RESOLUTION OF THE SHELBY COUNTY, ALABAMA COMMISSION

RESOLUTION # 14-05-27-09

WHEREAS, Larry Truss, Lois Truss, Erika Curry, Richard Curry, Jr., Richard Pearson, Debra Pool Pearson, Margaret Sue Pool Headley, Mary Ruth Pool, Sandra Binkerd Bridenbaugh, Fate Bryant, Doris Bryant, Fate Bryant, Jr. and Rebecca Ann Bryant are the owners of all the property abutting on or adjacent to the following described public roads, streets, highways or rights-of-way that are proposed to be vacated, situated in Shelby County, Alabama:

All of the following lying west of Shelby County Highway No. 47:

- Christian Avenue lying between the alley running north and south in Block 2 and the alley running north and south in Block 4
- Storrs Avenue lying east of the alley in Block 7
- Hazard Street
- Cleveland Street
- Roy Street between Blocks 4 and 5 and between Lots 2 through 7 in Block 14 and Lots 2 through 7 in Block 15
- The alleys running north and south through Blocks 3, 4, 8, 9, 12 and 13; between Lots 1 through 4 and Lots 9 through 12 in Block 2; and between Lots 2 though 7 and Lots 8 through 13 in Block 14.
- The alley running north and south between the Lots 1 and 12 in Block 3.
- Truss-Curry Circle prescriptive right of way.

WHEREAS, the above owners are desirous of vacating said public roads, streets, highways or rights-of-way and request 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 public roads, streets, highways or rights-of-way, 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; and the vacation of the above described public roads, street, highways or rights-of-way shall not in any way the following existing streets currently in use: Descret Drive and Pool Road.

NOW THEREFORE, Be It Resolved by the County Commission of Shelby County, Alabama, that they do hereby assent to the said Larry Truss, Lois Truss, Erika Curry, Richard Curry, Jr., Richard Pearson, Debra Pool Pearson, Margaret Sue Pool Headley, Mary Ruth Pool, Sandra Binkerd Bridenbaugh, Fate Bryant, Doris Bryant, Fate Bryant, Jr. and Rebecca Ann Bryant vacating said public roads, streets, highways or rights-of-way as described above and that the above described public roads, streets, highways or rights-of-way be and the same are hereby vacated and annulled and all public rights and easements therein divested; 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 certify 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 26th day of May, 2014, 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 27 day of May

, 20

Assistant to the Jounty Manager

Shelby County Commission

20140711000210380 2/22 \$88.00 Shelby Cnty Judge of Probate; AL 07/11/2014 11:59:18 AM FILED/CERT DECLARATION OF VACATION OF STREETS AND ALLEYS

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, the undersigned are the owners of all of the lands abutting the streets and allays

(or portions thereof) desired to be vacated; and

WHEREAS, such streets and alleys are shown on the map of Christian Addition to Shelby,

recorded in Deed Book 13, page 431, in the Probate Office of Shelby County, Alabama, and are not

within the limits of any municipality and have not been and are not being used as public roads; and

WHEREAS, convenient means of ingress and egress to an from their property is afforded to

all other property owners owning property in the tract of land embraced in the map of Christian

Addition to Shelby by the remaining streets or alleys dedicated in such map or by other dedicated

highways, streets, or alleys.

NOW, THEREFORE, as provided by § 35-2-54, Code of Ala. 1975, the undersigned hereby

declare the following streets and alleys to be vacated and all public rights therein to be divested,

including any rights which may have been acquired by prescription, subject however to all existing

rights-of-way or easements for public utilities and to all utility facilities presently situated thereon:

All of the following lying west of Shelby County Highway No. 47:

• Christian Avenue lying between the alley running north and south in Block 2 and the alley

running north and south in Block 4

• Storrs Avenue lying east of the alley in Block 7

• Hazard Street lying south of the south line of the north half of Lot 10, Block 3

Cleveland Street

• Roy Street between Blocks 4 and 5 and between Lots 2 through 7 in Block 14 and Lots 2

through 7 in Block 15

• The alleys running north and south through Blocks 4, 8, 9, 12 and 13; between Lots 1 through 4 and Lots 9 through 12 in Block 2; between the south half of Lot 3 through 6 and

7 through the south half of Lot 10 in Block 3; and between Lots 2 though 7 and Lots 8

through 13 in Block 14.

20140711000210380 3/22 \$88.00 Shelby Cnty Judge of Probate, AL 07/11/2014 11:59:18 AM FILED/CERT A map or sketch showing the streets and alleys described above is attached hereto, along with a copy

of the original map of the Christian Addition to Shelby.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals on the

dates indicated by their signatures.

