

Mayor Roy introduced the following Resolution:

RESOLUTION NO. R-2006-20

WHEREAS, heretofore on, to-wit, April 22, 2002, the City Council of the City of Calera did adopt Resolution No. R-2002-04, a copy of which is attached hereto as Exhibit "A" and made part and parcel hereof as fully as if set out herein, and a copy of which has also been recorded in the Office of the Judge of Probate of Shelby County, Alabama, on April 24, 2002, as Instrument No. 19103 and Instrument No. 19109; and

WHEREAS, the street or alley purportedly closed by the aforesaid Resolution abuts or fronts real property owned by property owners other than Sara Barnett and Billy Ray, the persons signing the request to vacate said street; and

WHEREAS, the City Council of the City of Calera, Alabama, has and does hereby determine that the adoption of Resolution No. R-2002-04 which purportedly vacated a street, road, alley, or highway, or portion thereof, as described therein, was improper and not legally made:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CALERA, ALABAMA, AS FOLLOWS:

1. That the City Council of the City of Calera, Alabama, does hereby, to the full extent permitted by law, revoke and rescind Resolution No. R-2002-04, as shown on Exhibit "A", and recognizes that said Resolution was not legally presented or executed in that there was an owner or were owners of real estate abutting said street or alley who did not sign the petition to vacate and was/were not given legal and adequate notice of the pendency of the petition to vacate such street or alley.
2. That the City Council of the City of Calera, Alabama, recognizes and declares that said Resolution No. R-2002-04 and the vacation of the street or alley referred to therein is null and void, or voidable.

3. That the legal status of said street or alley referred to in the aforesaid Resolution No. R-2002-04 is reinstated to the conditions existing immediately prior to the execution of said Resolution and the rights of all abutting property owners and the public in and to said road, whatever such rights shall be, shall be unaffected by the said Resolution No. R-2002-04, and any further determination of any disputes between the various property owners abutting said road shall be determined by a court of appropriate and competent jurisdiction.

Council Member Phillips moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2006-20.

Council Member Roberson seconded said motion and upon vote, the results were as follows:

AYES: Roy, Bradshaw, Davis, Montgomery, Phillips, Roberson

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Resolution.

Council Member Roberson moved that Resolution No.

R-2006-20 be adopted. Council Member Davis seconded said

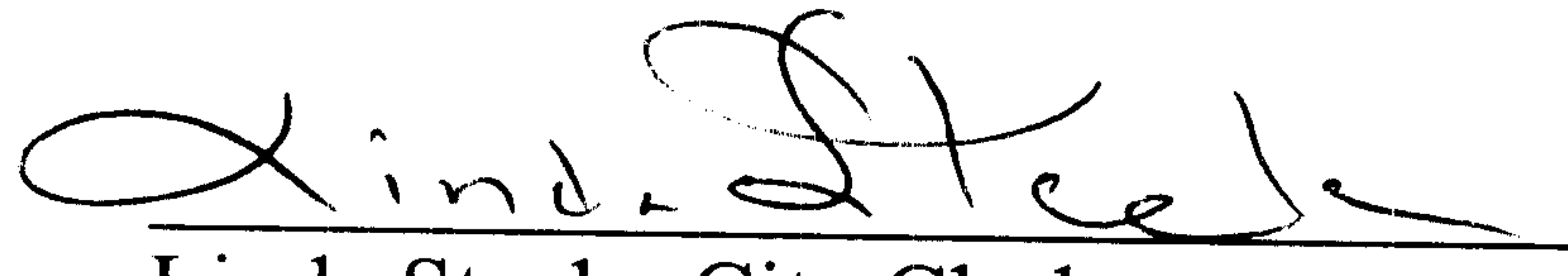
motion and upon vote, the results were as follows:

