

ORDINANCE NO. 491

**AN ORDINANCE VACATING A PORTION OF
AN EASEMENT AT EAGLE POINT**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELHAM, ALABAMA, AS
FOLLOWS:

Section 1. It is hereby established the City of Pelham, an Alabama Municipal Corporation, has certain interests pursuant to a 20' wide easement located in Griffin Park at Eagle Point Sector 2 Phase 1 as described and recorded in Deed Book 312 Page 523 in the Office of the Judge of Probate, Shelby County, Alabama; and

Section 2. The City of Pelham has been requested to release its interests in a portion of said 20' wide easement and has determined it has no active facilities located in said portion of easement and it has no plans to install facilities therein; and

Section 3. The City Council of Pelham, Alabama, to the extent that it has the legal authority to do so, to hereby RELEASE FOREVER its interest in said portion of easement described in the attached Exhibit A and Map, both made a part hereof, and to authorize the mayor, on behalf of the City of Pelham, to execute the VACATION OF EASEMENT documents.

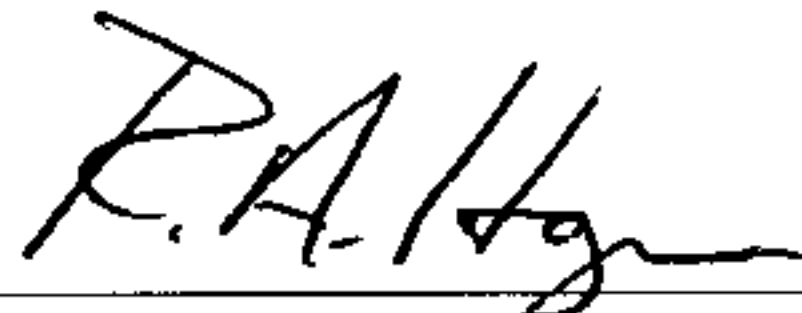
Section 4. This Ordinance shall become effective upon its passage and publication or posting as required by law.

THEREUPON Beth McMillan, a councilmember moved and Maurice Mercer, a councilmember seconded the motion that Ordinance No. 491 be given vote. The roll call vote on said motion was recorded as follows:

Rick Hayes President of the Council	<u>Yes</u>
Ron Scott Council Member	<u> </u>
Beth McMillan Council Member	<u>Yes</u>
Maurice Mercer Council Member	<u>Yes</u>
Mildred Lanier Council Member	<u> </u>

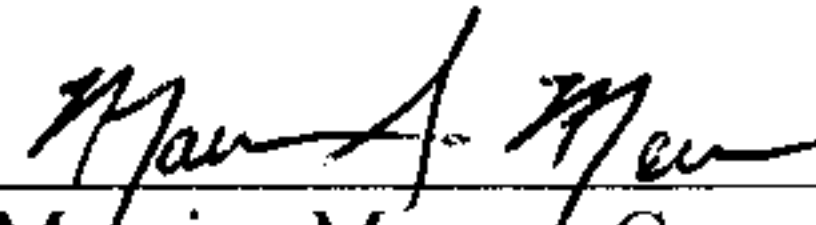
Ordinance No. 491 passed by a majority vote of all members of the Council present and the Council President declared the same passed.

ADOPTED this the 16th day of July 2018.


