

ORDINANCE No. 512

20230505000133470 1/3 \$28.00
Shelby Cnty Judge of Probate, AL
05/05/2023 08:01:12 AM FILED/CERT

An Ordinance Vacating a Public Utility Easement in the Camellia Ridge Sub-Division Phase 3 Sector 3

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 public utility easement located in the Camellia Ridge Sub-Division, Phase 3 Sector 3 in Pelham, Alabama 35124, Shelby County, Alabama and more particularly described as follows:

DESCRIPTION OF A PORTION OF EXISTING CITY OF PELHAM EASEMENT TO BE VACATED

20' Waterline Easement Description

A 20 foot wide strip of land situated in the N.W. ¼ of the S.E. ¼ and the N.E. ¼ of the S.E. ¼ of Section 2, Township 20 South, Range 3 West, Shelby County, Alabama, said strip of land being an existing 20 foot wide right, privilege and easement granted the CITY OF PELHAM by that instrument recorded in Volume 143, Page 360 in the office of the Judge of Probate, Shelby County, Alabama, said strip of land being 20 feet in width and being more specifically described as follows:

Commence at the NW corner of the NE 1/4 of the SW 1/4 of Section 2, Township 20 South, Range 3 West, Shelby County, Alabama, and run thence S 89 deg. 41' 45" E along the North line of said Section 2 a distance of 2,645.35' to a point within the right of way of Highway 261; thence run S 20 deg. 35' 34" W a distance of 675.02' to a point on the Easterly margin of said Highway No.261, said point being the centerline of an existing 20.0' wide easement recorded in the office of the Judge of Probate, Shelby County, Alabama, Book 178, Page 972; thence run S 68 deg. 15' 46" E along the centerline of said easement a distance of 50.00' along the centerline of said easement to the POINT OF BEGINNING; thence continuing along the last described course 1,189.40' to the POINT OF ENDING.

END OF LEGAL DESCRIPTION

Section 2. The City of Pelham has been requested to release its interests in said public utility easement and has determined it has no active facilities located in said 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 the public utility easement located in the Camellia Ridge Sub-Division, Phase 3 Sector 3 in Pelham, Alabama 35124, Shelby County, Alabama described herein and to authorize the mayor, on behalf of the City of Pelham, to execute the VACATION OF UTILITY EASEMENT documents as required by law.

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

THEREUPON Rick Wash, a councilmember moved and
David Coram, a councilmember seconded the motion that Ordinance No. 512
be given vote. The roll call vote on said motion was recorded as follows:

Maurice Mercer
President of the Council Yes

David Coram
Council Member Yes

Rick Wash
Council Member Yes

Mildred Lanier
Council Member

Yes

Ordinance No. 512 passed by a majority vote of all members of the Council present and the President of the Council declared the same passed.

ADOPTED this the 1st day of May 2023.

