

## RESOLUTION NO. 5677-17

WHEREAS, Blackridge Partners, LLC, is the owner of all the property abutting or adjacent to the following right of way proposed to be vacated, situated in Shelby County, Alabama, to-wit:

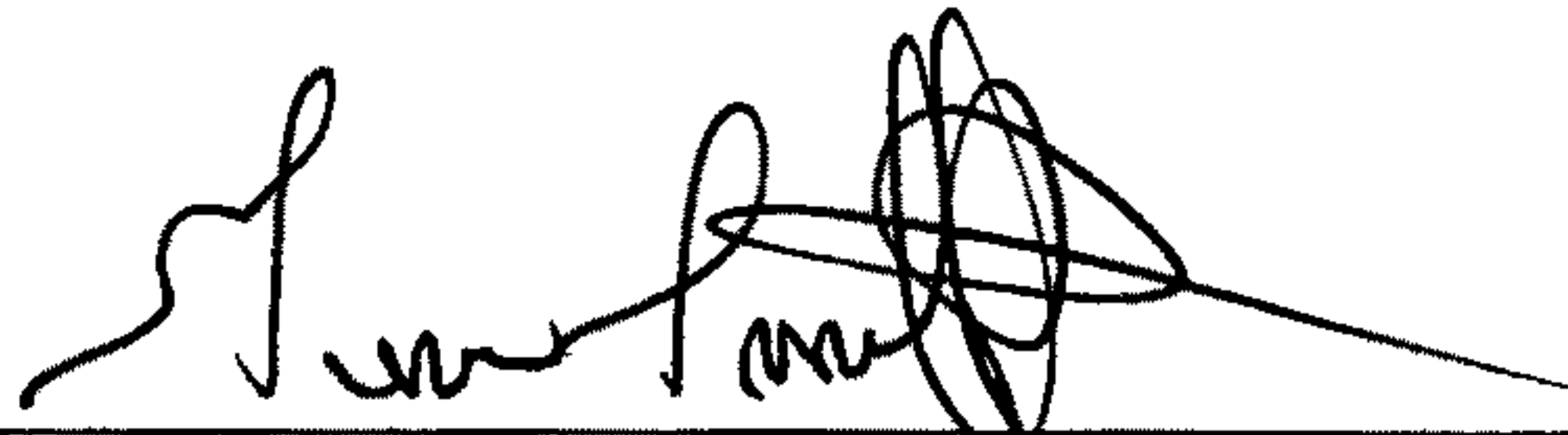
*SEE ATTACHED EXHIBIT "A"*

WHEREAS, the above owner is desirous of vacating said right of way described above and requests that the assent of the Council of the City of Hoover, Alabama, be given as required by law in such cases.

After vacation of the above described right of way the owner of the described easement must provide convenient means of ingress and egress to and from the property to all other property owners owning property in the tract of land embraced in said map, plat or survey.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoover, Alabama, that it does hereby assent to the vacation of the said right of way as above described and that the same is hereby vacated and annulled and all public rights and easement herein are hereby divested.

ADOPTED this 2nd day of October, 2017.



