

**Resolution 2021-R-28**

**RESOLUTION ASSENTING TO VACATION OF A PORTION OF  
THE GRANTS MILL ROAD RIGHT-OF-WAY**

**WHEREAS**, the Owners of certain property within the City of Irondale, Alabama have executed and submitted to the City of Irondale a written petition (“Petition”) for vacation of certain easements and right of way that run along a portion of Grants Mill Road (a copy of such petition is attached hereto in **Exhibit A**), seeking assent by the City to such vacation, thereby divesting from the City and the public, and investing into the Owners, any and all right, title, claim and interest which the City and the public may have in and to said real property described below (and depicted in **Exhibit B**), which heretofore may have been acquired by or dedicated to the City and the public by virtue of deed, plat, prescription, public user or otherwise; and

**WHEREAS**, the following abutting landowners to Grants Mill Road (“Owners”) have petitioned the City seeking such a vacation:

<b>Lot Number</b>	<b>Owner’s Name</b>	<b>Property Address</b>
9	Bennie S. Kimbrell, f/k/a Bennie S. Higginbotham, and Robbin W. Kimbrell	828 Old Leeds Road Birmingham, AL 35210
10	Don Hamner	5824 Old Leeds Road Birmingham, AL 35210
11, 12, and 13	Kelly Lett Darden, Kathryn Lett Wright, and Kristin Michele Lett Ross	5820 Old Leeds Road 5814 Old Leeds Road Birmingham, AL 35210
Small parcel (contingent remainder deed property) fronting Grants Mill and adjacent to lots 9, 10, & 11	Grants Mill, LLC	5946 Old Leeds Road Birmingham, AL 35210
Small parcel at intersection of Old Leeds and Grants Mill Road	HEPLEEDS, LLC	5946 Old Leeds Road Birmingham, AL 35210

**WHEREAS**, the real property requested to be vacated by the Owners in the Petition is as follows (all such property hereinafter referred to collectively as the “Property”)(and specifically described and depicted in **Exhibit C**):

**1. EXISTING RIGHT-OF-WAY  
SOURCE (Tract No. 71 in INSTRUMENT2021031783)**

A part of Lot 11 and Lot 12, Olshan Realty Company's Residential Baby Farms, as recorded in Map book 51, Page 55, in the Birmingham Division of Jefferson County Probate Court and more particularly described as follows:

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range

1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; thence turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; thence turn left an angle of 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; thence turn right an angle of 25°13'46" and proceed northeasterly a distance of 825 feet, more or less, to the intersection of the southwesterly lot line of Lot 12, Olshan Realty Company's Residential Baby Farms, as recorded in Plat Book 51, Page 55, in the Birmingham Division of Jefferson County Probate Court and the point of beginning of a road right-of-way of variable widths, being bounded on the northwesterly side by the northerly property boundary of Grantor and being bounded on the southeasterly side by a line lying 75 feet southeasterly of and parallel to the following described line; thence continue northeasterly along last described course a distance of 325 feet, more or less, to a point where the southeasterly right-of-way boundary intersects the northerly property boundary of Grantor, said line being the north boundary of Lot 11 of Olshan Realty Company's Residential Baby Farms, and the end of this right-of-way; thence continue northeasterly along last described course a distance of 71.67 feet to a point known as Point "A" for future reference (total distance to last turn equals 1,221.67 feet).

Also a permanent roadway easement to be vacated being described as follows:

Commence at Point "A" as described in the right-of-way above and from last described course turn 180° and proceed southwesterly a distance of 7 feet, more or less, to the intersection of a northwesterly projection of the northeasterly boundary line of the aforescribed Lot 11 and the point of beginning of a permanent roadway easement of variable widths, being bounded on the northwesterly side by the northerly property boundary of Grantor and being bounded on the southeasterly side by a straight line between a point on the northeasterly property boundary of Lot 11, lying 9 feet southeasterly of the northeast corner of said Lot 11 to a point lying 90 feet southeasterly of Point "B" described ahead; thence continue southwesterly along last described course a distance of 34.75 feet (total distance from Point "A" equals 41.75 feet). At which point, the permanent roadway easement becomes bounded on the southeasterly side by a line lying 90 feet southeasterly of and parallel to the following described line; thence proceed southwesterly a distance of 36.92 feet. At which point, the permanent roadway easement becomes 15 feet in width, being bounded on the northwesterly side by the right-of-way described above and bounded on the southeasterly side by a line lying 90 feet southeasterly of and parallel to the following described line; thence proceed southwesterly along last described course a distance of 139.02 feet to the end of this vacated permanent roadway easement.

