

Mayor Roy introduced the following Resolution:

**RESOLUTION NO. R-2008-54**

**WHEREAS**, a declaration signed by Carl Everett Prichard, James O. Phillips, Dennis Stone, Jennie Stone, J. T. Adams and Gladys R. Adams,

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 portion 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:

A 20 foot right-of-way alley located in Block  
75 according to J. H. Dunstan's Survey of the Town  
of Calera, Alabama

**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-ways or easements for public utilities and to all utility facilities presently situated in said area vacated, subject to this provision.

Council Member Roberson moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2008-54.

Council Member Bradshaw 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 Phillips moved that Resolution No.

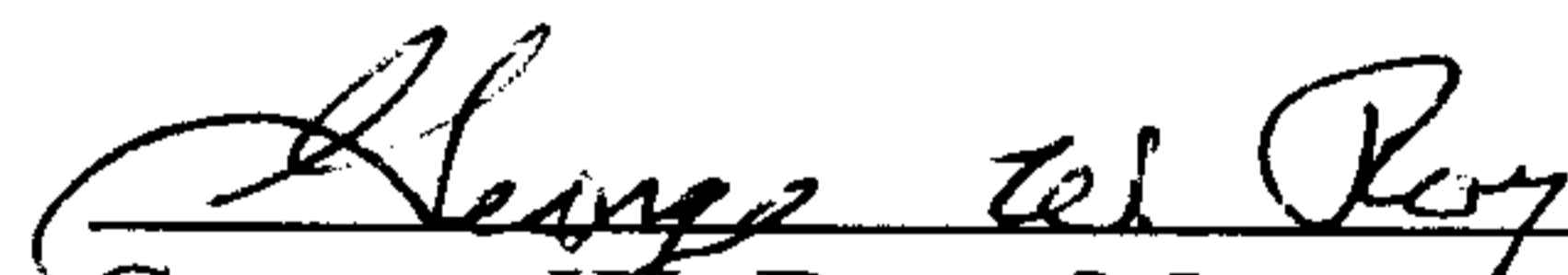
R-2008-54 be adopted. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Mayor Roy declared Resolution No. R-2008-54 adopted.

Adopted this 21<sup>st</sup> day of July 2008.

  
George W. Roy, Mayor

ATTEST:

  
Linda Steele, City Clerk

# REQUEST TO VACATE STREET

We, Carl Prichard, Erma Ruth Prichard, James O. Phillips, Dennis Stone, Jennie Stone, J.T. Adams and Gladys R. Adams hereby request the Mayor and Council of the City of Calera, Alabama to vacate the following described right-of-way:

20080806000314780 3/7 \$29.00  
Shelby Cnty Judge of Probate, AL  
08/06/2008 09:51:49AM FILED/CERT

A twenty foot right-of-way alley located in Block 75 according to J. H. Dunstan's Survey of the Town of Calera, Alabama.

I further certify that I am the sole property owner adjacent to said right-of-way, and the vacation of this alley would not deny ingress and egress to other property owners owning properties in subdivision embraced in said map of J. H. Dunstan's Survey of the Town of Calera.

Carl Everett Prichard

Date: 7-1-08

Carl Everett Prichard as Personal Representative  
Of the Estate of Erma Ruth Prichard

Emma Shows

Date: 7-1-08

Witness Allen Culee

Date: 7/1/2008

Witness James O. Phillips

Date: \_\_\_\_\_

James O. Phillips

Date: 6/26/08

Witness Gami M. Davis

Date: 6/26/08

Witness Allen Culee

6/26/2008

Peggy Ann Phillips (deceased) died on or about February 9, 2004 with rights of survivorship to James O. Phillips

Dennis Stone

Date: 6-29-08

Dennis Stone

Jan Hester

Date: 6-29-08

Witness Allen Culee

Date: 6/29/2008

Witness Jennie Stone

Date: 6-29-08

Jennie Stone

Jan Hester

Date: 6-29-08

Witness Allen Culee

Date: 6/29/2008

Witness J. T. Adams

Date: 6-25-08

J. T. Adams

Allen Culee

Date: 6/25/2008

Witness Gami M. Davis

Date: 6/25/08

Witness Gladys R. Adams

Date: 6/25/08

Gladys R. Adams

Allen Culee

Date: 6/25/2008

Witness Gami M. Davis

Date: 6/25/08

Witness Gami M. Davis

Witness

20080806000314780 4/7 \$29.00  
Shelby Cnty Judge of Probate, AL  
08/06/2008 09:51:49AM FILED/CERT

20080415000155720 1/2 \$34.00  
Shelby Cnty Judge of Probate, AL  
04/16/2008 01:33:07PM FILED/CERT