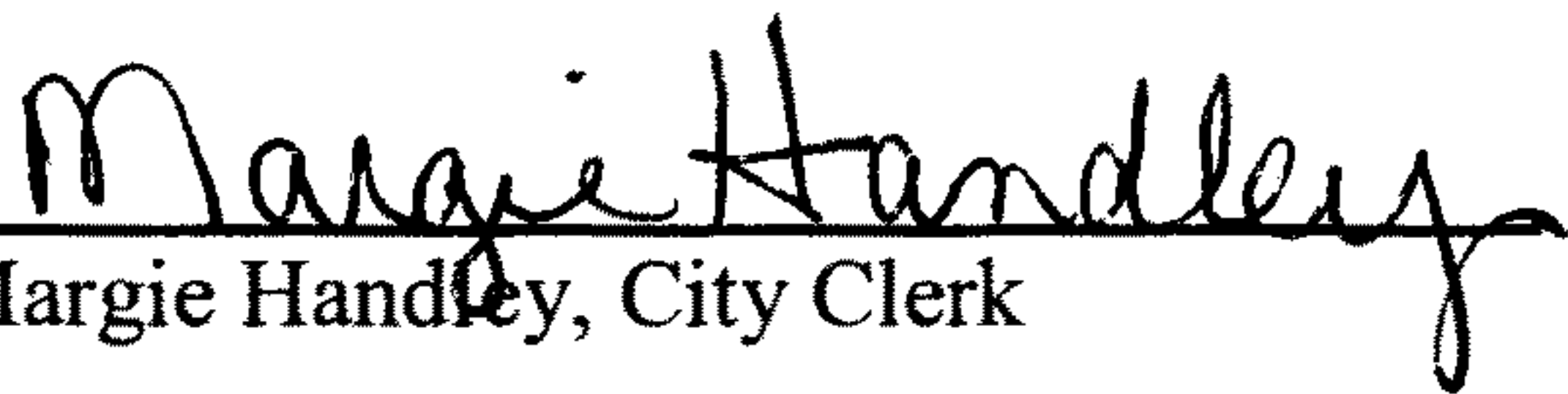
Gene Smith, President of the Council

APPROVED:



Mayor Frank V. Brocato

ATTESTED BY:



Margie Handley, City Clerk

20171005000362870 1/10 \$42.00  
Shelby Cnty Judge of Probate, AL  
10/05/2017 08:42:11 AM FILED/CERT

## EXHIBIT A

### LEGAL DESCRIPTION AND PLAN

The prescriptive right-of-way of Elvira Road (also known as Shelby County Road 269) located in the SE  $\frac{1}{4}$  of Section 5, the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of Section 8 the E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 8, and the SW  $\frac{1}{4}$  of Section 8, all in Township 20 South, Range 3 West in the City of Hoover, Shelby County, Alabama being more particularly described as follows:

Commencing at the SE corner of Section 5, Township 20 South, Range 3 West in the City of Hoover, Shelby County, Alabama and run N  $1^{\circ}05'58''$  W along the Eastern line of said Section 5 for 1738.68 feet; thence leaving said section line S  $88^{\circ}52'12''$  W, 370.21 feet to the Western right-of-way of a CSX railroad being the POINT OF BEGINNING of the centerline of Elvira Road, said road lying in a prescriptive right-of-way of varying width; thence S  $32^{\circ}26'00''$  W, 94.12 feet to a point on a curve having a radius of 200.00 feet and a central angle of  $16^{\circ}47'07''$ ; thence along the arc of said curve a distance of 58.59 feet, said arc subtended by a chord bearing S  $40^{\circ}49'34''$  W, a distance of 58.38 feet; thence S  $49^{\circ}13'07''$  W, 312.22 feet; thence S  $45^{\circ}39'24''$  W, 159.03 feet to a point on a curve having a radius of 636.89 feet and a central angle of  $34^{\circ}00'27''$ ; thence along the arc of said curve a distance of 378.02 feet, said arc subtended by a chord bearing S  $62^{\circ}39'37''$  W, a distance of 372.50 feet; thence S  $79^{\circ}39'50''$  W, 97.42 feet to a point on a curve having a radius of 400.00 feet and a central angle of  $13^{\circ}19'20''$ ; thence along the arc of said curve a distance of 93.01 feet, said arc subtended by a chord bearing S  $73^{\circ}00'10''$  W, a distance of 92.80 feet; thence S  $66^{\circ}20'30''$  W, 274.69 feet; thence S  $58^{\circ}08'35''$  W, 104.36 feet to a point on a curve having a radius of 150.00 feet and a central angle of  $38^{\circ}53'28''$ ; thence along the arc of said curve a distance of 101.82 feet said arc subtended by a chord bearing S  $38^{\circ}41'50''$  W, a distance of 99.87 feet; thence S  $19^{\circ}15'06''$  W, 388.96 feet to a point on a curve having a radius of 200.00 feet and a central angle of  $23^{\circ}19'59''$ ; thence along the arc of said curve a distance of 81.45 feet, said arc subtended by a chord bearing S  $30^{\circ}55'05''$  W, a distance of 80.89 feet; thence S  $42^{\circ}35'05''$  W, 372.78 feet to a point on a curve having a radius of 250.00 feet and a central angle of  $6^{\circ}55'27''$ ; thence along the arc of said curve a distance of 30.21 feet, said arc subtended by a chord bearing S  $39^{\circ}07'21''$  W, a distance of 30.19 feet; thence S  $35^{\circ}39'38''$  W, 346.47 feet to a point on a curve having a radius of 1000.00 feet and a central angle of  $31^{\circ}57'16''$ ; thence along the arc of said curve a distance of 557.71 feet, said arc subtended by a chord bearing S  $19^{\circ}41'00''$  W, a distance of 550.51 feet; thence S  $3^{\circ}42'22''$  W, 137.65 feet to a point on a curve having a radius of 1000.00 feet and a central angle of  $3^{\circ}03'40''$ ; thence along the arc of said curve a distance of 53.42 feet, said arc subtended by a chord bearing S  $5^{\circ}14'12''$  W, a distance of 53.42 feet; thence



