

APPLICATION FOR VACATION FOF EASEMENT

DEDICATED FOR PUBLIC PURPOSES

KNOW BY ALL THESE PRESENT THAT: Whereas the undersigned party is owner of all 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 is desirous of vacating the drainage easement herein described as provided by the Statutes of the State of Alabama.

NOW, THEREFORE, the undersigned party, being the owner of all lands abutting on the following described property:

An easement to be vacated situated in Lot 24 Phase I Heatherwood 8th Sector as recorded in Map Book 16, Page 118, in the Office of the Judge of Probate, Shelby County, Alabama being more particularly described as follows:

Commence at the Northeast corner of said Lot 24 and also being the Northwest corner of Lot 25 as recorded in said Phase I Heatherwood 8th Sector; thence run in a Southwesterly direction along the Northeast line of said Lot 24 and the Southwest line of Lot 25 for a distance of 42.12 feet to the point of beginning; thence continue along last stated course for a distance of 31.77 feet to a point; thence turn an angle to the right of 109 degrees, 11 minutes, 53 seconds and run in a Northwesterly direction for a distance of 48.27 feet to a point; thence turn an angle to the left of 21 degrees, 18 minutes, 10 seconds and run in a Northwesterly direction for a distance of 101.86 feet to a point on the Northwest line of said Lot 24, said point also being on the Northeast line of Lot 23 as recorded in said Phase I Heatherwood 8th Sector; thence turn an angle to the right of 88 degrees, 15 minutes, 34 seconds and run in a Northeasterly direction along the Northwest line of said Lot 24 and also the Northeast line of said Lot 23 for a distance of 30.14 feet to a point; thence turn an angle to the right of 107 degrees, 22 minutes, 52 seconds and run in a Southerly direction for a distance of 0.48 feet to a point; thence turn an angle to the left of 15 degrees, 38 minutes, 25 seconds and run in a Southeasterly direction for a distance of 107.96 feet to a point; thence turn an angle to the right of 21 degrees, 18 minutes, 10 seconds and run in a Southeasterly direction for a distance of 43.47 feet to the point of beginning.

does hereby declare the above drainage easement vacated and annulled, and all public rights and easements therein divested of the property.

The undersigned owner further declared that after vacation of the said drainage easement 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 owning property in or near the tract of land embraced in said map or plat.

IN TESTIMONY AND WITNESS WHEREOF, the party here unto has signed and affixed its hand and seal this declaration of vacation on this 30th day of MAY, 2008.

Myra Fabian
MYRA FABIAN

BY: *Branch S. Ward*

BY: *Marcie G. Ward*