



20240604000165630 1/5 \$34.00
Shelby Cnty Judge of Probate, AL
06/04/2024 09:43:45 AM FILED/CERT

Scott Brakefield
Mayor



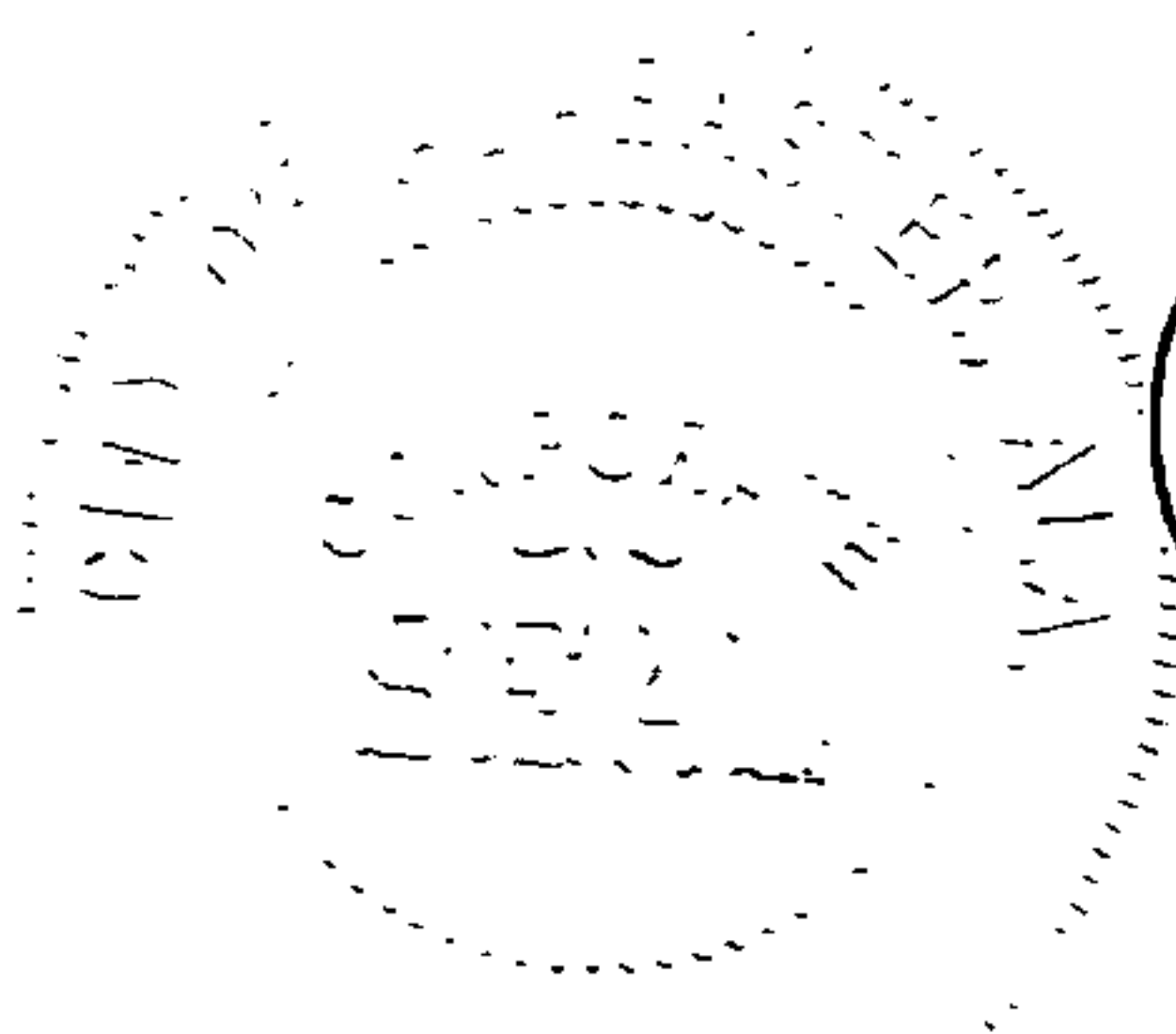
J. Mark Frey
City Clerk

Office of the City Clerk

April 23, 2024

I, J. Mark Frey, as the undersigned qualified City Clerk of the City of Alabaster, Alabama, and by State Law, the custodian of all records of the City of Alabaster, Alabama, do hereby certify that the attached documents, **Resolution 042224-D Consenting to Vacation of Portion of and Declaration of Vacation of 7th Court Southeast, authorized by the City Council during the April 22, 2024 Regular City Council Meeting**, is a true copy of an original document on file in the permanent records in the Clerk's Office at City Hall within the corporate limits of the City of Alabaster, Alabama, kept in the ordinary course of business of the City.