Rick Hayes, Council President

Ron Scott, Councilmember


Beth McMillan, Councilmember


Maurice Mercer, Councilmember

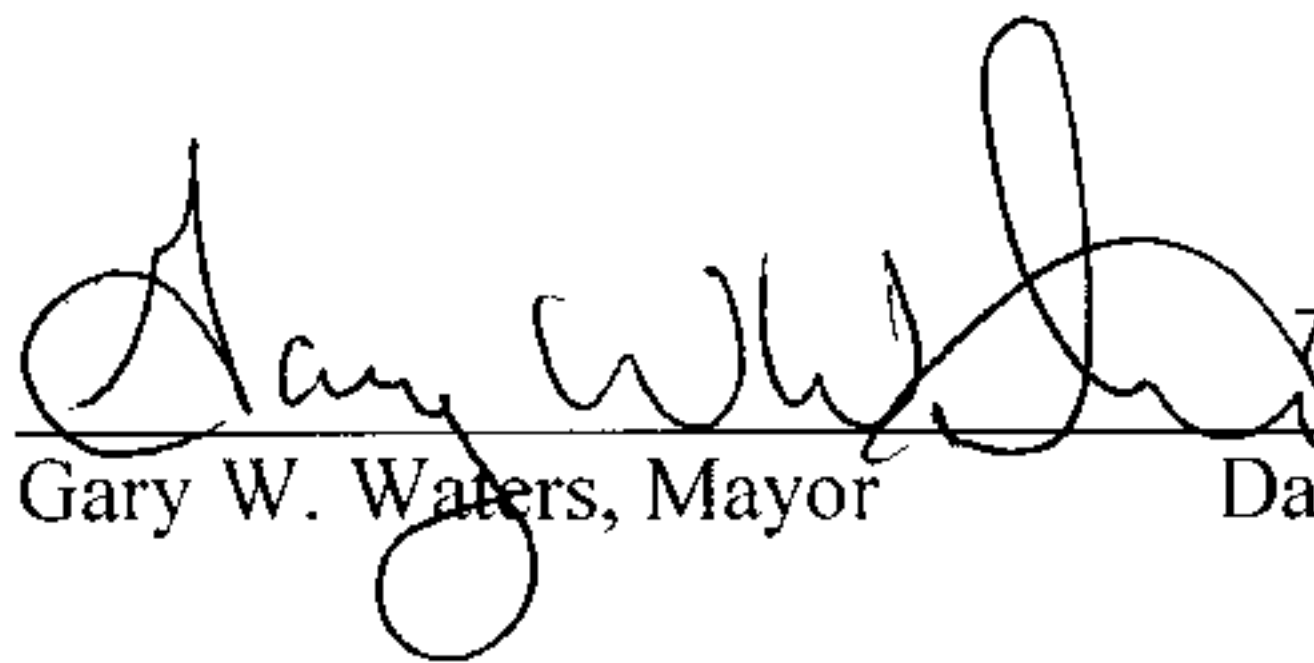
Mildred Lanier, Councilmember



ATTEST

APPROVED


Tom Seale, MMC, City Clerk/Treasurer


Gary W. Waters, Mayor 7/16/2018
Date

POSTING AFFIDAVIT

I, the undersigned qualified City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing **ORDINANCE NO. 491** was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a regular meeting of such Council held on the 16th day of July 2018 and duly published by posting an exact copy thereof on the 17th day of July 2018 at four public places within the City of Pelham, including the Mayor's Office at City Hall, City Park, Library, Water Works and www.pelhamalabama.gov. I further certify that said ordinance is on file in the office of the City Clerk/Treasurer and a copy of the full ordinance may be obtained from the office of the City Clerk/Treasurer during normal business hours.


Tom Seale, MMC, City Clerk/Treasurer



EXHIBIT A – LEGAL DESCRIPTION

An existing 20' easement as recorded in Deed Book 312 Page 523 in the Office of the Judge of Probate in Shelby County, Alabama and being situated in the SE ¼ of the NE ¼ of Section 7, Township 19 South, Range 1 West, Shelby County, Alabama and being more particularly described as follows:

Commence at a ½" rebar capped EDG at the SW corner of Lot B-149 of Griffin Park at Eagle Point Sector 2 Phase 1 as recorded in Map Book 48 Page 98A through 98E in the Office of the Judge of Probate in Shelby County, Alabama; thence N 7°42'45" W along the west line of Lot B-149 a distance of 52.39 feet to a point on the south line of a 20 foot easement as recorded in Deed Book 312 Page 523 in said county, said point being the POINT OF BEGINNING; thence continue along the last described course a distance of 20.12 feet to a ½" rebar capped EDG on the north line of said easement and the north line of said 1/4-1/4 section; thence N 88°32'13" E along the north line of said easement and said 1/4-1/4 section a distance of 12.79 feet to a 3" capped pipe; thence continue along the last described course leaving the west line of Lot B-149 a distance of 36.66 feet to the east line of said easement; thence S 1°27'47" E along the east line of said easement a distance of 20.00 feet to the south line of said easement; thence S 88°32'13" W along the south line of said easement a distance of 47.26 feet to the POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