All of said right-of-way and permanent roadway easement lies in the SE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West and is a part of said Lot 11 and Lot 12.

**2. EXISTING RIGHT-OF-WAY  
SOURCE  
INSTRUMENT 200307/6210  
INSTRUMENT 200207/0180  
INSTRUMENT 200207/0178**

A part of Parcel Two as shown and described by a survey prepared by Carr and Associates Engineers, Inc., as recorded in Map Book 0196/0074 in Office of the Judge of Jefferson County Probate Court, Birmingham Division described as follows:

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; thence turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; thence turn left an angle of 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; thence turn right an angle of 25°13'46" and proceed northeasterly a distance of 1029.92 feet to a point known as Point "A" for future reference; thence proceed northeasterly along same course a distance of 44 feet, more or less, to the intersection of the west line of Parcel Two described above and the point of beginning of a right-of-way of variable width, being bounded on the westerly side by the west line of said Parcel Two, being bounded on the southerly side by the south boundary line of the NE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West, being bounded on the easterly side by the east line of said Parcel Two and being bounded on the northerly side by a line lying 75.00 feet northerly of and parallel to the following described line; thence continue northeasterly along last described course a distance of 147.75 feet (total distance from Point "A" equals 191.75 feet) to a point of beginning of an 11°00'00" curve to the right, having a central angle of 69°29'08" and a radius of 520.87 feet; thence proceed northeasterly, easterly, and southeasterly along the arc of said curve a distance of 562 feet, more or less, to the intersection of the South line of said Section 19 and the end of this right-of-way.

Also a permanent roadway easement to be vacated being described as follows:

Commence at Point "A" from the above described right-of-way and from the previously described course, continue northeasterly a distance of 44 feet, more or less, to the intersection of the westerly property line of the Grantor and the point of beginning of a permanent roadway easement of variable widths, being bounded on the southerly side by the above described right-of-way and bounded on the northerly side by a line which begins on the westerly property line of Grantor 122 feet northerly of this point and ends 90 feet northerly of and perpendicular to a point being 147.75 feet ahead (total distance from Point "A" being 191.75 feet); thence continue ahead along the last described course a distance of 147.75 feet to said ending point. At this point, the permanent roadway easements becomes bounded on the northerly side by a line lying 90 feet northerly of and parallel to the following described line; thence run easterly along the arc of an 11° curve to the right, having a central angle of 69°29'08" and a radius of 520.87 feet a distance of 158.25 feet. At this point, the permanent roadway easement becomes bounded on the northerly side by a line beginning 90 feet northerly of and perpendicular to this point and ending 150 feet northerly of and perpendicular to a point 100 feet ahead; thence continue ahead along the arc of said curve of 100 feet to said ending point. At this point, the permanent roadway easement becomes bounded on the northerly side by a line lying 150 feet northerly of and parallel to the following described line; thence continue southeasterly along the arc of said curve a distance of 212 feet. At this point, the permanent roadway easement becomes bounded on the northerly side by the easterly property line of Grantor (said property line being the east line of the NE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West); thence continue southeasterly along the arc of said curve a distance of 42 feet to the end of this permanent roadway easement. Less and except that property owned by Robbin W. Kimbrell and Bennie S. Higginbotham Kimbrell, being part of the NE 1/4 of the SE 1/4 of Section 19, Township 17 South Range 1 West, and more particularly described as follows;

Begin at the northeast corner of Lot 9 of OLSHAN REALTY COMPANY'S RESIDENTIAL BABY FARMS as recorded in Map Book 51, Page 55, in the Office of

the Judge of Probate of Jefferson County, Alabama; thence run in a westerly direction along the north line of said lot for a distance of 290.70 feet to the northwest corner of said lot; thence turn an angle to the right of 137°07'55" and run in a northeasterly direction for a distance of 174.04 feet; thence turn an angle to the right of 18°19'32" and run in a northeasterly direction for a distance of 114.92 feet; thence turn an angle to the right of 21°33'50" and run in an easterly direction for a distance of 58.63 feet; thence turn an angle to the right of 92°57'33" and run in a southerly direction to the point of beginning.