[signatures begin on following page]

20140711000210380 4/22 \$88.00 Shelby Crty Judge of Probate, AL

07/11/2014 11:59:18 AM FILED/CERT

Larry Truss

STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Larry Truss, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 200 day of _______, 2012

Notary Public

Lois Truss

STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Lois Truss, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2 day of

7________, 2012.

Motary Public

20140711000210380 5/22 \$88.00 Shelby Cnty Judge of Probate, AL

07/11/2014 11:59:18 AM FILED/CERT

Erika Curry

STATE OF ALABAMA COUNTY OF Madio M

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Erika Curry, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26 day of 10+

MY COMMISSION EXPIRES

1-15-2014

Richard Curry, Jr.

STATE OF ALABAMA COUNTY OF St. Chen

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Richard Curry, Jr., whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3dday of Colober

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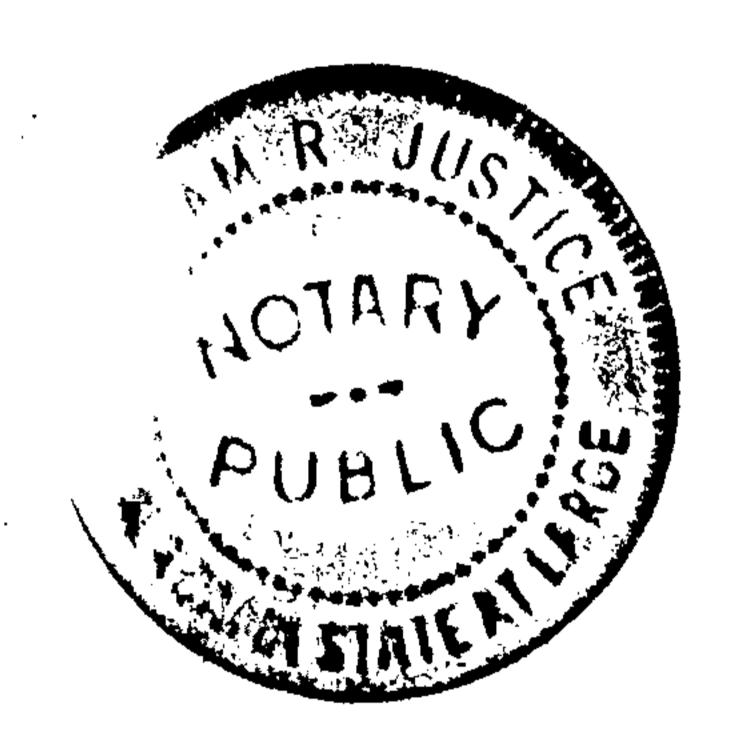
Shelby Chty Judge of Probate; AL 07/11/2014 11:59:18 AM FILED/CERT Notary Public

* Richard Pearson

STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Richard Pearson, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this $\frac{11}{11}$ day of $\frac{1}{11}$ day of $\frac{1}{11}$, 2012



Notary Public

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Welle Golf Reason

Debra Pool Pearson

Margaret Sue Pool Headley

Mary Ruth Pool

STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Debra Pool Pearson, Margaret Sue Pool Headley, and Mary Ruth Pool, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30th day of September, 2011.

OTARY

Notary Public

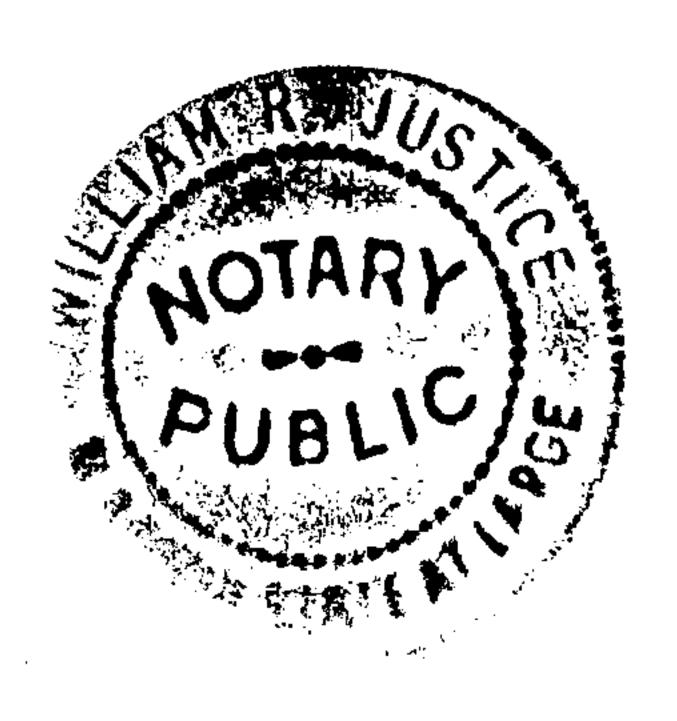
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Sandra Briker Bridenbaugh
Sandra Binkerd Bridenbaugh

