

RESOLUTION NUMBER 05A

COUNCIL MEMBER COX INTRODUCED THE FOLLOWING RESOLUTION.

COUNCIL MEMBER BYRD SECONDED THE RESOLUTION

A RESOLUTION VACATING A PORTION OF WADSWORTH STREET

WHEREAS, a map of an area within the city called "Lyman's Addition" was prepared on November 11, 1899, which showed Wadsworth Street extending N of Nabors Street, and

WHEREAS, said map was recorded in the office of the Judge of Probate of Shelby County Alabama on November 29, 1917 at map book 3, page 27, and

WHEREAS, the preparation and recording of this map may have resulted in the dedication of Wadsworth Street to the City of Montevallo pursuant to §35-2-51 of the *1975 Alabama Code*, and

WHEREAS, the portion of Wadsworth Street lying N of Nabors Street has not been paved or used since 1923, when the Alabama Legislature enacted §35-2-55 of the *1975 Alabama Code*, ratifying the vacation of streets as of that year, and

WHEREAS, a portion of Wadsworth Street N of Nabors was vacated pursuant to Resolution **91A**, approved by the Montevallo City Council on 21 April 1991, and

WHEREAS, the remainder of Wadsworth Street N of Nabors was cut off from street access by this action, and

WHEREAS, the owner of the remainder of Wadsworth Street, and the land surrounding it, has petitioned the City Council to vacate that remainder, and


WHEREAS, it appears that the public good would be served thereby, therefore

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY
OF MONTEVALLO, ALABAMA, AS FOLLOWS:**

① That, pursuant to §35-2-54 of the *1975 Alabama Code*, the mayor and council of Montevallo assent to the vacation of that portion of Wadsworth Street lying on the property of Mark D Robinson and bordered by Lot 1, Block K; and Lot 3, Block L according to a map of Lyman's Addition to Montevallo, drawn November 11, 1899 and recorded November 29, 1917 at map book 3, page 27 of the Shelby County Alabama Probate Records.

② That this resolution shall become immediately effective upon its posting as required by law.


Approved and adopted this 10 January 2005.


Sharon Anderson, Mayor

I certify that the attached Resolution **05A**, vacating a portion of Wadsworth Street, adopted by the Montevallo City Council on 10 January 2005, was, pursuant to §11-45-8(b) of the *1975 Alabama Code*, on 13 January 2005 and for four weeks following, posted in the following conspicuous places within the community:

- ① the mayor's office, City Hall, 545 Main Street, Montevallo
- ② the city shop, 445 Selma Road, Montevallo
- ③ the Park and Recreation Building, Orr Park, 420 Vine Street, Montevallo
- ④ the Parnell Memorial Library, 845 Valley Street, Montevallo

According to said §11-45-8(b) of the *1975 Alabama Code*, Resolution **05A** therefor became immediately effective.


John Abercrombie, City Clerk

VACATION OF PART OF WADSWORTH STREET

I, Mark D Robinson, the owner of certain land adjoining Hedgerow and King Streets in Montevallo, Alabama, and including Lot 1, Block K; Lot 3, Block L; and a portion of Wadsworth Street, as said Wadsworth Street is indicated on a map of Lyman's Addition to Montevallo, executed on November 11, 1899 and recorded November 29, 1917 at Map Book 3, page 27 of the Shelby County Alabama Probate Records, hereby declare that portion of Wadsworth Street lying on and surrounded by my property, N of Nabors Street, to be vacated, pursuant to §35-2-54 of the *1975 Alabama Code*.

This portion of Wadsworth Street has never been improved or used, to my knowledge, and there will remain a convenient means of ingress and egress to and from all neighboring property.

The portion of Wadsworth Street lying just S of my property, between my property and Nabors Street, crosses land formerly owned by the Reynolds family, and later Mary Frances Tipton. This portion of Wadsworth Street was vacated in 1991 by Resolution **91A** of the City of Montevallo. The 1991 vacation disconnected the portion of Wadsworth Street on my own property from any other street or road. I hereby consent to the 1991 vacation.

In witness whereof, I have hereunto set my hand and seal this 11 January 2005.

Witness

Steven R. Sears (Seal)

Mark D. Robinson (Seal)
Mark D Robinson

State of Alabama)
County of Shelby)

I, a notary public in and for the State of Alabama at Large, hereby certify that Mark D Robinson, whose name is signed to the foregoing and who is known to me, acknowledged before me on this day that, being informed of the contents of the above vacation, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11 January 2005, at Montevallo.

Steven R. Sears
Notary public

