

THIS INSTRUMENT WAS PREPARED BY:
John L. Hartman, III
P. O. Box 846
Birmingham, AL 35201-0846

DECLARATION AND PETITION TO VACATE ALLEY

STATE OF ALABAMA)

SHELBY COUNTY)

COME NOW, the undersigned Mary Emma Snell Caudle, a/k/a Mary Emma Caudle, an unmarried woman, as owner of Lot 7A, Maxwell's Addition to Ellitsville, Map Book 3, Page 118, Shelby County, AL, and as surviving grantee of her husband, Wilbert C. Caudle who died on or about March 7, 2003, and as the owner of Lots 7B, 13 & 14, Maxwell's Addition to Ellitsville; and Leif Milliron, a married man, as owner of Lots 5, 6, 6A and 7 of said subdivision, and hereby petition the City of Alabaster, Alabama, its Mayor and Council, as per Code of Alabama, Sections 23-4-20 and 35-2-54, to vacate that portion of the common alley between Lots 5, 6, 6A, 7, 7A, 7B, 13 & 14, and as grounds therefor aver:

1. Mary Emma Snell Caudle a/k/a Mary Emma Caudle and Leif Milliron are the owners of all of the property or land abutting that portion of the alley to be vacated, which said property does not constitute any part of the homestead of the grantors or the spouse of Leif Milliron.

2. Mary Emma Snell Caudle a/ka Mary Emma Caudle and Leif Milliron hereby declare said portion of the alley shown on the attached Exhibit "A" and described above to be vacated. It is our intention to duly record our declaration to operate and destroy the force and dedication by the map, plat or survey and to divest all public rights which may have been acquired by prescription.

3. Petitioners further request that the City of Alabaster consider same at its next business meeting and adopt a resolution approving same and cause the City Clerk or other

authorized official to certify and record, as legally required, with this declaration.

4. Other convenient means of ingress and egress to all to all other owners exist to ingress and egress their property.

5. That portion of the alley to be vacated is not used as a public road nor outside of the City of Alabaster.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this the 24th day of September, 2004.

Mary Emma Snell Caudle
MARY EMMA SNELL CAUDLE a/k/a
MARY EMMA CAUDLE

LEIF MILLIRON

STATE OF ALABAMA

COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said county in said State, hereby certify that MARY EMMA SNELL CAUDLE a/k/a MARY EMMA CAUDLE, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 24th day of September, 2004.