All of said right-of-way and permanent roadway easement lies in the NE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West and the right-of-way contains 2.253 acres, more or less, and the permanent roadway easement contains 0.795 acres, more or less.

**3. INSTRUMENT 200301/8157  
INSTRUMENT 200205/1779  
INSTRUMENT 200205/1781**

A permanent roadway easement being a part of Lot 10, Olshan Realty Company's Residential Baby Farms, as recorded in Plat Book 51, Page 55, in the Birmingham Division of Jefferson County Probate Court and described as follows.

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; thence turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; thence turn an angle 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; thence turn right an angle of 25°13'46" and proceed northeasterly a distance of 1,280.15 feet (1214.67 feet), more or less, to the intersection of a northwesterly projection of the southwesterly lot line of said Lot 10, said point being known as Point "A" for future reference, and point of beginning of a permanent roadway easement of variable widths, being bounded on the northwesterly side by the southerly Right-of-Way line of Grants Mill Road and being bounded on the southeasterly side by a line lying 108 feet southeasterly of Point "A" to a point lying 150 feet on a radian of a curve from Point "B" described ahead; thence continue northeasterly along last described course a distance of 6.67 feet (total distance from last turn equals 1,221.67 feet), said point being the point of beginning of a 11°00'00" curve to the right, having a central angle of 69°29'08" and a radius of 520.87 feet; thence proceed northeasterly and easterly along the arc of said curve a distance of 158.25 feet Point "B". At which point the permanent roadway easement becomes bounded on the southeasterly side by a line lying 150 feet southeasterly of and parallel to the following described line; thence continue along the arc of said curve a distance of 132 feet to the end of this permanent roadway easement.

All of said permanent roadway easement lies in the SE 1/4 of the SE 1/4 of Section 19, Township. 17 South, Range 1 West and the permanent roadway easement contains 0.090 acres, more or less.

**4. INSTRUMENT 200501/3471  
INSTRUMENT 200206/8402  
INSTRUMENT 200206/8410**

## EXISTING RIGHT-OF-WAY

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; thence turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; thence turn an angle 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; thence turn right an angle of 25°13'46" and proceed northeasterly a distance of 1582.91 feet; thence turn right an angle of 69°29'08" and proceed southeasterly a distance of 537.81 feet to a point known as Point "A" for future; thence turn 180° and proceed northwesterly a distance of 151 feet, more or less, to a point where a line lying 75.00 feet southwesterly of and parallel to the previously described line intersects the east boundary line of Section 19, Township 17 South, Range 1 West, said point being the point of beginning of a right of way of variable widths, being bounded on the southwesterly side by a line lying 75 feet southwesterly of and parallel to the following described line; thence continue northwesterly a distance of 25.57 feet (total distance from last turn equals 176.57 feet) to the point of beginning of a 11°00'00" curve to the left having a central angle of 69°29'08" and a radius of 520.87 feet; thence proceed northwesterly along the arc of said curve a distance of 120 feet. At this point, the right-of-way becomes 150 feet in width, lying 75 feet each side of parallel to the following described line; thence continue northwesterly along the arc of said curve a distance of 156 feet, more or less.