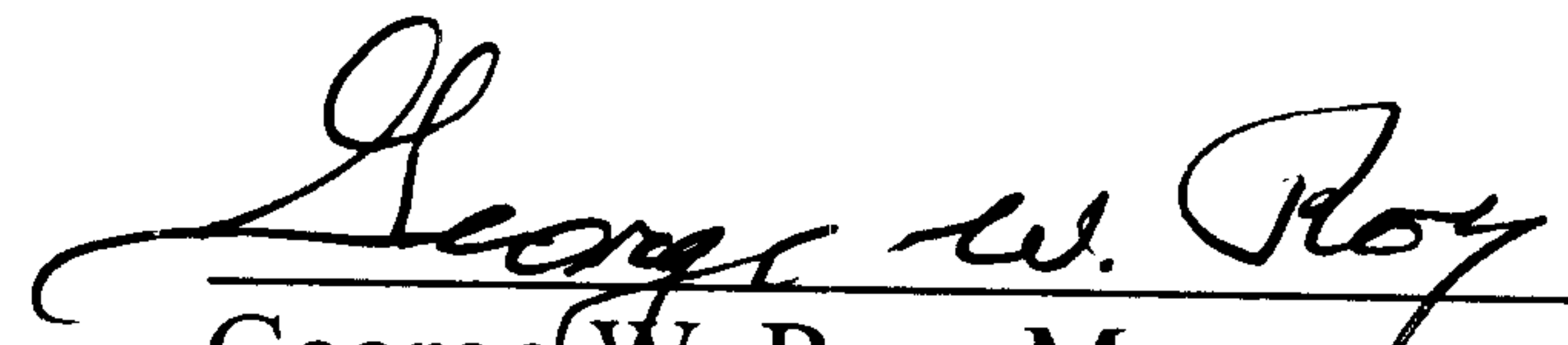
AYES: Roy, Bradshaw, Davis, Montgomery, Phillips, Roberson

NAYS: None

Mayor Roy declared Resolution No. R-2006-20 adopted.

Adopted this 15th day of May 2006.


Linda Steele, City Clerk


George W. Roy, Mayor

20060602000261800 4/9 \$35.00
Shelby Cnty Judge of Probate, AL
06/02/2006 02:20:34PM FILED/CERT

Mayor Roy introduced the following Resolution:

RESOLUTION NO. R-2002-04

WHEREAS, a declaration signed by Billie Ray and Sarah Barnett do hereby request the Mayor, owners of the lands abutting the hereinafter described portion of streets and/or alleys situated in the City of Calera, County of Shelby, State of Alabama, vacating said streets or portions of streets, has been duly presented to the City Council of the City of Calera, Alabama, for assent and approval of said governing body, said declaration attached being hereto affixed, marked "Exhibit A," and made a part hereof and

WHEREAS, the street or alley referred to are more particularly described as follows:

50 ft. by 142 ft. right-of-way located in Allendale
Subdivision between Lot No. 31 and Lot No. 32

WHEREAS, it appears to the City Council of the City of Calera, Alabama, that the vacation of said street or alley are in order and that convenient and reasonable means of ingress and egress is afforded to all other property owners owning properties in the subdivision embraced in said map of Dunstan's Survey of the City of Calera, Alabama. Subject, however to all existing right-of-way or easements for public utilities and to all utility

Inst # 2002-19109

04/24/2002-19109
01:09 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

MSR 23.00

facilities presently situated in said area vacated, subject to this provision.

Council Member Davis moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2002-04. Council Member Morrison seconded said motion and upon vote, the results were as follows:

AYES: Roy, Davis, Morrison, Jones, Phillips

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Resolution.

