

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 al 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 **easements** 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.

Easement 11/12

Being an existing easement, 10 feet wide, 5 feet either side of the following described line:

Begin at the common corner of Lots 11 and 12, on Spyglass Circle, according to the Amended Record Plat of Heatherwood – 9th Sector – Phase 2, as recorded in Map Book 19 at Page 158, in the Office of the Judge of Probate, Shelby County, Alabama; thence run in a Southwesterly direction along the common line of said lots 11 and 12, a distance of 155.49 feet to the end of said easement.

AND

Easement 12/13

Being an existing easement, 10 feet wide, 5 feet either side of the following described line:

Begin at the common corner of Lots 12 and 13, on Spyglass Circle, according to the Amended Record Plat of Heatherwood – 9th Sector – Phase 2, as recorded in Map Book 19 at Page 158, in the Office of the Judge of Probate, Shelby County, Alabama; thence run in a Northwesterly direction along the common line of said lots 12 and 13, a distance of 111.51 feet to a point; thence turn a deflection angle to the left of 49°30'00" and run in a Southwesterly direction a distance of 129.09 feet to the end of said easement.

does (do) hereby declare the above **easements** 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 **easements** 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 adjoining 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 26 day of March, 2007.

BY: W. L. Silver
W. L. Silver

BY: Thomas G. Howard
Thomas G. Howard



20070425000192660 2/3 \$17.00
Shelby Cnty Judge of Probate, AL
04/25/2007 03:45:05PM FILED/CERT

RESOLUTION NO. 3867-07

WHEREAS, W. L. Silver & Thomas G. Howard are the owners of all the property abutting or adjacent to the following easement proposed to be vacated, situated in Shelby County, Alabama, to-wit:

EASEMENT 11/12 Being an existing easement 10 feet wide, 5 feet either side of the following described line:

Begin at the common corner of Lots 11 and 12 on Spyglass Circle, according to the amended record plat of Heatherwood 9th Sector Phase 2 as recorded in Map Book 19 Pate 158 in the office of the Judge of Probate, Shelby County, Alabama; thence run in a Southwesterly direction along the common line of said lots 11 and 12, a distance of 155.49 feet to the end of said easement.

EASEMENT 12/13 Being an existing easement 10 feet wide, 5 feet either side of the following described line:

Begin at the common corner of Lots 12 and 13, on Spyglass Circle, according to the amended record plat of Heatherwood 9th Sector Phase 2 as recorded in Map Book 19 Page 158 in the Office of the Judge of Probate, Shelby County, Alabama; thence run in a Northwesterly direction along the common line of said lots 12 and 13, a distance of 111.51 feet to a point; thence turn a deflection angle to the left of 49 degrees 30 minutes 00 seconds and run I a Southwesterly direction a distance or 12909 feet to the end of said easement.

WHEREAS, the above owners are desirous of vacating of said easements 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 owners 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 easements as above described and that the same is hereby vacated and annulled and all public rights and easement herein are hereby divested.

ADOPTED this 16th April 2007.



President of the Council

APPROVED:




Mayor

ATTESTED BY:

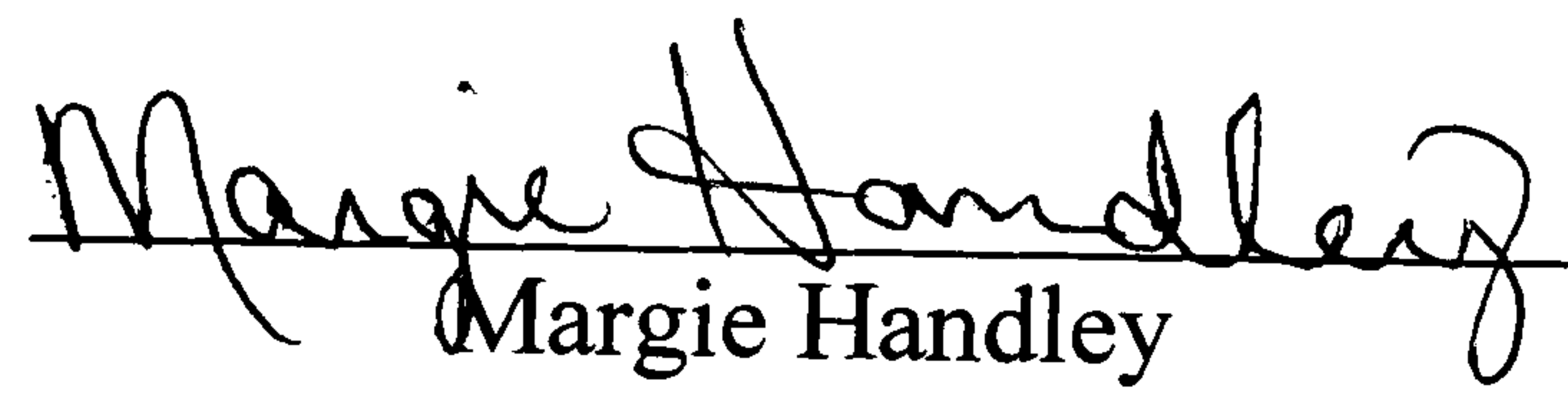


City Clerk


20070425000192660 3/3 \$17.00
Shelby Cnty Judge of Probate, AL
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CERTIFICATION

I, Margie Handley, Assistant City Clerk for the City of Hoover, Alabama, hereby certify that the attached is a true and correct copy of **Resolution No. 3867-07**, which was adopted by the City Council of the City of Hoover on the 16th day of April, 2007.


Margie Handley
Assistant City Clerk