



20200612000239990 1/6 \$39.00
Shelby Cnty Judge of Probate, AL
06/12/2020 10:39:00 AM FILED/CERT

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This instrument was prepared by:
Justin Smitherman, Esq.
173 Tucker RD STE 201
Helena, AL 35080

DECLARATION OF VACATION OF RIGHT OF WAY

KNOW ALL MEN BY THESE PRESENTS, That;

WHEREAS, Wilkins Properties LLC, and Giddie, Inc. formerly known as Regional Investments, Inc. are the owners (hereinafter collectively "the Owners") 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 the City of Helena vacating a portion of 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 owners of all the lands abutting on the following described property and the right of way situated thereon:

SEE ATTACHED EXHIBIT A


do hereby declare the above road, right of way, 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 owners do hereby further declare that after vacation of the said public right of way located as described above, and all public rights and easements therein, convenient means of ingress and egress to and from the property where necessary and presently available will be afforded to all other property owners owning property adjacent to the tract of land embraced by the said map, plat, or survey, wherein the above described property was dedicated for public purposes.

Signatures appear on next page.

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IN WITNESS WHEREOF, the undersigned has/have hereunto set his/her/their hand(s) and seal(s) this the 27 day of February, 2020.




Regional Investments, Inc.
By: Joseph Habshey
Its: President

STATE OF ALABAMA
SHELBY COUNTY

SS:


I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Joseph Habshey whose name as President of Regional Investments, Inc., a Wyoming Corporation, 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 the instrument, he, as such President and with full authority, executed the same voluntarily for and as the act of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 27 day of February, 2020.



Notary Public My Commission Expires: 11/18/21

IN WITNESS WHEREOF, the undersigned has/have hereunto set his/her/their hand(s) and seal(s) this the 11th day of March, 2020.



Wilkins Properties LLC
By: Roger Wilkins
Its: Member

STATE OF ALABAMA
SHELBY COUNTY

SS:

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Roger Wilkins whose name as Member of Wilkins Properties 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 the instrument, he, as such member and with full authority, executed the same voluntarily for and as the act of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 11th day of March, 2020.