STATE OF ALABAMA COUNTY OF SHELBY

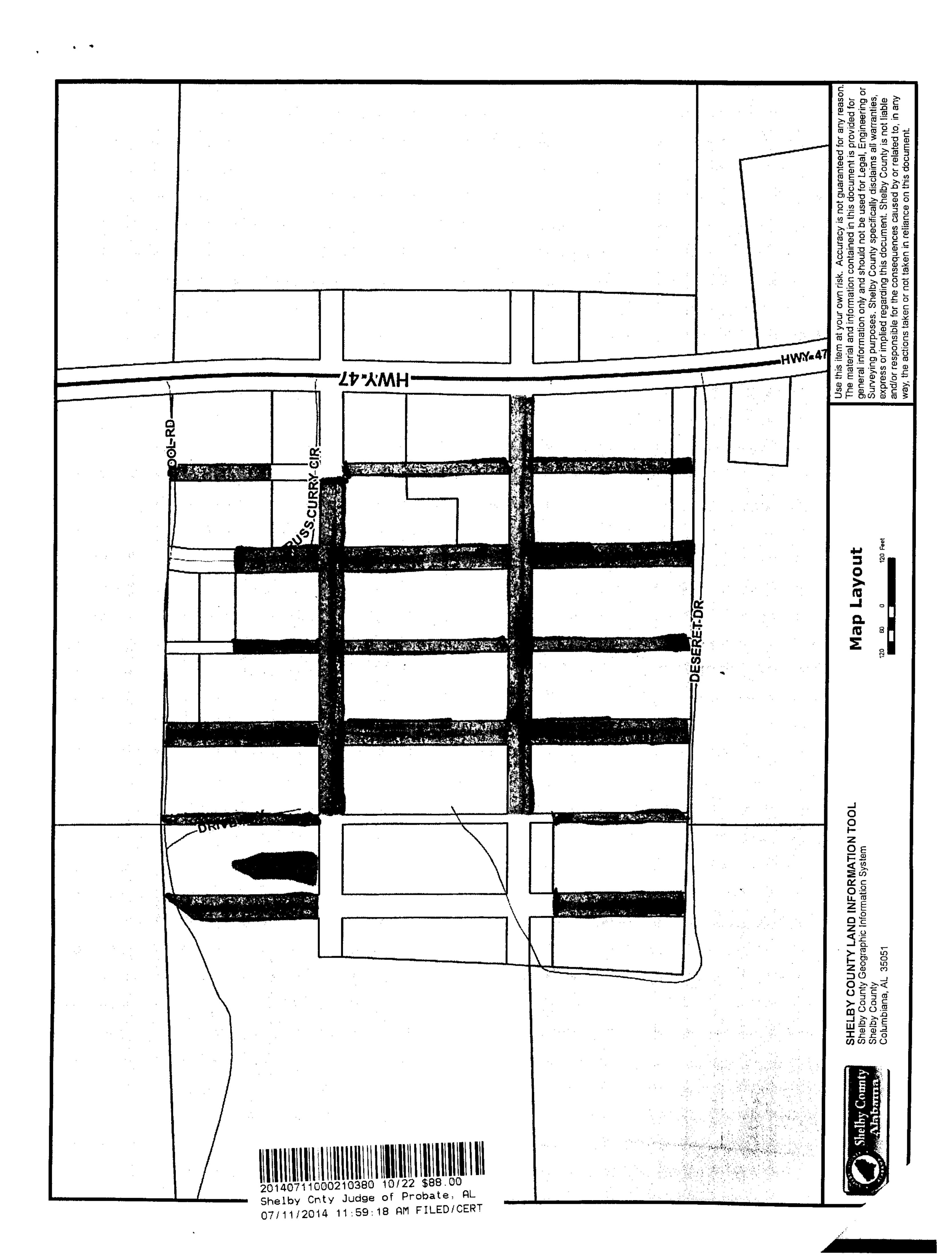
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Sandra Binkerd, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