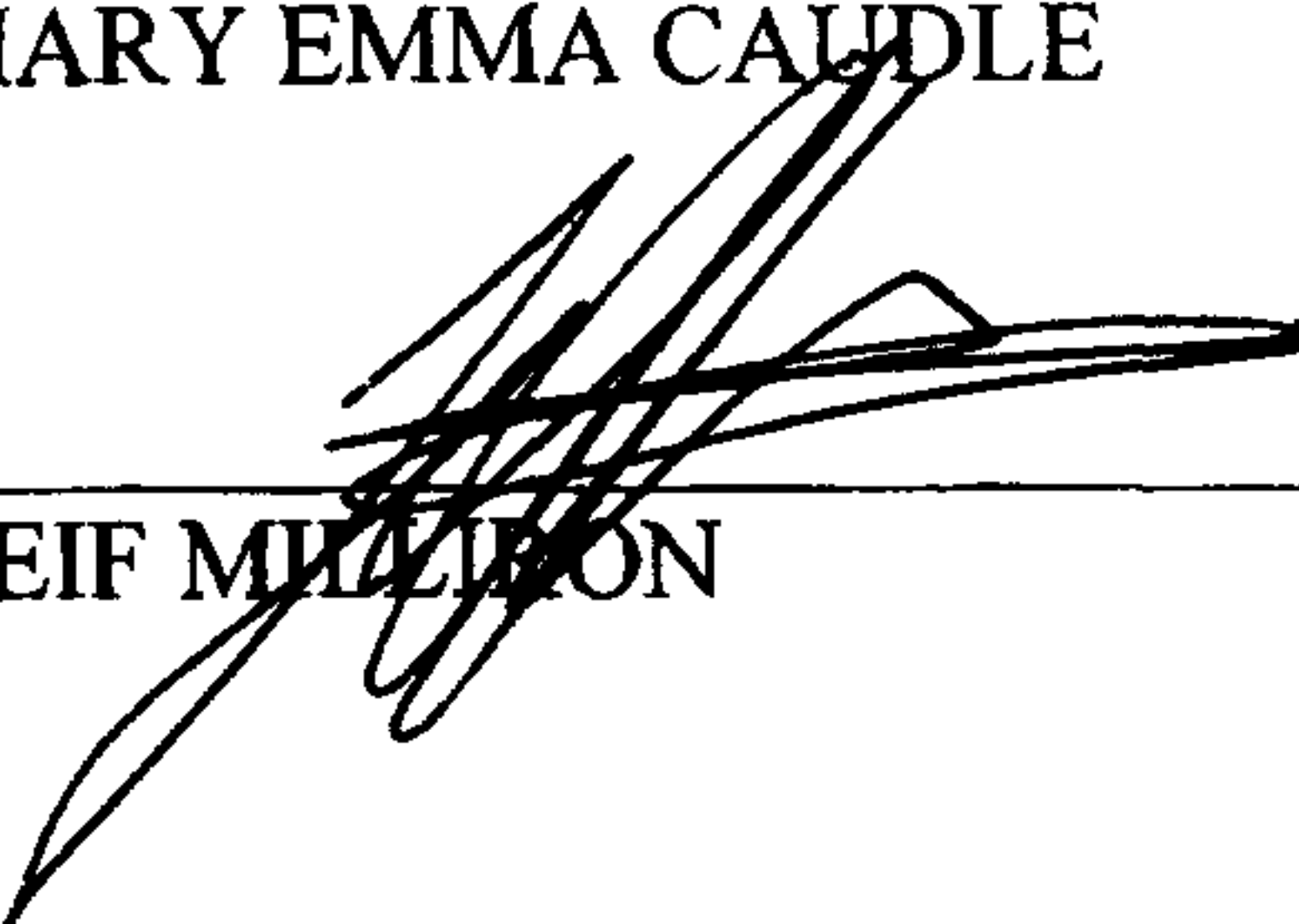
My commission expires: 5/17/07

L. P. Caudle
NOTARY PUBLIC

4. Other convenient means of ingress and egress to all to all other owners exist to ingress and egress their property.

5. That portion of the alley to be vacated is not used as a public road nor outside of the City of Alabaster.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this the 27th day of September, 2004.

MARY EMMA SNELL CAUDLE a/k/a
MARY EMMA CAUDLE

LEIF MILLERON

STATE OF ALABAMA
COUNTY OF _____

I, the undersigned, a Notary Public in and for said county in said State, hereby certify that MARY EMMA SNELL CAUDLE a/k/a MARY EMMA CAUDLE, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 2004.

My commission expires: _____
NOTARY PUBLIC

STATE OF ALABAMA

COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said county in said State, hereby certify that LEIF MILLIRON, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 27th day of September, 2004.

My commission expires: 10/06/2005

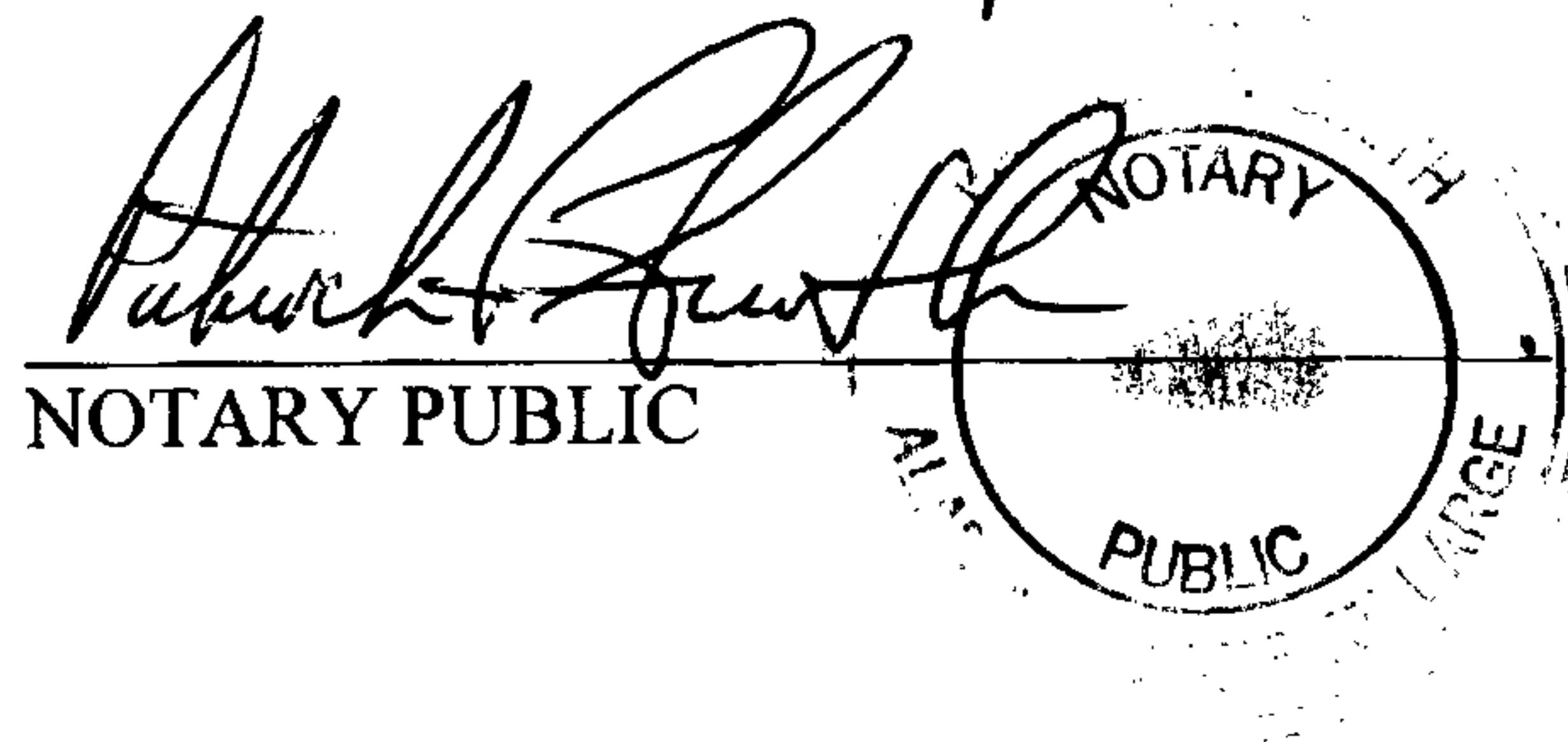


EXHIBIT "A"

20041102000602670 Pg 5/5 23.00
Shelby Cnty Judge of Probate, AL
11/02/2004 09:55:00 FILED/CERTIFIED

ABSTRACT OF TITLE TO

Lots 15, 16 and 17 "Maxwell's Addition to Elliottsville"
as recorded in Map Book 3 on page 118 in Probate Office.

SITUATED

IN

SHELBY COUNTY, ALABAMA