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S 6°46'02" W, 513.75 feet to a point on a curve having a radius of 500.00 feet and a central angle of 15°51'51"; thence along the arc of said curve a distance of 138.44 feet, said arc subtended by a chord bearing S 14°41'58" W, a distance of 138.00 feet; thence S 22°37'53" W, 456.58 feet to a point on a curve having a radius of 150.00 feet and a central angle of 17°35'41"; thence along the arc of said curve a distance of 46.06 feet, said arc subtended by a chord bearing S 13°50'03" W, a distance of 45.88 feet; thence S 5°02'12" W, 97.30 feet to a point on a curve having a radius of 500.00 feet and a central angle of 39°08'39"; thence along the arc of said curve a distance of 341.60 feet, said arc subtended by a chord bearing S 24°36'32" W, a distance of 334.99 feet; thence S 44°10'51" W, 312.14 feet to a point on a curve having a radius of 750.00 feet and a central angle of 9°10'35"; thence along the arc of said curve a distance of 120.12 feet, said arc subtended by a chord bearing S 39°35'34" W, a distance of 119.99 feet; thence S 35°00'16" W, 366.37 feet to a point on a curve having a radius of 500.00 feet and a central angle of 22°47'10"; thence along the arc of said curve a distance of 198.85 feet, said arc subtended by a chord bearing S 46°23'51" W, a distance of 197.54 feet; thence S 57°47'26" W, 201.25 feet to a point on a curve having a radius of 700.00 feet and a central angle of 29°30'57"; thence along the arc of said curve a distance of 360.60 feet, said arc subtended by a chord bearing S 43°01'58" W, a distance of 356.63 feet; thence S 28°16'29" W, 251.56 feet to a point on a curve having a radius of 500.00 feet and a central angle of 10°11'17"; thence along the arc of said curve a distance of 88.91 feet, said arc subtended by a chord bearing S 23°10'51" W, a distance of 88.79 feet; thence S 18°05'12" W, 104.99 feet.

