



20201013000464160 1/6 \$37.00
Shelby Cnty Judge of Probate, AL
10/13/2020 10:54:45 AM FILED/CERT

RESOLUTION 2020-09-28-04

WHEREAS, Clayton Land Investments, LLC, an Alabama Limited Liability Company, is the owner 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:

That certain portion of County Road 12, which is being bypassed and which consists of approximately 1.71 acres and is specifically shown on Exhibit A (consisting of two pages) attached hereto and made part and parcel hereof.


WHEREAS, the above owner is desirous of vacating said tract of land described above and the public road, street, highway or right-of-way over and across said property and requests 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 tract of land and the 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 the property owner 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.

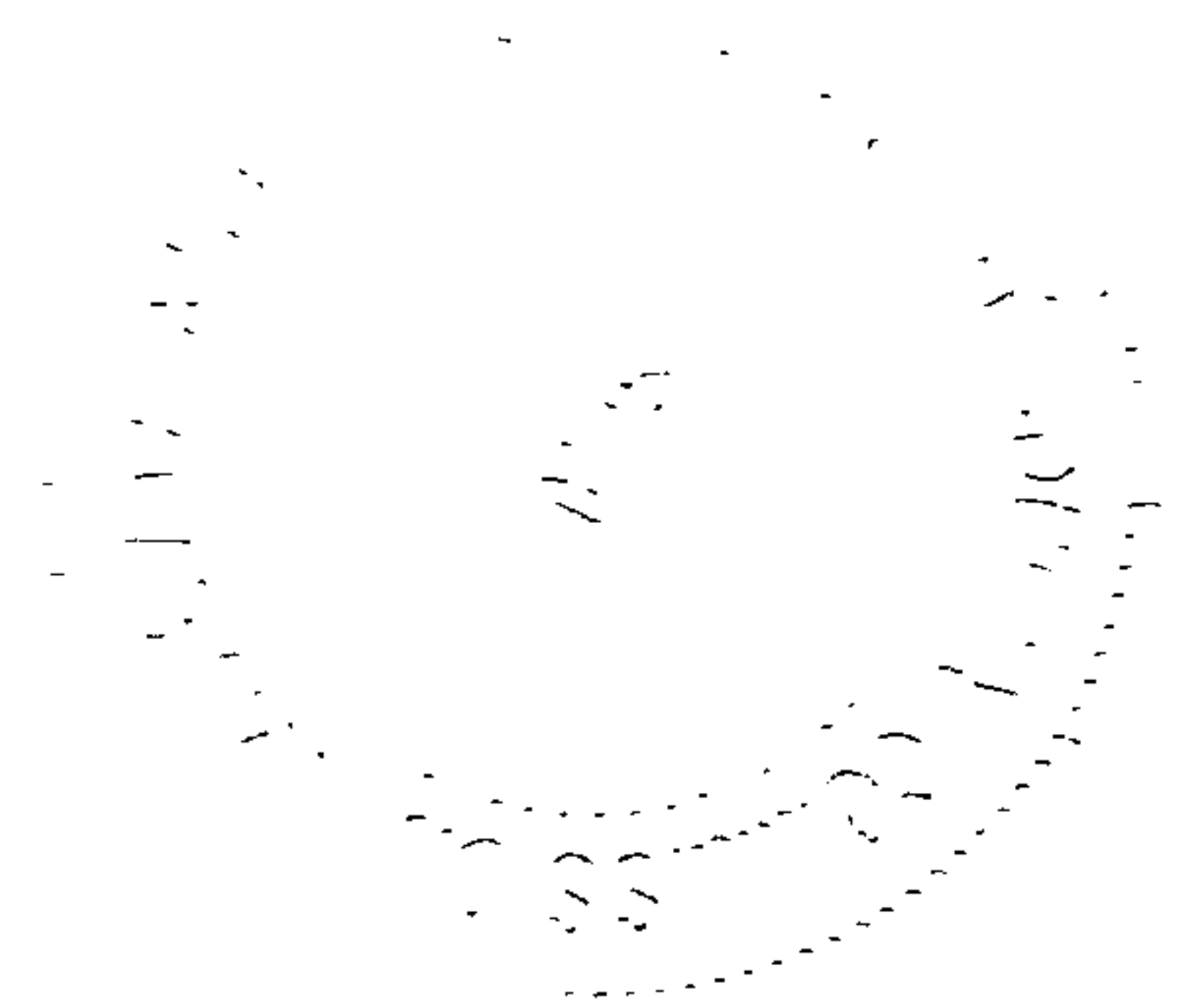
NOW THEREFORE, Be It Resolved the County Commission of Shelby County, Alabama, that they do hereby assent to the said **Clayton Land Investments, LLC, an Alabama Limited Liability Company,** vacating said tract of land and the public road, street, highway or right-of-way over and across said property as described above and that the above described property 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.

