



*This Instrument Prepared By:*  
Wm. Randall May  
**ALLISON, MAY & KIMBROUGH, L.L.C.**  
P. O. Box 380275  
Birmingham, AL 35238  
(205) 991-6367

## DECLARATION OF VACATION OF STREET OR ALLEY

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, **CARMEUSE LIME & STONE, INC. f/k/a Dravo Lime, Inc.**, a Delaware corporation authorized to do business in the State of Alabama is the owner (hereinafter "the Owner") of all the property abutting or in any way served by the property herein described and the road, street or highway situated thereon, and owns all the lands abutting on or touching said property, and is desirous of vacating said public road, street, highway or right-of-way over and across the property herein described, as provided for by Ala. Code §35-2-54 and §23-4-20.

NOW THEREFORE, the undersigned, being the owner of all the lands abutting on the following described property and the road, street or highway situated thereon:

The entire length and width of that certain road located in Saginaw, Shelby County, Alabama known as "Merry Fox Farms Road" (hereinafter "Road"). Said Road extends southward from its beginning at Shelby County Road #26 to the Road's termination at U.S. Highway 31. Said Road lying in its entirety within the property boundaries owned by the Owner.

does hereby declare the above property and the road, street or highway situated thereon 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.

The undersigned owner does hereby further declare that after vacation of the said public street and alley located as described above, 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 or tenants owning or leasing property within the tract of land embraced by the said map, plat or, survey, wherein the above described property was dedicated for public purposes.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal this  
the 5<sup>th</sup> day of Feb, 2013.

*[Signature(s) appear on next page]*

CARMEUSE LIME & STONE, INC.

By: Paul Tunncliffe  
Its: Vice President of Operations

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Alyssa Yagoda, Notary Public

Cecil Twp., Washington County

My Commission Expires Dec. 10, 2014

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

STATE OF PENNSYLVANIA )

Allegheny COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Paul Tunncliffe, whose name as Vice President of Operations of CARMEUSE LIME & STONE, INC., a foreign corporation authorized to do business in Alabama, is signed to the foregoing declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the declaration, he executed the same voluntarily.

2013. Given under my hand and official seal, this the 5 day of February,

Alyssa Yagoda  
NOTARY PUBLIC  
My Commission Expires: 12/10/2014



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Shelby Cnty Judge of Probate, AL  
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