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## RESOLUTION OF THE SHELBY COUNTY, ALABAMA COMMISSION

### RESOLUTION # 10-11-22-07

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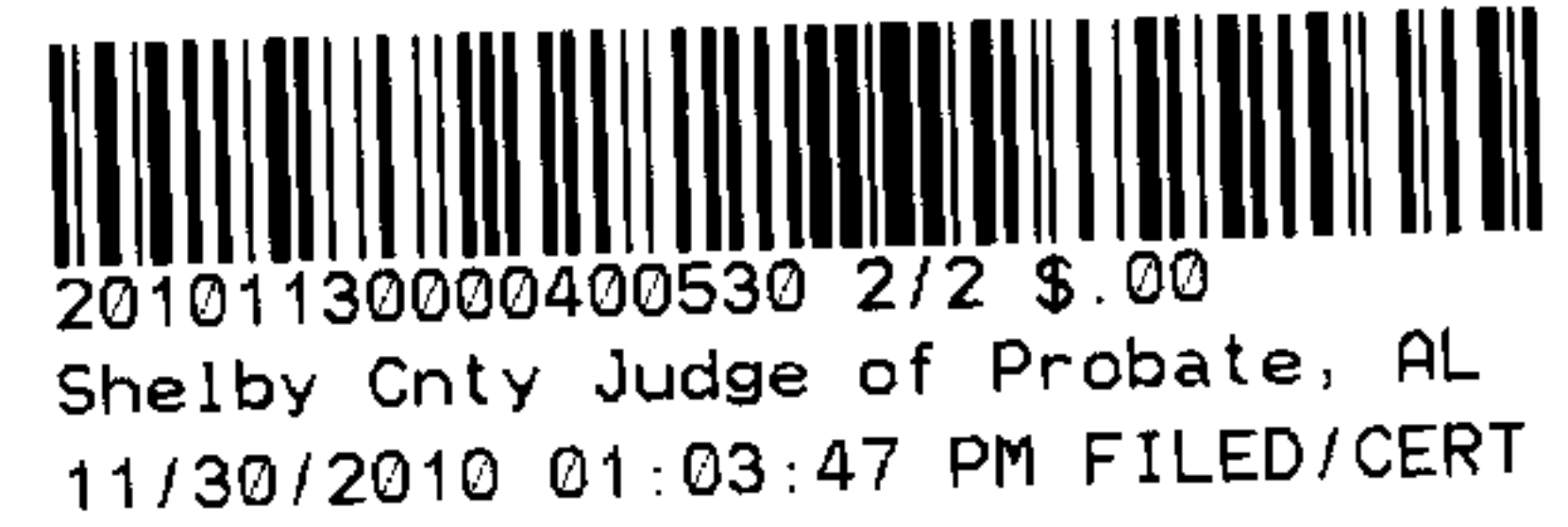
WHEREAS, **Ralph W. Bearden, Monta Faye Bearden, Ralph W. Bearden, Jr., Alfred W. Bearden, Cynthia B. Carroll, Ramona B. Martin, Lynda Sue Clinkscales Granger, Hawaii ERS Timberland, L.L.C., Roy H. Holladay, II, Cathy W. Holladay and Bouvier Harmon Ervin** are the owners of all the property abutting on or adjacent to the following described property and the public road, street, highway or right-of-way over and across said property that is proposed to be vacated, situated in Shelby County, Alabama:

That portion of Shelby County Road #57 (hereinafter "Road") extending from the Shelby County/St. Clair County line westward across the Owners' properties abutting said Road to the south side of Kelly Creek and includes the bridge structure across Kelly Creek. It is the intent of this action to ensure the vacation of all of said Road across the properties of the Owners whether previously vacated or not.

WHEREAS, the above owners are desirous of vacating said tract of land described above and the public road, street, highway or right-of-way over and across said property and requests that the assent of the County Commission of Shelby County, Alabama be given as required by law in such cases; subject, however, to all existing rights of way or easements for public utilities and to all utility facilities presently situated in said vacated area;

That after vacation of the above described tract of land and the public road, street, highway or right-of-way over and across said property, 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, plat or survey by the remaining streets, avenues, or highways dedicated by said map, plat, or survey.

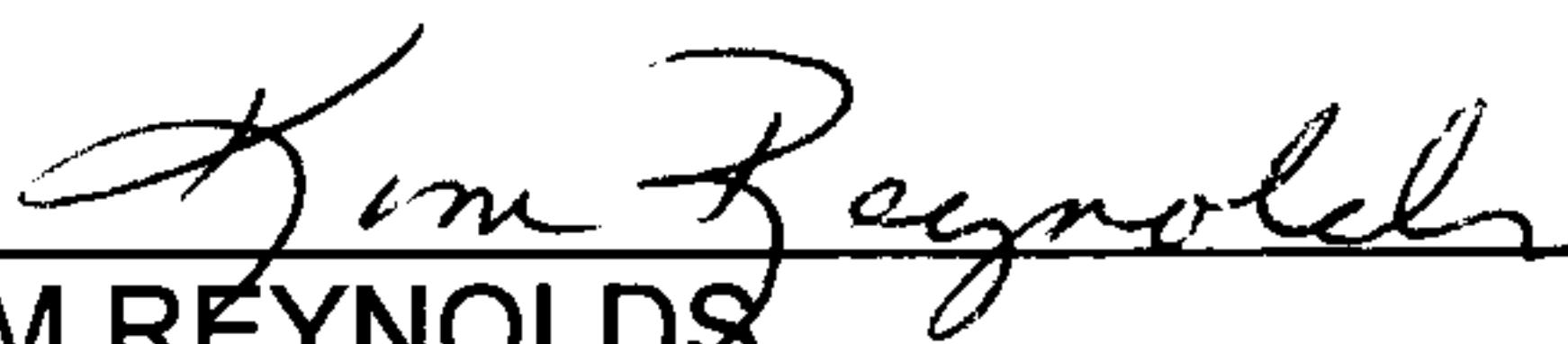
NOW THEREFORE, Be It Resolved the County Commission of Shelby County, Alabama, that they do hereby assent to the said **Ralph W. Bearden, Monta Faye Bearden, Ralph W. Bearden, Jr., Alfred W. Bearden, Cynthia B. Carroll, Ramona B. Martin, Lynda Sue Clinkscales Granger, Hawaii ERS Timberland, L.L.C., Roy H. Holladay, II, Cathy W. Holladay and Bouvier Harmon Ervin** vacating said tract of land and the public road, street, highway or right-of-way over and across said property as described above and that the above described property be and the same is hereby vacated and annulled and all public rights and easements therein divested of the property; subject, however, to all existing rights of way or easements for public utilities and to all utility facilities presently situated in said area vacated hereby.



STATE OF ALABAMA     )  
                                      )  
SHELBY COUNTY         )

I, Kim Reynolds, Assistant to the County Manager of Shelby County, Alabama hereby approve that the above and foregoing is a true and correct transcript of a Resolution duly adopted by the County Commission of Shelby County, Alabama, on the 22<sup>nd</sup> day of November, 2010, and that the aforesaid Resolution is duly recorded in the official minutes and records of said County Commission.

Given under my hand and official seal this the 22<sup>nd</sup> day of November, 2010.

  
KIM REYNOLDS  
Assistant to the County Manager  
Shelby County Commission