IN WITNESS WHEREOF, these documents are true and accurate, and I have hereunto set my hand and affixed the official seal of the City of Alabaster on this 23rd Day of April, 2024.




J. Mark Frey, City Clerk

Council Member ZAHARIADIS introduced the following Resolution, which was seconded by Council Member FARRELL :



20240604000165630 2/5 \$34.00
Shelby Cnty Judge of Probate, AL
06/04/2024 09:43:45 AM FILED/CERT

RESOLUTION 042224-D

A RESOLUTION CONSENTING TO THE VACATION OF PORTIONS OF 7TH COURT SOUTHEAST

Whereas, the attached Declaration of Vacation ("Declaration"), executed and acknowledged by all owners having an interest in the real property adjacent to the land shown to be vacated on the attached Exhibit 'A' which Declaration is to be recorded in the Office of the Judge of Probate of Shelby County, Alabama, and which has been filed with the City Council of the City of Alabaster, declaring the alleys and right of ways of 7th Court SE to be vacated and abandoned, as more particularly described in the Declaration; and

Whereas, Section 35-2-54 CODE OF ALABAMA (1975) requires the assent of the governing body of the municipality to any Declaration of Vacation; and

Whereas, the City Council of the City of Alabaster, Alabama, has considered said Declaration and abandonment and it is the opinion of the City Council that the proposed vacation and abandonment declared therein will not affect the means of ingress and egress to and from the property reflected on the plat, and convenient means of ingress and egress to and from their property will be afforded to all property owners owning property in the tract of land embraced in the plat, either by the remaining streets and alleys dedicated by such map, plat or survey, or by other streets or alleys dedicated; and

Whereas, it appears to the City Council of the City of Alabaster, Alabama, that the allegations of the Declaration are true; and all of the property owners owning real property reflected on the plat have entered into the execution of the Declaration; that the provisions of Section 35-2-54 CODE OF ALABAMA (1975), as amended, have been strictly complied with; and that the Declaration is sufficient to effectuate the vacation and abandonment referenced therein.

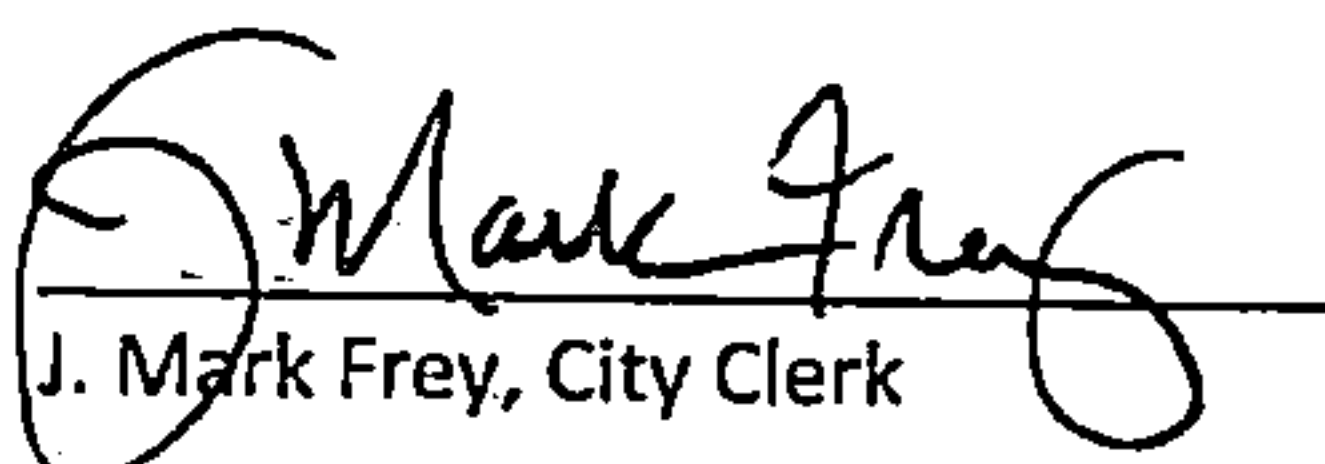
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alabaster, Alabama as follows:

1. The assent of the City Council of the City of Alabaster, Alabama, is hereby given to the vacation of the alleys and rights of way to be vacated and abandoned in conformity with the Declaration heretofore filed.
2. The City Council of the City of Alabaster, Alabama, does hereby vacate and abandon and interest of the City of Alabaster, Alabama in the alleys and rights of way, as described in the Declaration, such that the vacated property shall return to private ownership.
3. The City Clerk is hereby authorized to append a certified copy of this Resolution to the Declaration of Vacation.

