

RESOLUTION NO. 070507

**RESOLUTION GRANTING
PETITION REQUESTING VACATION OF STREETS**

WHEREAS, Wilsonville Baptist Church and Wilsonville Lodge No. 510 F. & A.M. are the owners of all the property abutting the hereinafter described portions of Pope Street and Church Street, all of which are located within the corporate limits of the Town of Wilsonville, Alabama; and

WHEREAS, said owners filed a petition to vacate the portions of said streets in accordance with the provisions of § 23-4-20, Code of Alabama 1975, as amended; and

WHEREAS, a diagram showing the location of the proposed vacation is attached hereto; and

WHEREAS, the Town Council of Wilsonville, Alabama, held a public hearing on said petition, after giving notice as required by law; and

WHEREAS, said Council has determined that there are no other lots or parcels of land which will be cut off from access by such vacation over some other reasonable and convenient way and it is in the interest of the public that such portions of said streets be vacated;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Wilsonville, Alabama, as follows:

1. It is in the interest of the public that the following described portions of Pope Street and Church Street be, and they are by this resolution, vacated:

Pope Street

A portion of Pope Street situated in Section 1, Township 21 South, Range 1 East, Shelby County Alabama, being more particularly described as follows: Commence at a shotgun barrel locally accepted to be the Northeast corner of said Section 1; thence run South along the East line of said Section 1 for a distance of 2,325.62 feet to a point; thence turn an angle to the right of 89 degrees, 52 minutes, 00 seconds and run in a Westerly direction for a distance of 506.01 feet to an iron pin found at the Southeast corner of what is known as Johnny May Black Lot, said iron pin found being the point of beginning; thence turn an angle to the right of 90 degrees, 23 minutes, 13 seconds and run in a Northerly direction along the West right-of-way line of Pope Street for a distance of 204.44 feet to a point; thence turn an angle to the right of 89 degrees, 51 minutes, 46 seconds and run in an Easterly direction crossing said Pope Street for a distance of 27.17 feet to an iron pin found at the Northwest corner of Wilsonville Baptist Church Property; thence turn an angle to the right of 89 degrees, 51 minutes,

42 seconds and run in a Southerly direction along the East right-of-way line of said Pope Street for a distance of 88.03 feet to the Southwest corner of Wilsonville Baptist Church property; thence turn an angle to the right of 5 degrees, 44 minutes, 27 seconds and run in a Southerly direction along the East right-of-way line of Pope Street and also crossing Church Street for a distance of 23.26 feet to the Northwest corner of the Lodge property; thence turn an angle to the left of 6 degrees, 15 minutes, 27 seconds and run in a Southerly direction along the East right-of-way line of Pope Street for a distance of 92.92 feet to a point; thence turn an angle to the right of 89 degrees, 55 minutes, 20 seconds and run in a Westerly direction crossing said Pope Street for a distance of 26.66 feet to the point of beginning; said vacation containing 5,445 square feet, more or less.

Church Street

A portion of Church Street, situated in Section 1, Township 21 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows: Commence at a shotgun barrel locally accepted to be the Northeast corner of said Section 1; thence run South along the East line of said Section 1 for a distance of 2,187.41 feet to a point; thence turn an angle to the right of 84 degrees, 24 minutes, 45 seconds and run in a Southwesterly direction for a distance of 233.67 feet to the Northeast corner of a parcel of land surveyed by John Gary Ray in 1995 for Wilsonville Baptist Church, said corner being on the West right-of-way of Highway #61 and also being on the South right-of-way of Church Street; thence continue along last stated course and also along the South right-of-way line of said Church Street for a distance of 53.62 feet to the point of beginning; thence continue along last stated course for a distance of 194.68 feet to a point on the East right-of-way line of Pope Street; thence turn an angle to the right of 101 degrees, 16 minutes, 39 seconds and run in a Northerly direction along said East right-of-way and also crossing said Church Street for a distance of 23.26 feet to a PK nail found at the Southwest corner of Wilsonville Baptist Church Property as shown on a survey done by Frank Wheeler dated October 1, 1996; thence turn an angle to the right of 78 degrees, 24 minutes, 42 seconds and run in an Easterly direction along the North right-of-way line of said Church Street for a distance of 190.00 feet to a point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Southwesterly direction crossing said Church Street for a distance of 23.26 feet to the point of beginning; said vacation containing 4,485 square feet, more or less.

2. All public rights and easements in said portions of said streets are divested, subject, however, to all existing rights-of-way or easements for public utilities within said vacated streets.



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3. This vacation of said portions of said streets shall not deprive convenient means of ingress and egress to all other property owners owning property in or near the vacated streets.

4. The clerk is directed to file a copy of this resolution in the Probate Court of Shelby County, Alabama, and give notice of the passage of this resolution as required by law.

ADOPTED AND APPROVED this 7th day of May, 2007.

Attest:

Town of Wilsonville, Alabama

by Kay M. Ray
Clerk

by Rosemary C. Linvak
Mayor


STATE OF ALABAMA
COUNTY OF SHELBY

The undersigned hereby certifies that she is clerk of the Town of Wilsonville, Alabama, and that as appears from the minute books in the Town Hall there was duly introduced and enacted a resolution at the regular meeting of the town council on the 7th day of May, 2007, a true and correct copy of which is hereto attached. The undersigned further certifies that said resolution is in force and effect, not having been repealed by any subsequent meeting of said body.

Witness the official signature and the seal of the Town of Wilsonville, Alabama, affixed hereto, this the 7th day of May, 2007.

SEAL

Kay M. Ray
Clerk of the Town of Wilsonville, Alabama


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