I, Kim Reynolds, the Administrative Assistant to the County Manager of the County Commission of Shelby County, Alabama hereby certify that the above and foregoing is a true and correct transcript of a Resolution duly adopted by the Shelby County Commission, on the 28th day of September, 2020, and that the aforesaid Resolution is duly recorded in the Minute Book of the official minutes and records of said County Commission.

Given under my hand and official seal this the 28th day of September 2020.



Kim Reynolds, Administrative Assistant
to the County Manager



**NOTICE OF
APPLICATION FOR VACATION OF PROPERTY
DEDICATED FOR PUBLIC PURPOSES**

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, Clayton Land Investments, LLC, an Alabama Limited Liability Company, 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 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 owner of all the lands abutting on the following described property and the road, street or highway situated thereon:

That certain portion of County Road 12, which is being bypassed and which consists of approximately 1.71 acres and is specifically shown on Exhibit A (consisting of two pages) attached hereto and made part and parcel hereof said area which is owned by the Petitioner.

do 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.

NOTICE IS HEREBY GIVEN that the Shelby County Commission will consider for approval said vacation at its meeting to be held on SEP. 28, 2020 at 6:00 P.M. in the Commission Chambers in Columbiana, Alabama.

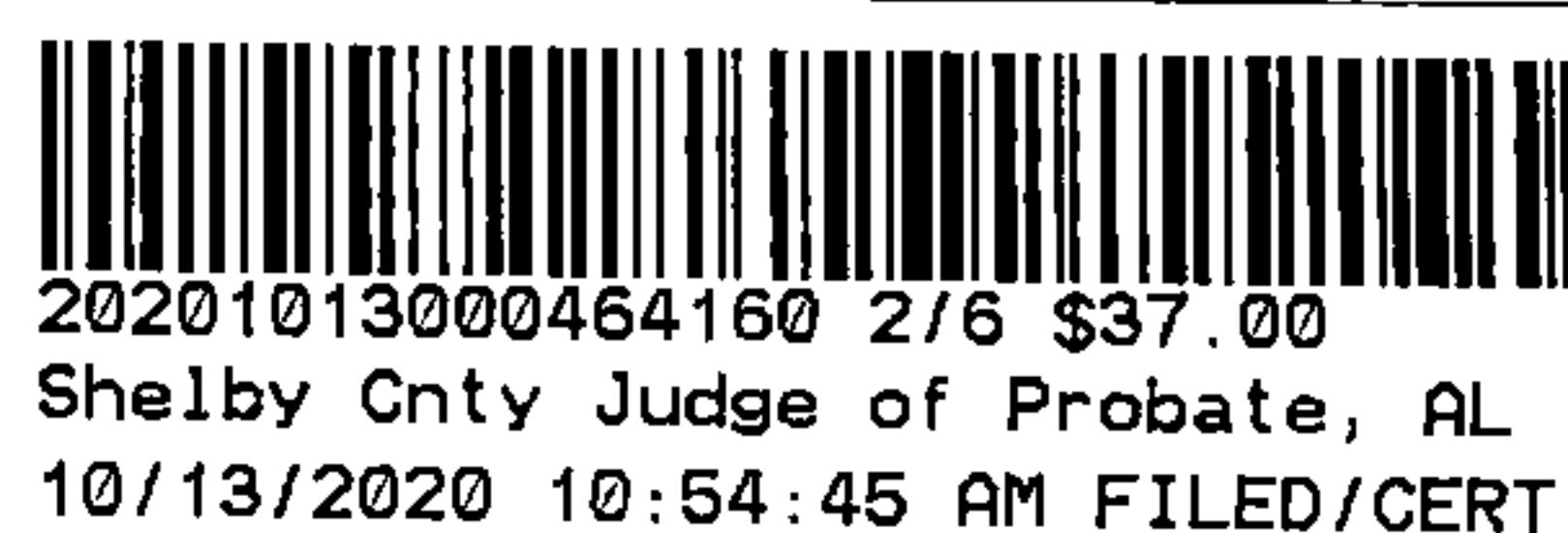
IN WITNESS WHEREOF, the undersigned has hereunto set their hands and seals this the 14th day of September, 2020.