ADOPTED AND APPROVED THIS 22ND DAY OF APRIL 2024.

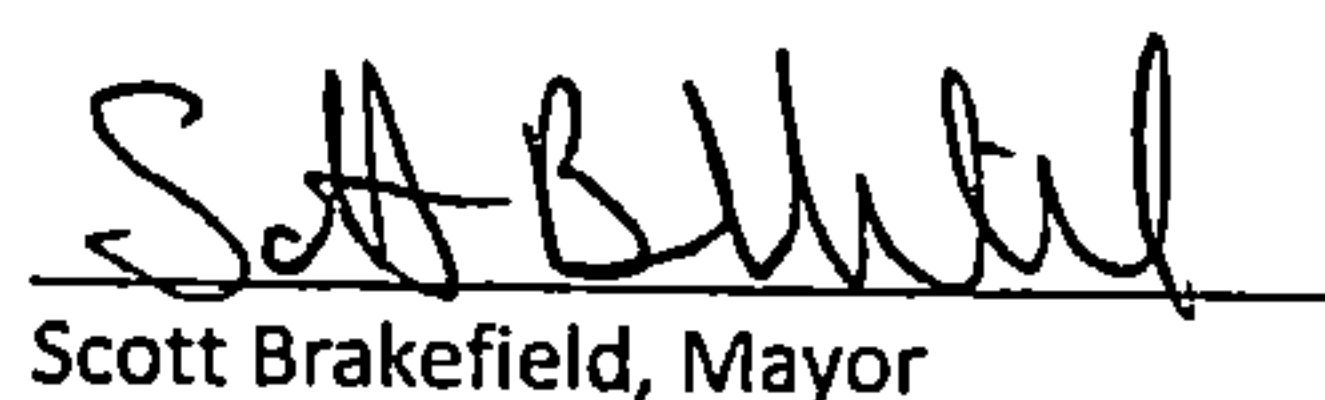
ATTEST:

CITY OF ALABASTER


J. Mark Frey, City Clerk


Sophie Martin, Council President

APPROVED:


Scott Brakefield, Mayor



20240604000165630 3/5 \$34.00
Shelby Cnty Judge of Probate, AL
06/04/2024 09:43:45 AM FILED/CERT

STATE OF ALABAMA
SHELBY COUNTY

DECLARATION OF VACATION

I, the undersigned, constituting the owner of all property abutting of that part of a unnamed unimproved 30 foot wide Right of Way lying north of and Contiguous to lots 26, 27, 28, and 29 currently known as 7th Court SE (unimproved) same appears on the Plat of Nickerson's Addition to Alabaster Which Plat is recorded in Plat Book 3 at Page 69, in the Probate Office of Shelby County, Alabama, do hereby declare that each of said Plats embraced within the boundaries of said part of 7th Ct SE as the same appears of record on the Plat to be vacated, and said part of 7th Ct SE is hereby declared vacated. The undersigned do hereby respectfully represent and warrant as follows:

1. This Declaration of Vacation of a part of 7th Ct SE is prepared, executed, delivered and recorded to and in accordance with the provisions of Section 23-4-20 and Section 35-2-54, Code of Alabama, 1975.
2. It is in the best public interest that a part of 7th Ct SE be closed and vacated.
3. Such vacation will not deprive other property owners of a convenient and reasonable means of ingress and egress to their property.
4. is situated in the City of Alabaster, Shelby County, Alabama, and appears on Nickerson's Addition to Alabaster as recorded in Map Book 3 page 69 in the Probate Office Of Shelby County, Alabama A copy of the map reflecting the location of A part of 7th Ct SE is attached hereto and incorporated into this Declaration of Vacation as a part hereof.
5. The street address and legal descriptions of all property abutting A part of 7th Ct SE and the names and addresses of the owner of said abutting properties are as follows:



20240604000165630 4/5 \$34.00
Shelby Cnty Judge of Probate, AL
06/04/2024 09:43:45 AM FILED/CERT