Council Member Phillips moved that Resolution No. R-2002-04 be adopted. Council Member Jones seconded said motion and upon vote, the results were as follows:

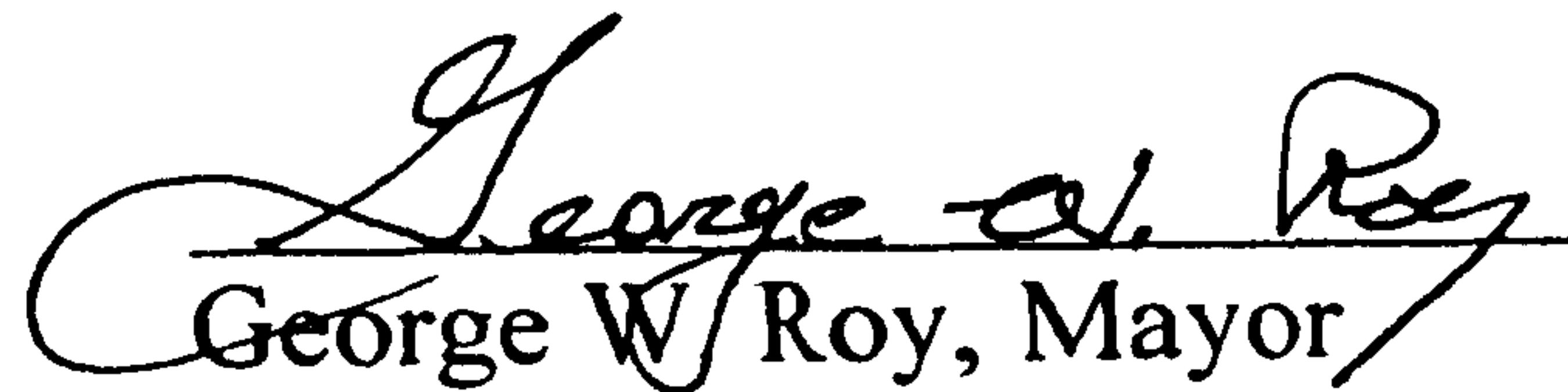
AYES: Roy, Phillips, Jones, Davis, Morrison

NAYS: None

Mayor Roy declared Resolution No. R-2002-04 adopted.

Adopted this 22nd day of April 2002.


Linda Steele, City Clerk


George W. Roy, Mayor

REQUEST TO VACATE STREET

We, Billie Ray and Sarah Barnett do hereby request the Mayor and Council of the City of Calera, Alabama to vacate the following described right-of-way:

50 ft. by 142 ft. right-of-way located in Allendale
Subdivision between Lot No. 31 and Lot No. 32

We further certify that we are the sole property owners adjacent to said right-of-way and the vacation of this right-of-way would not deny ingress and egress to other property owners owning properties in the subdivision embraced in said map of Allendale Subdivision.

Done this 12 day of Jan., 2001.

Billie Ray
Billie Ray

Sarah Barnett
Sarah Barnett



20060602000261800 7/9 \$35.00
Shelby Cnty Judge of Probate, AL
06/02/2006 02:20:34PM FILED/CERT

CERTIFICATION OF POSTING

I, Linda Steele, City Clerk of the City of Calera, Alabama do hereby certify
that the foregoing Resolution is a true and correct copy of the
Resolution adopted by the City Council of the City of Calera, Alabama on
The 22nd day of April 2002, as the same appears in the official record
of minutes of the City of Calera Council meeting.

Given under my hand this 22nd day of April 2002.


Linda Steele, City Clerk

I, Linda Steele, City Clerk of the City of Calera, Alabama do hereby certify
that the foregoing Resolution was duly posted at the following locations:

Calera City Hall
Calera Post Office
Calera Public Library
Associated Foods


Linda Steele, City Clerk

04/23/02
Date Posted

Inst # 2002-19109

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01:09 PM CERTIFIED

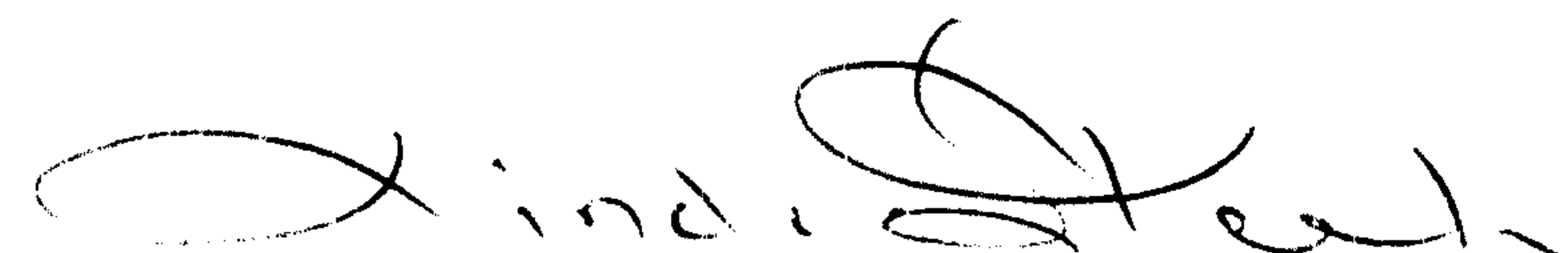
SHELBY COUNTY JUDGE OF PROBATE
005 MSB 23.00

CERTIFICATION OF POSTING

20060602000261800 9/9 \$35.00
Shelby Cnty Judge of Probate, AL
06/02/2006 02:20:34PM FILED/CERT

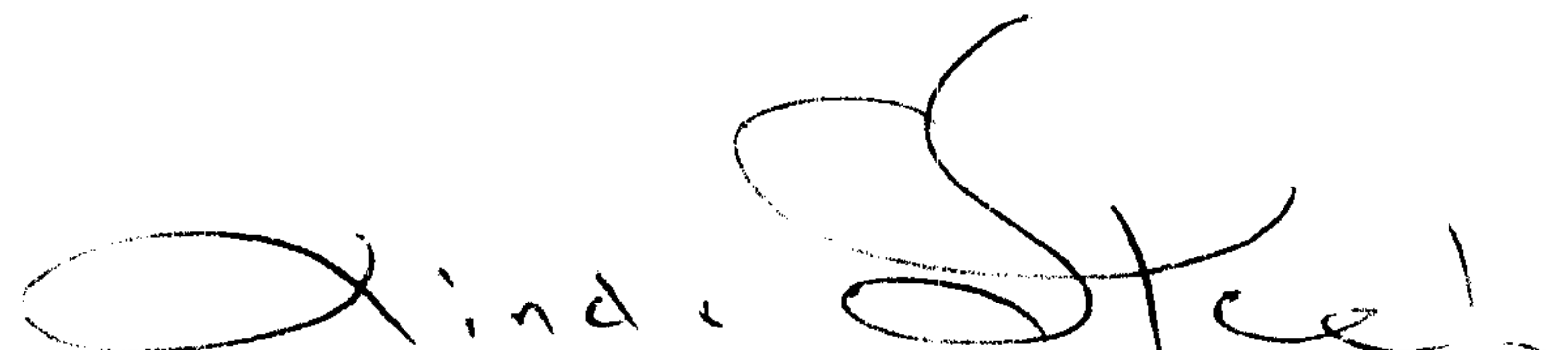
I, Linda Steele, City Clerk of the City of Calera, Alabama do hereby certify
that the foregoing Resolution is a true and correct copy of the
Resolution adopted by the City Council of the City of Calera, Alabama on
the 15th day of May 2006, as the same appears in the official record
of minutes of the City of Calera Council meeting.

Given under my hand this 15th day of May 2006.


Linda Steele, City Clerk

I, Linda Steele, City Clerk of the City of Calera, Alabama do hereby certify
that the foregoing Resolution was duly posted at the following locations:

Calera City Hall
Calera Post Office
Calera Public Library
Associated Foods


Linda Steele, City Clerk

5/16/2006
Date Posted