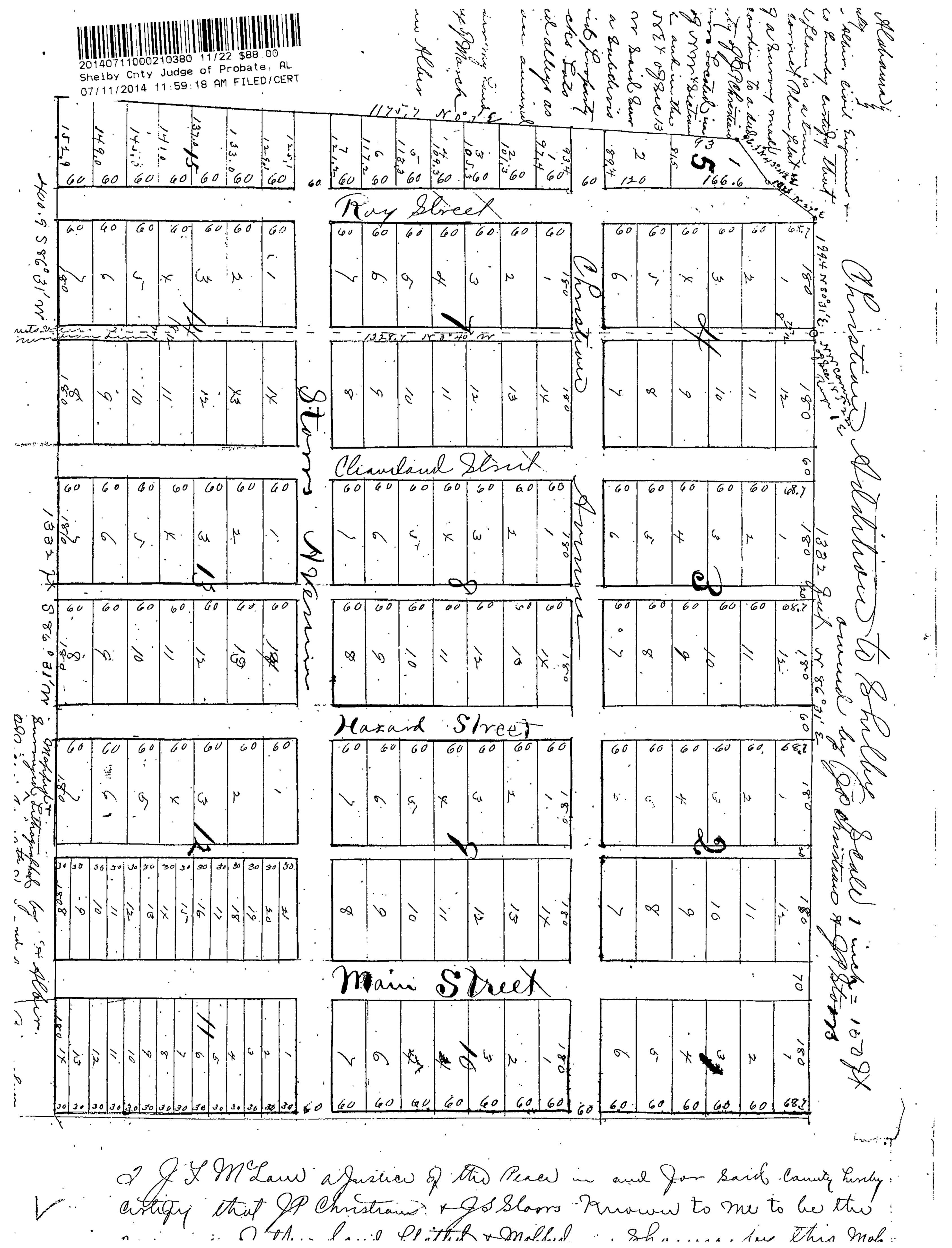
Given under my hand and official seal this $\frac{7\%}{6}$ day of $\frac{1}{2}$ da



Notary Public

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AMENDED DECLARATION OF VACATION OF STREETS AND ALLEYS

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, Larry Truss, Lois Truss, Erika Curry, Richard Curry, Jr., Richard Pearson,

Debra Pool Pearson, Margaret Sue Pool Headley, Mary Ruth Pool, and Sandra Binkerd Bridenbaugh

have previously executed a Declaration of Vacation of Street and Alleys as shown on the map of

Christian Addition to Shelby, recorded in Deed Book 13, page 431, in the Probate Office of Shelby

County, Alabama; and

WHEREAS, Fate Bryant and Doris Bryant are also owners of lands abutting additional

portions of streets and alleys in said subdivision and also desire that said portions of streets and

alleys be vacated; and

WHEREAS, the description of the streets and alleys to be vacated as contained in the original

declaration did not make clear that existing streets currently in use are not to be affected by the

vacation.