Street Address: unknown (shown as parcel j on exhibit)
Legal Description: deed instrument # 20230227000052710
Owners' Name: API HWY 31 LLC

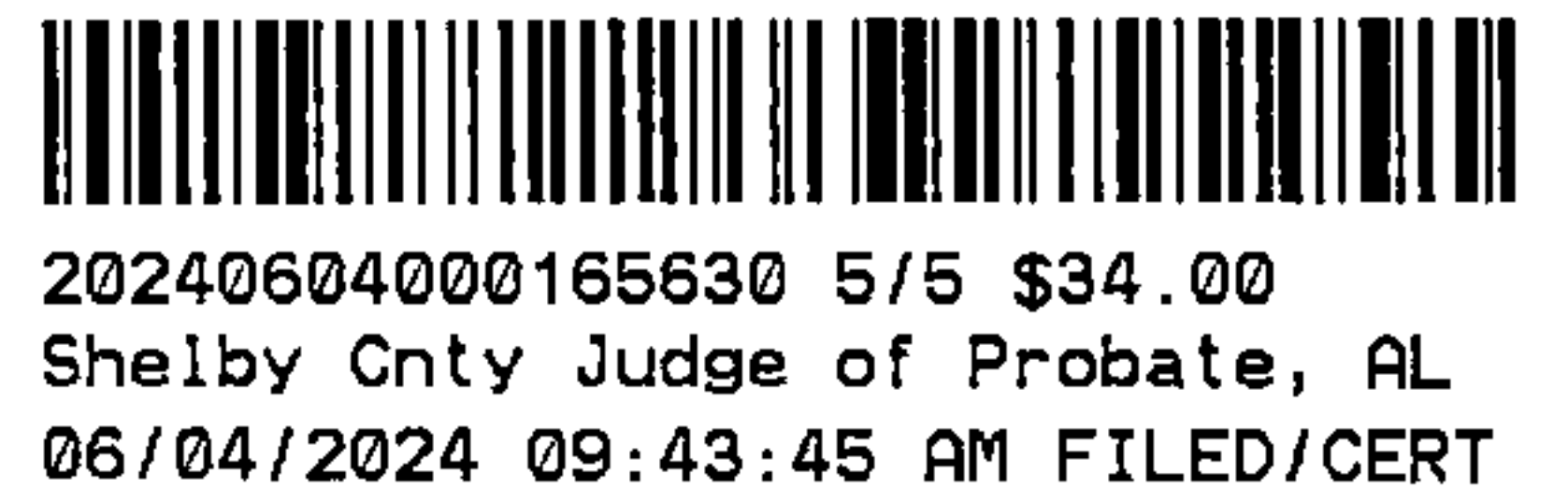
Street Address: unknown (shown as parcel l on exhibit)
Legal Description: deed instrument # 20230228000054970
Owners' Name: API HWY 31 LLC

Street Address: 764 7TH AVE SE ALABASTER, AL 35007 (shown as parcel K on exhibit)
Legal Description: deed instrument # 20230228000054200
Owners' Name: API HWY 31 LLC

Street Address: 96 7TH PL SE ALABASTER, AL 35007 (shown as parcel N on exhibit)
Legal Description: deed instrument # 20230227000052320
Owners' Name: API HWY 31 LLC

Street Address: 741 7TH AVE SE ALABASTER, AL 35007 (shown as parcel N on exhibit)
Legal Description: deed instrument # 20230228000054740
Owners' Name: API HWY 31 LLC

Street Address: 104 7TH PL SE ALABASTER, AL 35007 (shown as parcel R on exhibit)
Legal Description: deed instrument # 20230227000052250
Owners' Name: API HWY 31 LLC



6. All of the undersigned do hereby declare 7th Ct SE to be vacated and respectfully request the assent of the City Council of the City of Alabaster, Alabama, to said vacation of 7th Ct SE and its approval of the same.

IN WITNESS THEREOF, the undersigned have hereunto set our hands and seals on this the 15th day of April, 2024.

I Keith Owens do hereby certify as managing member of API Hwy 31 LLC that said corporation does own all parcels listed on this declaration of vacation and do hereby request that that portion of 7th Ct SE described in this declaration be vacated

Keith Owens
Keith Owens - Manager

STATE OF ALABAMA

GENERAL ACKNOWLEDGMENT

SHELBY COUNTY

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Keith Owens whose name is signed to the foregoing Declaration of Vacation, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 15th day of April, 2024.

Kimberly Brothers
Notary Public