This Instrument Was Prepared By:  
Christopher R. Smitherman, Attorney At Law  
Law Offices of Christopher R. Smitherman, LLC  
Post Office Box 261  
Montevallo, Alabama 35115  
(205) 665-4357

Send Tax Notice:  
Joseph T. Adams

317 West Milgray  
Calera, AL 35040

STATE OF ALABAMA )  
SHELBY COUNTY ) WARRANTY DEED: JOINT TENANCY  
WITH RIGHT OF SURVIVORSHIP

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Twenty Thousand & 00/100 Dollars (\$20,000.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, that, **Ronald M. Pennington, a married person**, hereinafter called "Grantors", do hereby GRANT, BARGAIN, SELL AND CONVEY unto **Joseph T. Adams and wife, Gladys R. Adams**, hereinafter called "Grantees" for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in **Shelby County, Alabama**, to wit:

Lot 12A:

The South ½ of Lot 12, Block 75, of Dunstan's Map of Calera, as recorded in Map Book 1, Page 1, in the Office of the Judge of Probate of Shelby County, Alabama and being more particularly described as follows:

Begin at the SW corner of above said Lot 12, said point being the POINT OF BEGINNING, said point also lying on the easterly ROW line of 19<sup>th</sup> Street, 80' ROW; thence North 00 degrees 29 minutes 00 seconds East and along said ROW line a distance of 125.00 feet; thence South 86 degrees 26 minutes 28 seconds East and leaving said ROW line a distance of 150.00 feet; thence South 00 degrees 29 minutes 00 seconds West, a distance of 125.00 feet; thence North 86 degrees 26 minutes 28 seconds West, a distance of 150.00 feet to the POINT OF BEGINNING.

Subject to all items of record.

Note: This property does not constitute homestead property for the Grantor.

TO HAVE AND TO HOLD to the said Grantees in fee simple forever, for and during their joint lives and upon the death of either of them, then the survivor in fee simple, and to the heirs of such survivor forever, together with every contingent remainder and right of reversion.

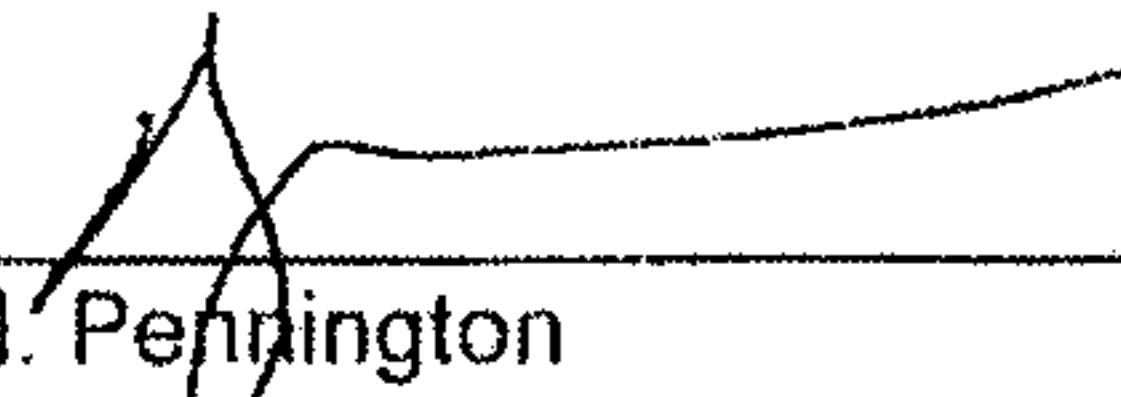
The Grantors, do individually and for the heirs, executors, and administrators of the Grantors covenant with said Grantees and the heirs and assigns of the Grantees, that the Grantors are lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, unless otherwise noted above; that the Grantors have a good right to sell and convey the said premises; that the Grantors and the heirs, executors, administrators of the Grantors shall warrant and defend the said premises to the Grantees and the heirs and assigns of the Grantees forever, against the lawful claims of all persons.

20080806000314780 5/7 \$29.00  
Shelby Cnty Judge of Probate, AL  
08/06/2008 09:51:49AM FILED/CERT

20080416000155720 2/2 \$34.00  
Shelby Cnty Judge of Probate, AL  
04/16/2008 01:33:07PM FILED/CERT

IN WITNESS WHEREOF, the Grantors have executed this Deed and set the seal of the Grantors thereto on this date the 11<sup>th</sup> day of April, 2008.

GRANTOR

  
\_\_\_\_\_  
Ronald M. Pennington (L.S.)