CLAYTON LAND INVESTMENTS, LLC
An Alabama Limited Liability Company

By: CLAYTON MANAGEMENT, LLC
An Alabama Limited Liability Company
It's duly authorized Manager

By: DL Clayton
Delton L. Clayton
It's Manager

WITNESS: James P. K. J.



STATE OF ALABAMA

)

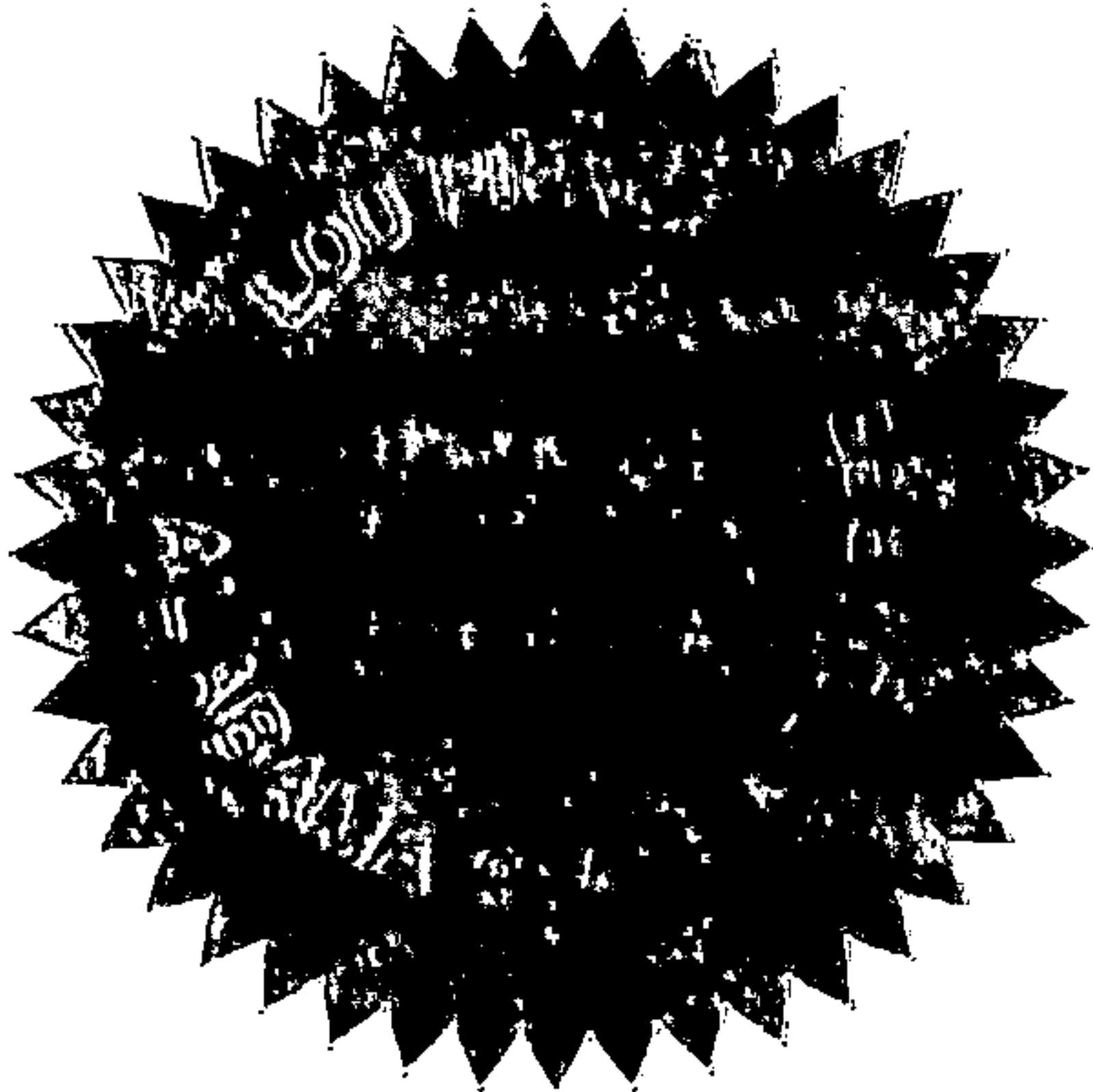
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SHELBY COUNTY

)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Delton L. Clayton**, whose name is signed to the foregoing instrument in my presence, and who advised that he has full authority to sign and execute the same as the Manager of Clayton Management, LLC, an Alabama Limited Liability Company, as the Manager of Clayton Land Investments, LLC, an Alabama Limited Liability Company and that he executed the same voluntarily for and as the act of Clayton Land Investments, LLC, on the day same bears date.