NOW, THEREFORE, as provided by § 35-2-54, Code of Ala. 1975, Fate Bryant and Doris

Bryant hereby join in the previous declaration and the description of the streets and alleys listed in

the previous declaration to be vacated and all public rights therein to be divested, including any

rights which may have been acquired by prescription, subject however to all existing rights-of-way

or easements for public utilities and to all utility facilities presently situated thereon, is hereby

amended to read as follows:

All of the following lying west of Shelby County Highway No. 47:

• Christian Avenue lying between the alley running north and south in Block 2 and the alley

running north and south in Block 4

• Storrs Avenue lying east of the alley in Block 7

• Hazard Street lying south of the south line of the north half of Lot 10, Block 3 and lying

20140711000210380 12/22 \$88.00 Shelby Cnty Judge of Probate, AL 07/11/2014 11:59:18 AM FILED/CERT between Lot 12 Block 3 and Lot 1 Block 2

- Cleveland Street
- Roy Street between Blocks 4 and 5 and between Lots 2 through 7 in Block 14 and Lots 2 through 7 in Block 15
- The alleys running north and south through Blocks 4, 8, 9, 12 and 13; between Lots 1 through 4 and Lots 9 through 12 in Block 2; between the south half of Lot 3 through 6 and 7 through the south half of Lot 10 in Block 3; and between Lots 2 though 7 and Lots 8 through 13 in Block 14.
- The alley running north and south between the Lots 1 and 12 in Block 3.

The vacation of the above street and alleys shall not in any way the following existing streets currently in use: Truss-Curry Circle, Deseret Drive, and Pool Road.

A map or sketch showing the streets and alleys adjoining the Fate Bryant and Doris Bryant property is attached hereto.

IN WITNESS WHEREOF, the undersigned Fate Bryant and Doris Bryant have hereunto set their hands and seals on the dates indicated by their signatures.

[signatures on following page]

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Fate Bryant					
STATE OF ALABAMA COUNTY OF SHELBY					
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Fate Bryant, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.					
Given under my hand and official seal this day of					

Notary Public Kelly B. Mullin Notary Public State At Large Commission Expires June 28, 2013

STATE OF ALABAMA COUNTY OF SHELBY

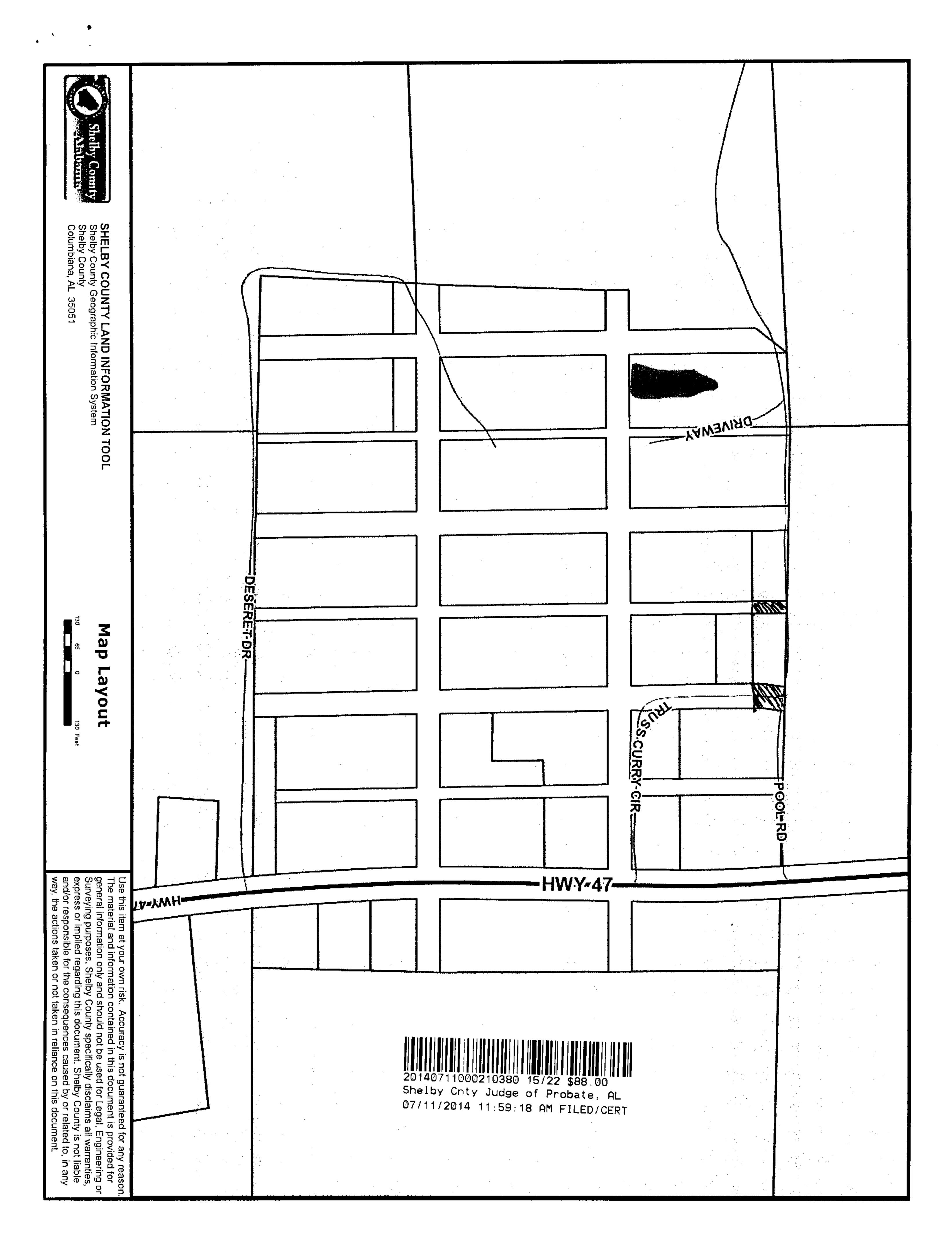
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Doris Bryant, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this <u>9</u> day of <u>7</u>