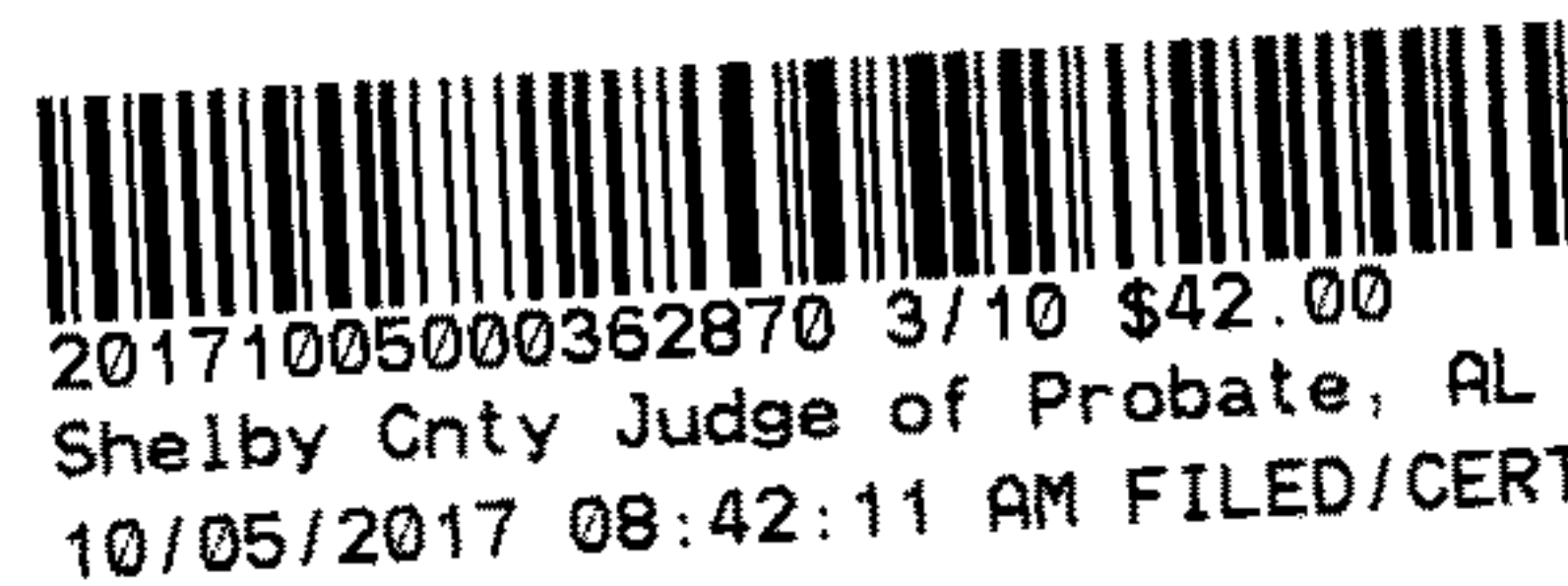


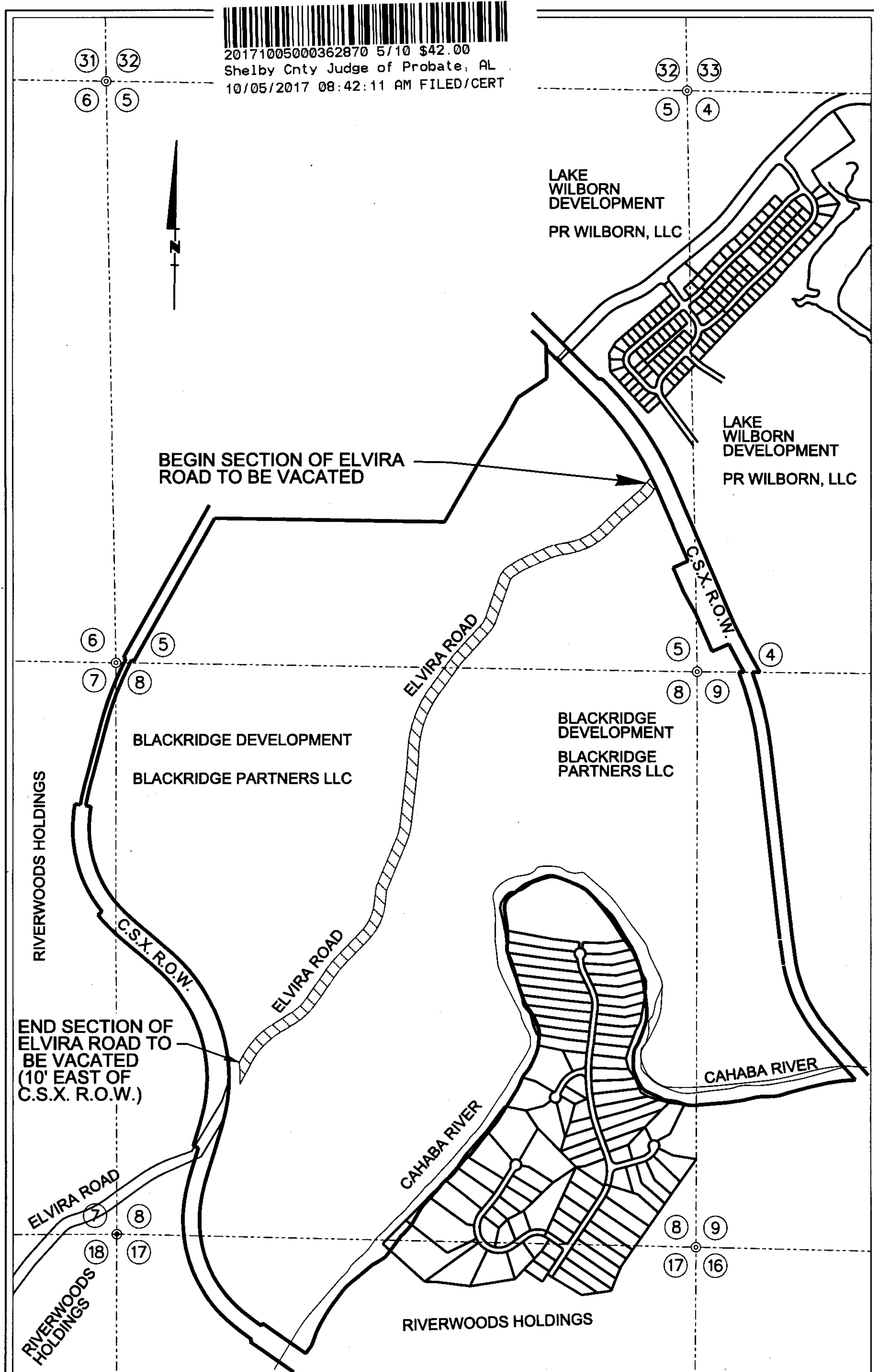
EXHIBIT B



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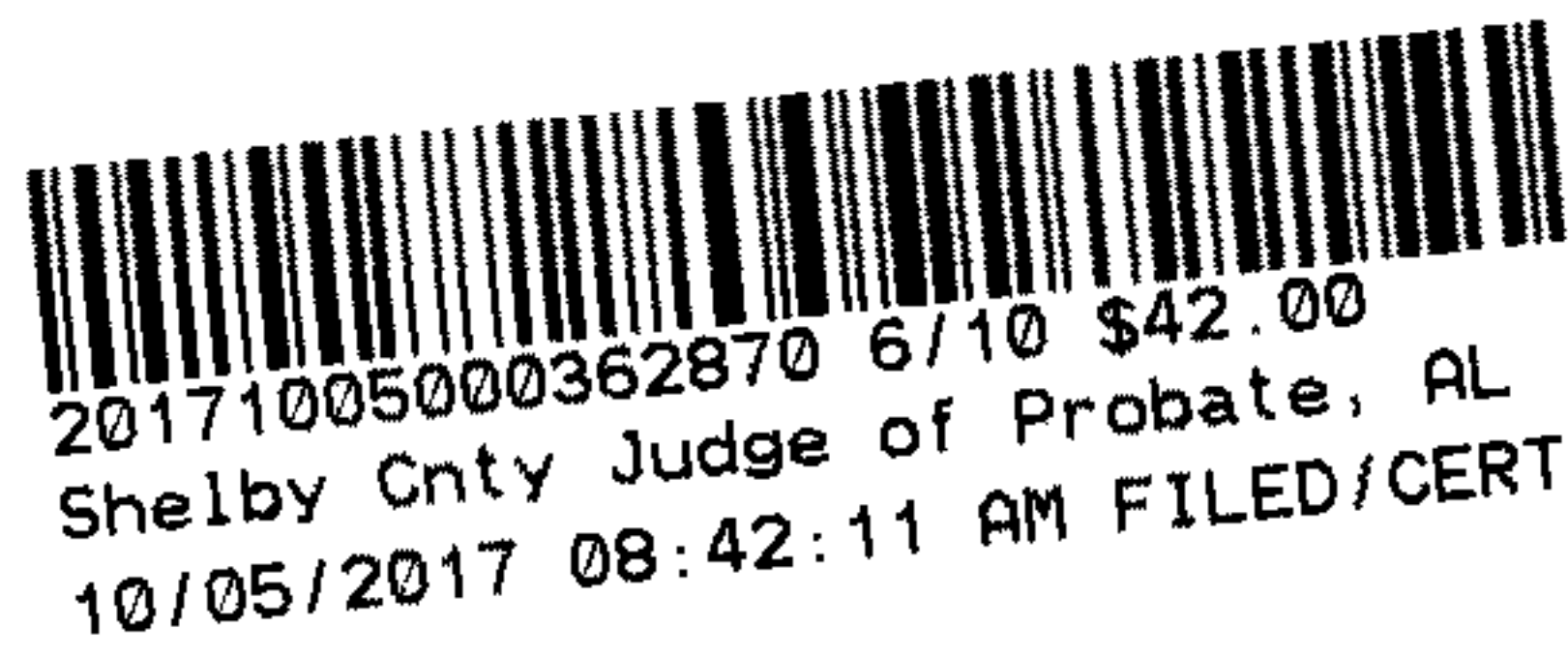
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Alabama Engineering Co., Inc.  
2 Office Park Circle, Suite 11  
Birmingham, Alabama 35223  
Phone: (205) 803-2161  
Fax: (205) 803-2162