Notary Public
My Commission Expires: 12/19/20

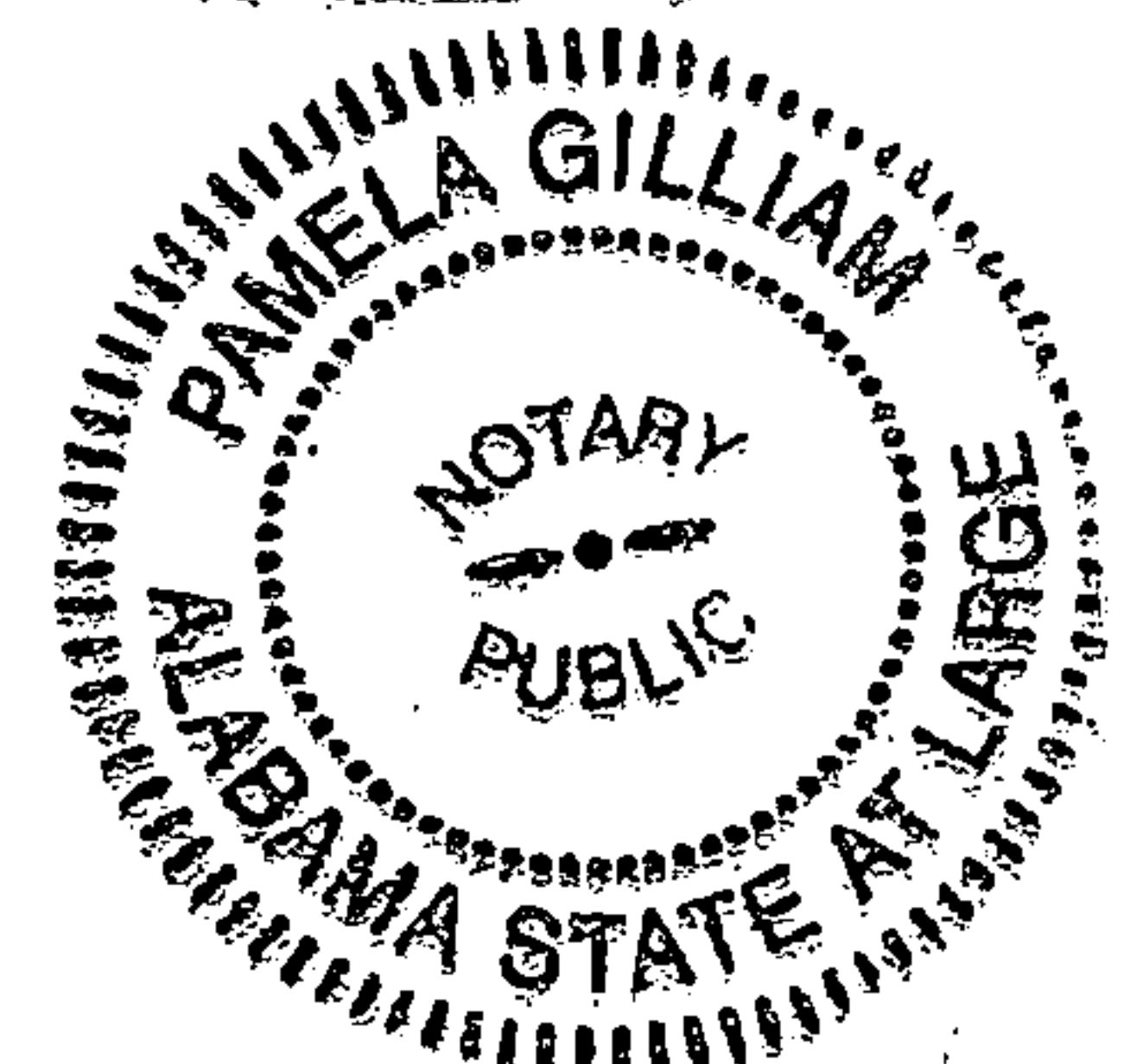


EXHIBIT A

A portion of Third Avenue, according to Squire's Map of the Town of Helena, Alabama, as shown in Map Book 3, page 121 and 121-A, Office of Judge of Probate of Shelby County, Alabama; being more particularly described as follows: COMMENCE at a capped rebar found stamped "AMOS COREY PLS 10550LS" being the NW corner of Lot 1, Block 15 as recorded in Instrument 20141204000381700 and also being a point lying on the south boundary of Third Avenue; thence run East along the north line of said Lot 1 and Third Avenue a distance of 85.60 feet to a point on the West boundary of Helena Road (Main Street); thence turn 82 degrees 11 minutes 39 seconds left and run in a northerly direction a distance of 25.02 feet to the POINT OF BEGINNING; thence continue along the last described course Northerly along the West boundary of Helena Road (Main Street) a distance of 15.35 feet to a point located on the North boundary of aforementioned Third Avenue; thence turn an angle of 97 degrees 48 minutes 21 seconds to the left and run in Westerly direction a distance of 93.71 feet to the East boundary of Second Street thence turn an angle of 86 degrees 31 minutes 41 seconds and run Southerly along said Second Street a distance of 6.26 feet to a point; thence turn an angle of 87 degrees 54 minutes 39 seconds left and run in a Easterly direction along the aforementioned Third Avenue a distance of 92.44 feet to the POINT OF BEGINNING.

Said property containing 1,001.71 square feet or 0.023 acres more or less.