Given under my hand and official seal this the 14th day of September, 2020



Lou Pierce
NOTARY PUBLIC

My Commission Expires: 10-11-20

This Instrument Prepared By:
William C. "Beau" Byrd II
Bradley Arant Boult Cummings LLP
One Federal Place, 1819 Fifth Avenue North
Birmingham, AL 35203
(205) 521-8262



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This Instrument Prepared By:
William C. "Beau" Byrd II
Bradley Arant Boult Cummings LLP
One Federal Place, 1819 Fifth Avenue North
Birmingham, AL 35203
(205) 521-8262

DECLARATION OF VACATION OF STREET OR ALLEY

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, Clayton Land Investments, LLC, an Alabama Limited Liability Company is the owner (hereinafter "the Petitioner") 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 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 owner of all the lands abutting on the following described property and the road, street or highway situated thereon:

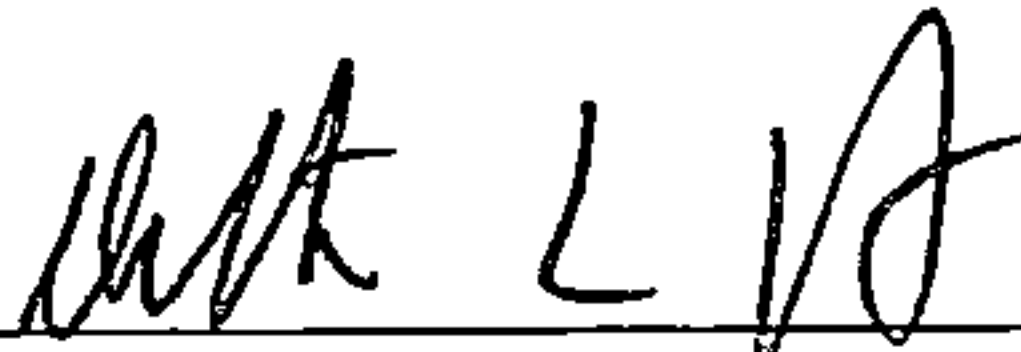
That certain portion of County Road 12, which is being bypassed and which consists of approximately 1.71 acres and is specifically shown on Exhibit A (consisting of two pages) attached hereto and made part and parcel hereof.

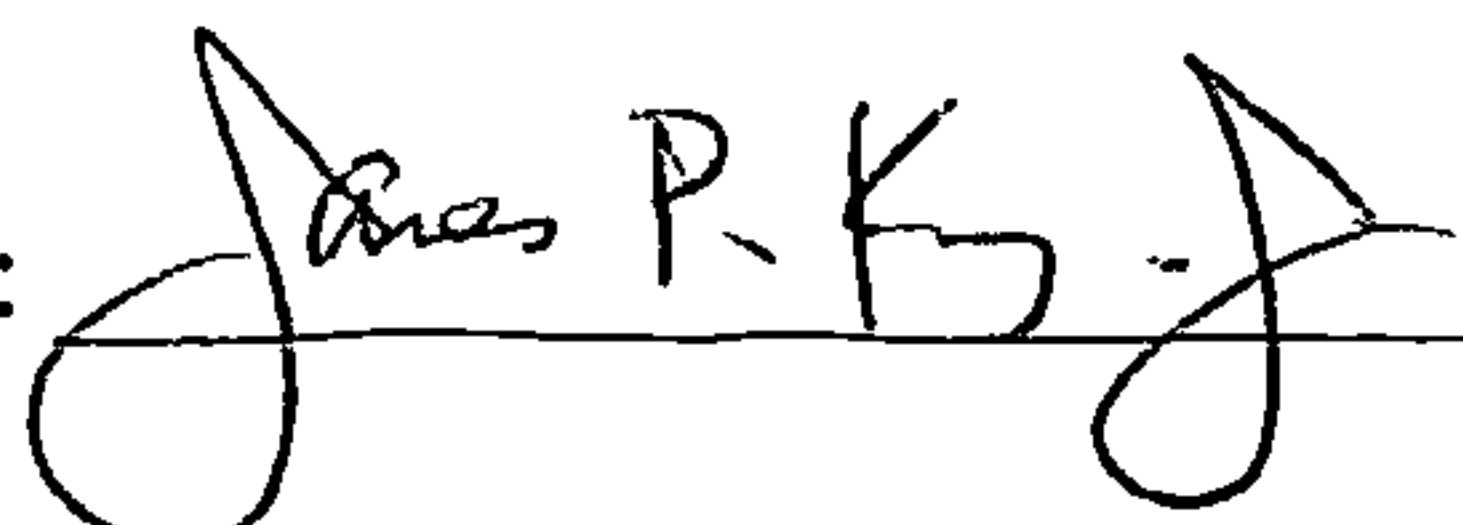
do hereby declare the above property and the road, street or highway situated thereon vacated and annulled, and all public rights and easements therein divested of the property subject, however, to all existing rights-of-way or easements for public utilities and to all utility facilities presently situated in said area vacated hereby, if any.