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Shelby Cnty Judge of Probate, AL 07/11/2014 11:59:18 AM FILED/CERT Notary Public U

Kelly B. Mullin Notary Public State At Large Commission Expires June 28, 20 13



SECOND AMENDED DECLARATION OF VACATION OF STREETS AND ALLEYS

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, Larry Truss, Lois Truss, Erika Curry, Richard Curry, Jr., Richard Pearson,

Debra Pool Pearson, Margaret Sue Pool Headley, Mary Ruth Pool, and Sandra Binkerd Bridenbaugh

have previously executed a Declaration of Vacation of Street and Alleys as shown on the map of

Christian Addition to Shelby, recorded in Deed Book 13, page 431, in the Probate Office of Shelby

County, Alabama; and

WHEREAS, Fate Bryant and Doris Bryant have previously executed an Amended

Declaration of Vacation of Streets and Alleys to join with the above owners; and

WHEREAS, Fate Bryant, Jr. and Rebecca Ann Bryant are also owners of lands abutting

additional portions of streets and alleys in said subdivision and also desire that said portions of

streets and alleys be vacated;

NOW, THEREFORE, as provided by § 35-2-54, Code of Ala. 1975, Fate Bryant, Jr. and

Rebecca Ann Bryant hereby join in the previous declaration and the description of the streets and

alleys listed in the previous declaration to be vacated and all public rights therein to be divested,

including any rights which may have been acquired by prescription, subject however to all existing

rights-of-way or easements for public utilities and to all utility facilities presently situated thereon,

is hereby amended to read as follows:

All of the following lying west of Shelby County Highway No. 47:

• Christian Avenue lying between the alley running north and south in Block 2 and the alley

running north and south in Block 4

• Storrs Avenue lying east of the alley in Block 7

Hazard Street

Cleveland Street

• Roy Street between Blocks 4 and 5 and between Lots 2 through 7 in Block 14 and Lots 2

20140711000210380 16/22 \$88.00 Shelby Cnty Judge of Probate: AL 07/11/2014 11:59:18 AM FILED/CERT through 7 in Block 15

• The alleys running north and south through Blocks 3, 4, 8, 9, 12 and 13; between Lots 1 through 4 and Lots 9 through 12 in Block 2; and between Lots 2 though 7 and Lots 8 through

13 in Block 14.

• The alley running north and south between the Lots 1 and 12 in Block 3.

The vacation of the above street and alleys shall not in any way the following existing

streets currently in use: Truss-Curry Circle, Deseret Drive, and Pool Road.

A map or sketch showing the streets and alleys adjoining the Fate Bryant, Jr. and Rebecca Ann

Bryant property is attached hereto.

IN WITNESS WHEREOF, the undersigned Fate Bryant, Jr. and Rebecca Ann Bryant have

hereunto set their hands and seals on the dates indicated by their signatures.

[signatures on following page]

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Shelby Chty Judge of Probate, AL 07/11/2014 11:59:18 AM FILED/CERT

Fate Bryant, Jr.

STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Fate Bryant, Jr., whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this <u>JH</u> day of _______, 2012.