A portion of Third Avenue, according to Squire's Map of the Town of Helena, Alabama, as shown in Map Book 3, page 121 and 121-A, Office of Judge of Probate of Shelby County, Alabama; being more particularly described as follows: COMMENCE and BEGIN at a capped rebar found stamped "AMOS COREY PLS 10550LS" being the NW corner of Lot 1, Block 15 as recorded in Instrument 20141204000381700 and also being a point lying on the south line of Third Avenue; thence run East along the north line of said Lot 1 and Third Avenue a distance of 81.74 feet to a point on the West boundary of Helena Road (Main Street); thence turn 82 degrees 11 minutes 39 seconds left and run in a northerly direction a distance of 25.02 feet to a point; thence turn an angle of 92 degrees 14 minutes 41 seconds to the left and run in Westerly direction a distance of 92.44 feet to the East boundary of Second Street thence turn an angle of 92 degrees 05 minutes 21 seconds and run Southerly along said Second Street a distance of 33.81 feet to a point lying on the South boundary of the aforementioned Third Avenue; thence turn an angle of 93 degrees 28 minutes 19 seconds left and run in a Easterly direction along aforementioned Third Avenue a distance of 5.03 feet to the POINT OF BEGINNING.

Said property containing 2,685.62 square feet or 0.023 acres more or less.

RESOLUTION OF THE HELENA CITY COUNCIL

RESOLUTION # 06082020

WHEREAS, Giddie, Inc. formerly known as Regional Investments, Inc. and Wilkins Properties LLC 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:

A portion of Third Avenue, according to Squire's Map of the Town of Helena, Alabama, as shown in Map Book 3, page 121 and 121-A, Office of Judge of Probate of Shelby County, Alabama; being more particularly described as follows: COMMENCE at a capped rebar found stamped "AMOS COREY PLS 10550LS" being the NW corner of Lot 1, Block 15 as recorded in Instrument 20141204000381700 and also being a point lying on the south boundary of Third Avenue; thence run East along the north line of said Lot 1 and Third Avenue a distance of 85.60 feet to a point on the West boundary of Helena Road (Main Street); thence turn 82 degrees 11 minutes 39 seconds left and run in a northerly direction a distance of 25.02 feet to the POINT OF BEGINNING; thence continue along the last described course Northerly along the West boundary of Helena Road (Main Street) a distance of 15.35 feet to a point located on the North boundary of a forementioned Third Avenue; thence turn an angle of 97 degrees 48 minutes 21 seconds to the left and run in Westerly direction a distance of 93.71 feet to the East boundary of Second Street thence turn an angle of 86 degrees 31 minutes 41 seconds and run Southerly along said Second Street a distance of 6.26 feet to a point; thence turn an angle of 87 degrees 54 minutes 39 seconds left and run in a Easterly direction along the aforementioned Third Avenue a distance of 92.44 feet to the POINT OF BEGINNING.

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seconds left and run in a Easterly direction along a forementioned Third Avenue
a distance of 5.03 feet to the POINT OF BEGINNING.

Said property containing 2,685.62 square feet or 0.023 acres more or less.

WHEREAS, the above owners are desirous of the City of Helena vacating the
above described public road, street, highway or right-of-way over and across said
property and requests that the assent of the City Council of Helena, 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 road, street, highway or right-
of-way over and across said property, and all public rights and easements therein,
convenient and reasonable means of ingress and egress to and from the property will
be afforded to all other property owners owning property adjoining the tract of land
described herein.

NOW THEREFORE, Be It Resolved the City Council of Helena, Alabama, that
they do hereby assent to vacating said public road, street, highway or right-of-way over
and across said property as described above and that the above described public road,
street, highway or right-of-way 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.


City Council President

STATE OF ALABAMA)

SHELBY COUNTY)

I, Amanda C Traywick, the City Clerk of Helena, Alabama hereby
approve that the above and foregoing is a true and correct transcript of a Resolution
duly adopted by the City Council of Helena, Alabama, on the 8 day of June, 2020,
and that the aforesaid Resolution is duly recorded in the official minutes and records of
said City Council.

Given under my hand and official seal this the 8 day of
June, 2020.




City Clerk of Helena, Alabama

Area	Sq. Feet	Acres
A1	1001.71	0.023
A2	2685.62	0.062