Maurice Mercer

Maurice Mercer, Council President

David Goram

David Goram, Councilmember

Rick Wash

Rick Wash, Councilmember

Mildred Lanier

Mildred Lanier, Councilmember



ATTEST

Tom Seale

Tom Seale, MMC, City Clerk/Treasurer

APPROVED

Gary W. Waters

5/1/2023

Gary W. Waters, Mayor

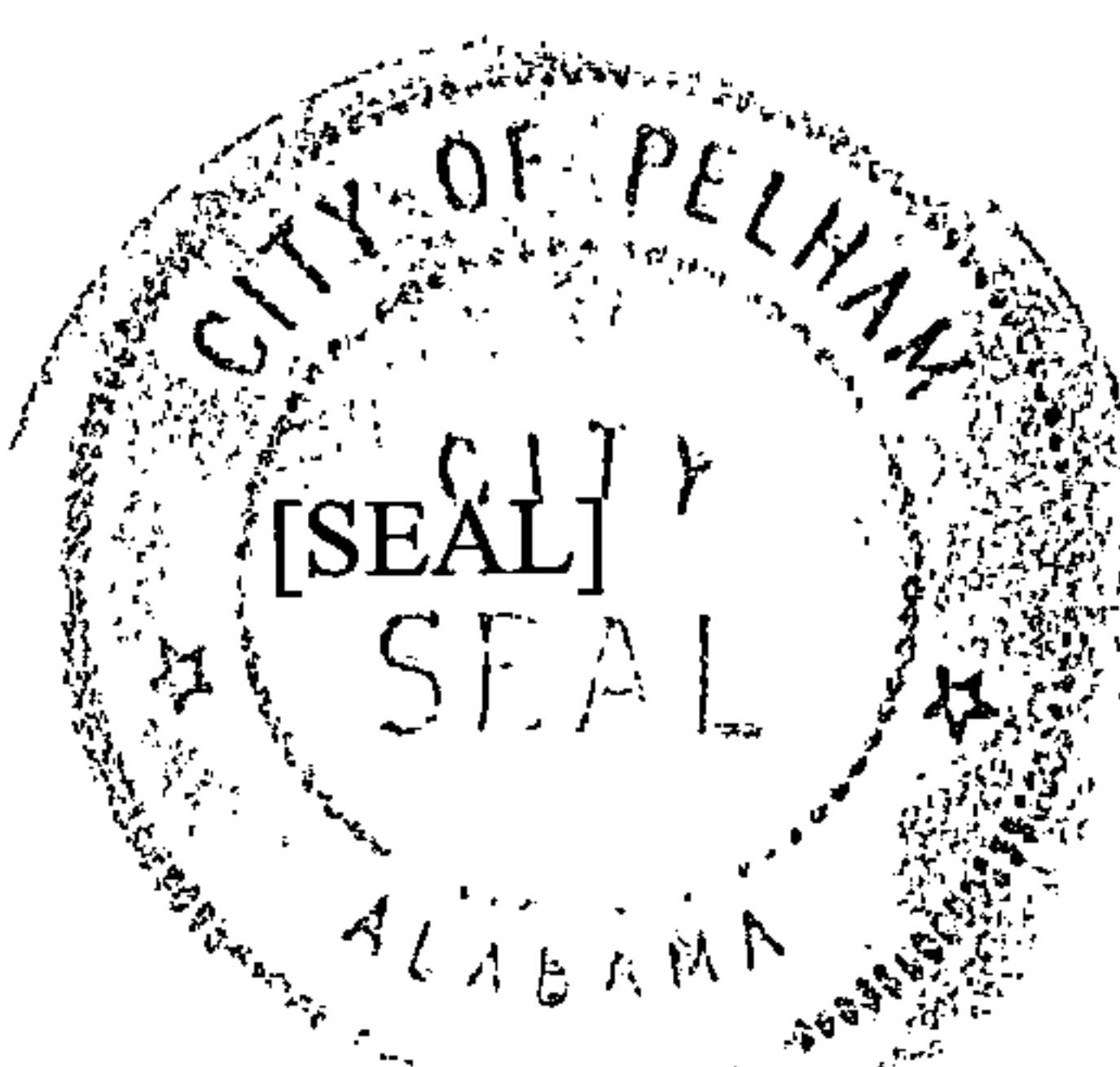
Date

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. 512** 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 1st day of May 2023 and duly published by posting an exact copy thereof on the 2nd day of May 2023 at four public places within the City of Pelham, including the Mayor's Office at City Hall, Pelham Recreation Center, Pelham Public Library, Pelham 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

Tom Seale, MMC, City Clerk/Treasurer



Prepared By:
Engineering Design Group, LLC

VACATION OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT the undersigned **CITY OF PELHAM**, an Alabama Municipal Corporation which has certain interests pursuant to a 20' wide easement as described and recorded in Book 178, Page 972 in the office of the Judge of Probate, Shelby county, Alabama.

WHEREAS, the City of Pelham has been requested to release its interests in a portion of said 20' wide easement and has determined that it has no active facilities located in said portion of easement and that it has no plans to install facilities therein;

NOW THEREFORE, the City of Pelham, to the extent that it has the legal authority to do so, does hereby RELEASE FOREVER its interest in said portion of easement, said portion of easement being more particularly described as follows and as shown on attached map marked Exhibit A and made a part hereof.

DESCRIPTION OF A PORTION OF EXISTING CITY OF PELHAM EASEMENT TO BE VACATED

STATE OF ALABAMA COUNTY OF SHELBY

20' Waterline Easement Description

A 20 foot wide strip of land situated in the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ and the N.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Section 2, Township 20 South, Range 3 West, Shelby County, Alabama, said strip of land being an existing 20 foot wide right, privilege and easement granted the **CITY OF PELHAM** by that instrument recorded in Volume 143, Page 360 in the office of the Judge of Probate, Shelby County, Alabama, said strip of land being 20 feet in width and being more specifically described as follows:

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IN WITNESS WHEREOF, the City of Pelham has hereunto set its hand and seal this 1st day of

May / 2023

Sworn to and subscribed
Before me this 1st
Day of May 2023

John R. Dean

Notary Public

My Commission Expires:
September 1, 2025

CITY OF PELHAM

Gary W. Waters

By: Gary W. Waters

ITS: Mayor