Notary Public

Kelly B. Mullin

Notary Public State At Large Commission Expires

June 28, 20/3

Rebecca Ann Bryant

STATE OF ALABAMA COUNTY OF SHELBY

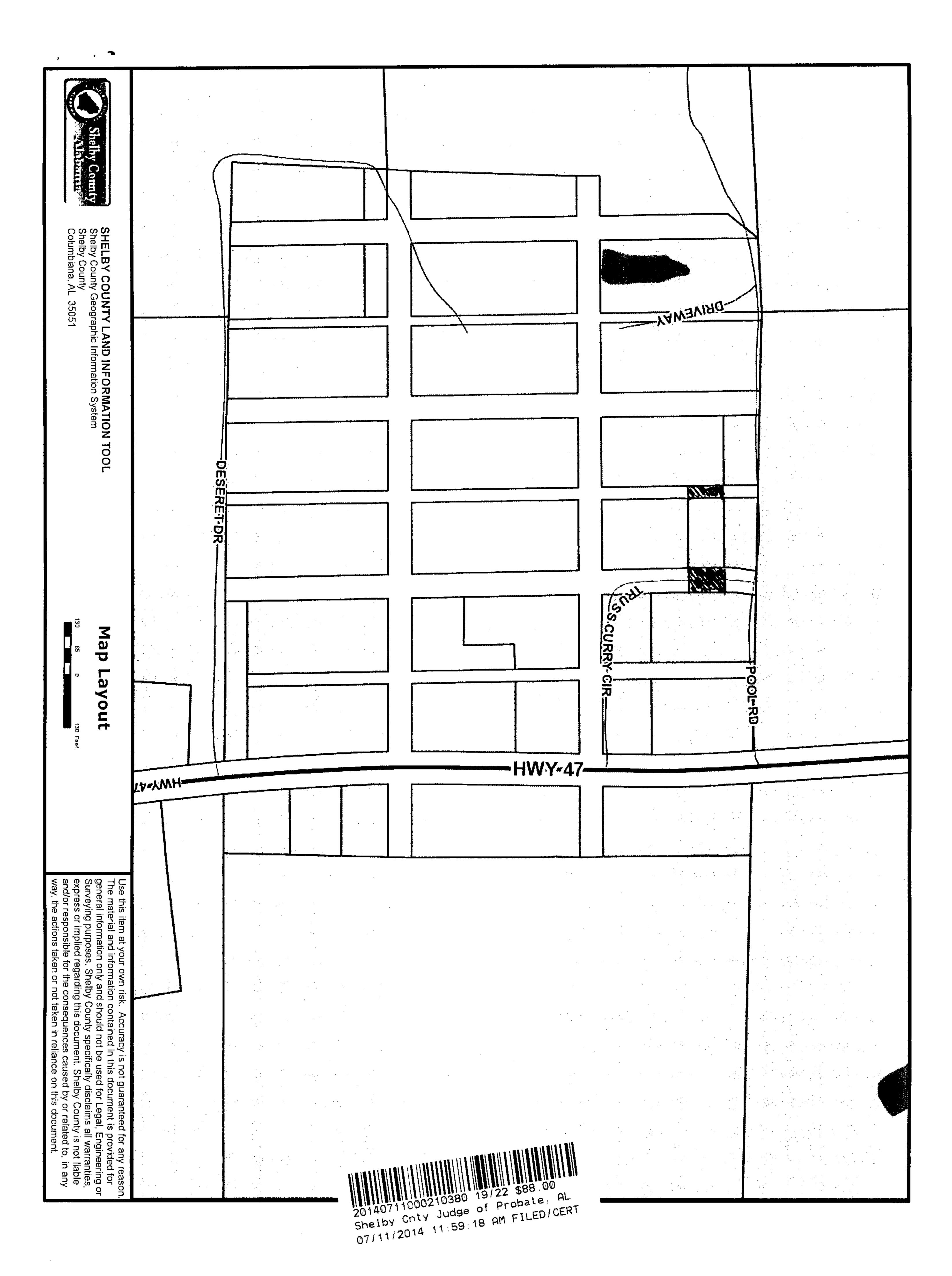
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Rebecca Ann Bryant, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 17 day of August

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Shelby Cnty Judge of Probate, AL 07/11/2014 11:59:18 AM FILED/CERT

Notary Public



Jahr of Roberts

THIS INSTRUMENT PREPARED BY Douglas W. Ingram, Attorney 9212 Brookhurst Drive, Suite 102 Birmingham, Alabama 35235

Send Tax Notice To:
Fate Bryant, Jr. and Rebecca Ann Bryant

135 Truss Curry Circle Shelby, Alabama 35143

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WARRANTY	DEED '	WITH	RIGHT:	OF	SURVIVORSHIP

ALABAMA

Know All Men By These Presents.

SHELBY COUNTY

That in consideration of Ten and 00/100ths Dollars (\$10.00) and other valuable and good Consideration to the undersigned (GRANTOR) herein, the receipt of which is acknowledged, I or we,

both married.

herein referred to as GRANTOR(S) do grant, bargain, sell and convey unto:

Fate Bryant, Jr and Rebecca Ann Bryant

(Herein referred to as the GRANTEE(S), 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 Jefferson County, Alabama, to-wit:

The north one-half of lot 10 and 11 Block 3 as recorded in Map Book 3, Page 432 Christian Addition to Shelby.