IN WITNESS WHEREOF, the undersigned has hereunto set their hands and seals this the 14th day of September, 2020.

CLAYTON LAND INVESTMENTS, LLC
An Alabama Limited Liability Company

By: CLAYTON MANAGEMENT, LLC
An Alabama Limited Liability Company
It's duly authorized Manager

By: 
Delton L. Clayton
It's Manager

WITNESS: 


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A parcel of land situated in the Northwest one-quarter of the Southwest one-quarter of Section 5, Township 22 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the Southeast corner of Lot 9 of the Amended Map of Ivanhoe Subdivision as recorded in Map Book 6, Page 70 in the Office of the Judge of Probate, Shelby County, Alabama, said point also being on the Northern-most right of way line of Shelby County Highway No. 22 (80' Right of Way); thence run South and 87 Degrees 33 Minutes 11 Seconds West along the South line of said Subdivision and the Northern-most line of said right of way line for a distance of 278.60 feet; thence leaving said Subdivision and right of way line and run South 00 Degrees 11 Minutes 14 Seconds West for a distance of 79.99 feet to a point on the Southern-most right of line said Highway 22; thence run South 88 Degrees 45 Minutes 30 Seconds West along said Southern-most right of way line for a distance of 501.37 feet to the Point of Beginning of the parcel herein described, said point also being on the Eastern-most right of way line of Shelby County Highway No. 12; thence leaving the said Southern-most right of way line of Shelby County Highway No. 22, run South 46 Degrees 09 Minutes 40 Seconds West along the Eastern-most right of way said Shelby County Highway No 12 for a distance of 100.00 feet; thence run South 04 Degrees 11 Minutes 20 Seconds East along said Eastern-most right of way line for a distance of 718.79 feet to a point on a curve turning to the left, said curve having a radius of 850.00 feet, a central angle of 17 Degrees 14 Minutes 31 Seconds, a chord bearing of South 13 Degrees 35 Minutes 44 Seconds West, and a chord length of 254.83 feet; thence leaving said Eastern-most right of way line run along the arc of said curve for a distance of 255.79 feet to a point on the Western-most right of way line of said Shelby County Highway No. 12; thence run North 04 Degrees 14 Minutes 55 Seconds West along the said Western-most right of way line for a distance of 657.33 feet; thence run North 85 Degrees 55 Minutes 10 Seconds East along the said Western-most right of way line for a distance of 9.21 feet; thence run North 04 Degrees 34 Minutes 46 Seconds West along said right of way line for a distance of 100.69 feet; thence run South 85 Degrees 26 Minutes 05 Seconds West along said right of way line for a distance of 9.19 feet; thence run North 04 Degrees 33 Minutes 55 Seconds West along said right of way line for a distance of 205.10 feet; thence run North 40 Degrees 50 Minutes 35 Seconds West along said right of way line for a distance of 100.00 feet to a point on the Southern-most right of way line of Shelby County Highway No. 22; thence run South 89 Degrees 26 Minutes 58 Seconds East along the said Southern-most right of way line for a distance of 217.97 feet to the point of beginning. Said parcel contains 74,438 square feet, or 1.71 acres more or less.



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