary sewer 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 proposed sanitary sewer 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 27th day of April, 2004.

GREYSTONE DEVELOPMENT
COMPANY, LLC

By: Daniel Realty Corporation, an
Alabama corporation,

By: Shirley D. Ell.
Its: Secretary