This property is not the homestead of the grantors herein.

Subject to: (1) Easements, restrictions, reservations, rights-of-way, limitations, covenants and conditions of record if any. (2) Mineral and mining rights, if any.

The grantor Fate Bryant and the grantee Fate Bryant Jr. are one and same. TO HAVE AND TO HOLD, to the said GRANTEES, their heirs and assigns forever.

And we do, for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; we have a good right to sell and convey the same as aforesaid; we will and our heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 4 day of Nov., 2005.

Shelby County, AL 11/21/2005 State of Alabama Deed Tax:\$2.00 Fate Bryant (Seal)

Doris Bryant

STATE OF ALABAMA

Shelby COUNTY

General Acknowledgment

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that, Fate Bryant and Doris Bryant, husband and wife whose name(s) are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this A day of Nov. A.

NOTARY PUBLIC

My Commission Expires: July 26, 2008

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Land Homes

THIRD AMENDED DECLARATION OF VACATION OF STREETS AND ALLEYS

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, Larry Truss, Lois Truss, Erika Curry, Richard Curry, Jr., Richard Pearson, Debra Pool Pearson, Margaret Sue Pool Headley, Mary Ruth Pool, and Sandra Binkerd Bridenbaugh have previously executed a Declaration of Vacation of Street and Alleys as shown on the map of Christian Addition to Shelby, recorded in Deed Book 13, page 431, in the Probate Office of Shelby County, Alabama; and

WHEREAS, Fate Bryant and Doris Bryant have previously executed an Amended Declaration of Vacation of Streets and Alleys to join with the above owners; and

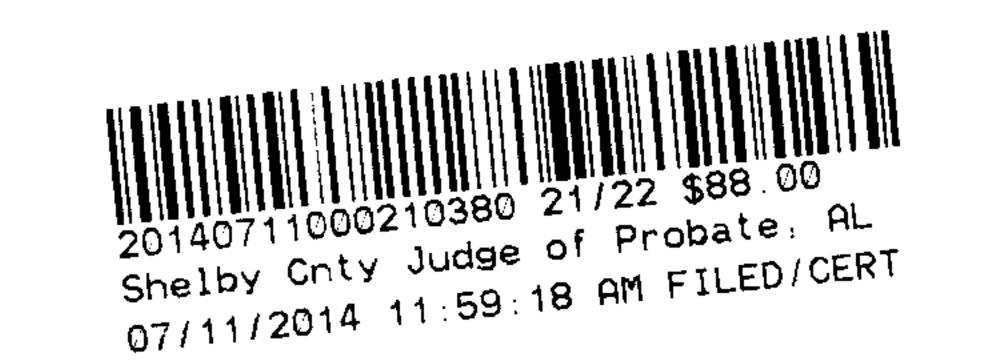
WHEREAS, Fate Bryant, Jr. and Rebecca Ann Bryant have previously executed a Second Amended Declaration of Vacation of Streets and Alleys to join with the above owners; and

WHEREAS, all of the petitioners wish to include the Truss-Curry Circle prescriptive right of way in the list of streets to be vacated.

NOW, THEREFORE, as provided by § 35-2-54, Code of Ala. 1975, the above parties by and through their attorney at law, William R. Justice, amend the previous amended declaration and the description of the streets and alleys listed in the previous amended declaration to be vacated to read as follows:

All of the following lying west of Shelby County Highway No. 47:

- Christian Avenue lying between the alley running north and south in Block 2 and the alley running north and south in Block 4
- Storrs Avenue lying east of the alley in Block 7
- Hazard Street
- Cleveland Street
- Roy Street between Blocks 4 and 5 and between Lots 2 through 7 in Block 14 and Lots 2 through 7 in Block 15
- The alleys running north and south through Blocks 3, 4, 8, 9, 12 and 13; between Lots 1



through 4 and Lots 9 through 12 in Block 2; and between Lots 2 though 7 and Lots 8 through 13 in Block 14.

- The alley running north and south between the Lots 1 and 12 in Block 3.
- Truss-Curry Circle prescriptive right of way.

The vacation of the above street and alleys shall not in any way the following existing streets currently in use: Deseret Drive and Pool Road.

This the 19th day of February, 2013.

William R. Justice

Attorney for Petitioners/

WALLACE, ELLIS, FOWLER, HEAD & JUSTICE

P.O. Box 587

Columbiana, AL 35051 phone: (205) 669-6783

fax: (205) 669-4932

email: wjustice@wefhlaw.com

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