ELVIRA ROAD  
VACATION EXHIBIT  
Alabama Engineering Co., Inc.  
April 17, 2017 1"=1000'





## CERTIFICATION

I, Margie Handley, City Clerk for the City of Hoover, Alabama, do hereby certify the attached is a true and correct copy of **Resolution No. 5677-17**, adopted by the City Council of the City of Hoover, Alabama on the 2nd day of October, 2017.

  
Margie Handley  
City Clerk

DECLARATION OF VACATION

STATE OF ALABAMA       )  
                                     :  
COUNTY OF SHELBY       )


KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the owner of all lands abutting that portion of the street described below, pursuant to and in accordance with the provisions of Section 35-2-54 of the Code of Alabama (1975), does hereby declare such portion of the street vacated and request the assent of the Council of the City of Hoover to the vacation of said street and its approval of the vacation of the portion or portions of street located in the corporate limits of the City of Hoover, Alabama, described and shown as follows, to wit:

See attached "EXHIBIT A"

The portion of the street to be vacated is shown by the map attached hereto as EXHIBIT B. The said owner does further declare that, after the vacation hereinabove declared, convenient means of ingress and egress to and from their respective properties will be afforded to all other property owners owning property in the tract of land embraced in the map by the remaining streets dedicated to the public for public road purposes.

IN WITNESS WHEREOF, the undersigned have executed this instrument and caused this instrument to be dated as of the 26<sup>th</sup> day of September, 2017.

[Signature Page Follows]

  
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BLACKRIDGE PARTNERS, LLC

By: [Signature]  
Name: Jonathan Belcher  
Title: President

STATE OF ALABAMA       )  
                                     :  
JEFFERSON COUNTY       )


I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Jonathan Belcher, whose name as a President of BLACKRIDGE PARTNERS, LLC, an Alabama limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such President and with full authority, executed the same for and as the act of said limited liability company.

Given under my hand and official seal of office, this 20 day of September, 2017.

[ NOTARIAL SEAL ]

[Signature]  
Notary Public  
My Commission Expires: 4-5-2020

GARY JONES  
NOTARY PUBLIC, STATE OF ALABAMA  
ALABAMA STATE AT LARGE  
MY COMMISSION EXPIRES  
APRIL 05, 2020

  
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