Shelby County, AL 04/16/2008  
State of Alabama  
Deed Tax: \$20.00

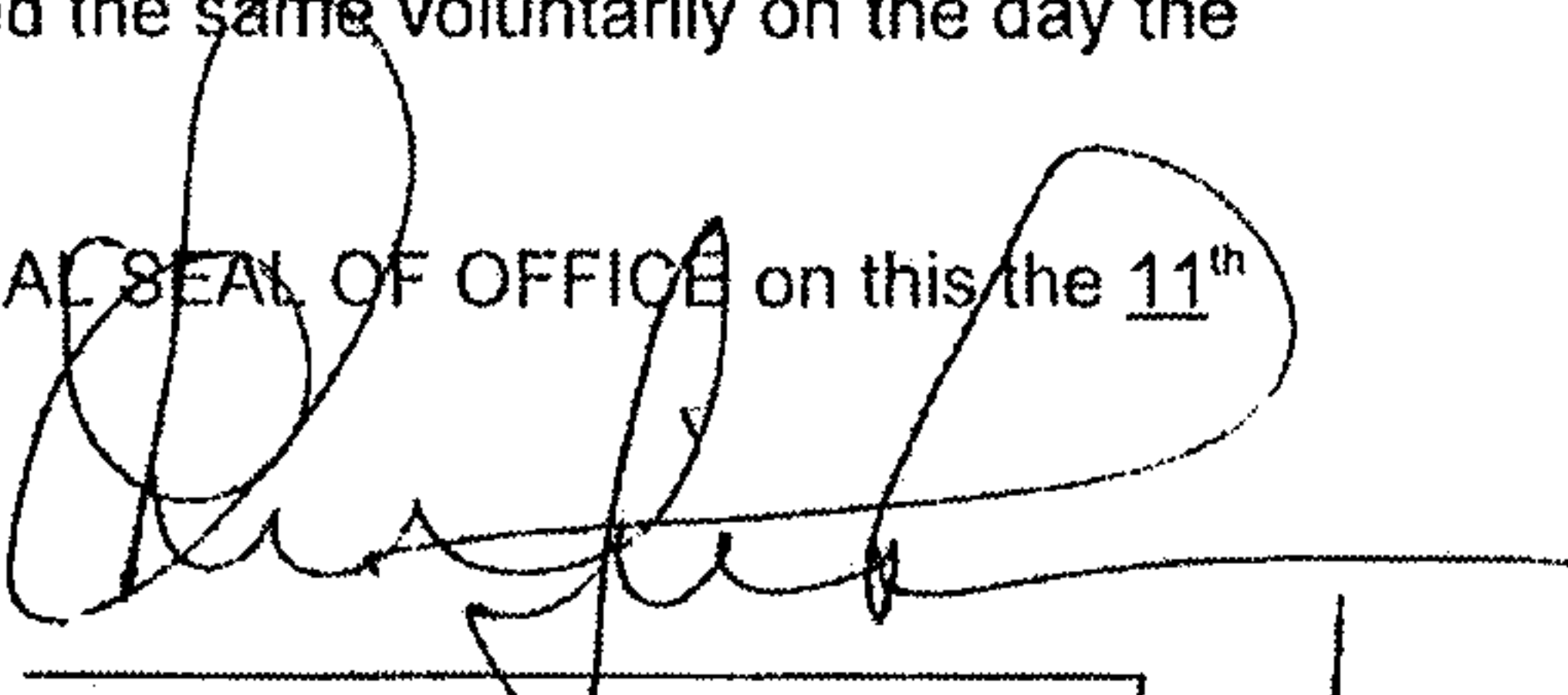
STATE OF ALABAMA )

ACKNOWLEDGMENT

SHELBY COUNTY )

I, Chris Smitherman, a Notary Public for the State at Large, hereby certify that the above posted name, Ronald M. Pennington, which is signed to the foregoing Deed, who is known to me, acknowledged before me on this day that, being informed of the contents of the Deed, that said person executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this the 11<sup>th</sup> day of April, 2008.

  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: 5/13/8

[illegible]

Name 1	Name2	Address 1	Address 2	City	State	Zip Code
BRICHARD		434 18TH		CALERA	AL	35040

PRICHARD CARL & ERMA RUTH W	434 18TH ST	CALERA	AL	35040
--------------------------------------	----------------	--------	----	-------

Subdivision	Primary Lot	Secondary Lot	Block	Section	Township	Range
DUNSTANS	1	2	75	16	22S	02W

Map Book	Map Page	Lot Dimension 1	Lot Dimension 2	Number of Acres	Square Feet
0	1	400	150	1.3799999999999999	60000

### Description

Recorded Date	Recorded Number
---------------	-----------------

Recorded Date	Recorded Number
---------------	-----------------



20080806000314780 6/7 \$29.00  
Shelby Cnty Judge of Probate,AL  
08/06/2008 09:51:49AM 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 21<sup>st</sup> day of July 2008, as the same appears in the official record  
of minutes of the City of Calera Council meeting.

Given under my hand this 21<sup>st</sup> day of July 2008.

Linda Steele  
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  
Linda Steele, City Clerk

07/22/2008  
Date Posted