Also a permanent roadway easement to be vacated being described as follows:

Commence at Point "A" as described in the right-of-way above and from last described course turn 180° and proceed northwesterly a distance of 115 feet to the point of beginning of a permanent roadway easement of variable widths, being bounded on the northeasterly side by the right-of-way described above and bounded on the southwesterly side by a straight line beginning at a point lying 109 feet southwesterly of and perpendicular to the previously described course and ending at a point lying 125 feet southwesterly on a line lying perpendicular to the previously described course at a point 61.57 feet northeasterly ahead; thence proceed northeasterly along last described course a distance of 61.57 feet to said ending point. At which point, the permanent roadway easement becomes bounded on the southeasterly side by a line lying 125 feet southeasterly of and parallel to the following described line; said point also being the point of beginning of a 11°00'00" curve to the left, having a central angle of 69°29'08" and a radius of 520.87 feet; thence proceed northwesterly along the arc of said curve a distance of 173.43 feet. At which point, the permanent roadway easement becomes bounded on the southeasterly side by a line lying 150 feet southeasterly of and parallel to the following described line; thence continue northwesterly along last described course a distance of 100 feet, more or less.

Also a permanent roadway easement of variable widths, being bounded on the southerly side by the northerly boundary of right-of-way described above, bounded on the easterly side by the east line of Section 19, Township 20 South, Range 1 West, and bounded on the northerly side by the northerly property line of Grantor.

All of said right-of-way and permanent roadway easement lies in the E 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West and partially within Lot 9 of Olshan Realty Company's Residential Baby Farms, as recorded in Plat Book 51, Page 55, and partially in The Lauglin Survey as recorded in Map Book 196, Page 71, in the Birmingham Division of Jefferson County Probate Court and the right-of-way contains

0.723 acres, more or less, and the permanent roadway easement contains 0.528 acres, more or less.

**5. INSTRUMENT 200317/6431**

**EXISTING RIGHT-OF-WAY**

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; thence turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; thence turn an angle 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; thence turn right an angle of 25°13'46" and proceed northeasterly a distance of 1582.91 feet; thence turn right an angle of 69°29'08" and proceed southeasterly along a bearing of South 40°23'23.36" East a distance of 583.56 feet; thence turn 180° and proceed northwesterly a distance of 55 feet, more or less, to the intersection of a northwesterly right-of-way line of Old Leeds Road and the point of beginning of a right-of-way, being 150 feet in width, lying 75 feet each side of, parallel to, and abutting the following described centerline; thence proceed northwesterly along last described course a distance of 0.79 feet to a point known as Point "A" for future reference (total distance from last turn equal 55.79 feet); thence continue northwesterly 7.14 feet to Point "B" for future reference; thence continue northwesterly along last described course a distance of 42.90 feet to a point known as Point "C" for future reference; thence continue northwesterly along last describe course a distance of 95.00 feet. At which point the right-of-way becomes bounded on the southwesterly side by the west line of Section 20, Township 17 South, Range 1 West;

Also a permanent roadway easement to be vacated being described as follows:

Commence at Point "B" as described in the right-of-way above and continue northwesterly along previous course a distance of 27.82 feet; thence turn left an angle of 90° and proceed southwesterly a distance of 90.00 feet to the intersection of the westerly right-of-way of Grants Mill Road and the point of beginning of a permanent roadway easement of variable widths, being bounded on the northeasterly side by the westerly right-of-way of Grants Mill Road and on the southerly side by the following described line; thence turn an angle of 75°06'12" and proceed northwesterly a distance of 72 feet, more or less, to the intersection of the west line of Section 20, Township 17 South, Range 1 West; thence proceed northerly along the west boundary of said Section 20, a distance of 52 feet, more or less, to the intersection of the southwesterly right-of-way of Grants Mill Road and the end of this permanent roadway easement.

**WHEREAS**, pursuant to § 35-2-54 of the *Code of Alabama*, the assent of the City Council of the City of Irondale is required to effectuate the vacation of the Property; and

**WHEREAS**, the City engineer has reviewed the proposed legal descriptions as petitioned and otherwise recommends Exhibit C be included therewith the Petition for Vacation (Exhibit A) and its Map depicting property to be vacated (Exhibit B) and be recorded in the Probate Court of Jefferson County to provide clarity of area to be vacated and emphasize that any portion of the current roadway of Grants Mill Road is excluded;

**WHEREAS**, in accordance with the above provisions, it appears to the City Council that (i) the vacation of the Property is in order and that a convenient and reasonable means of ingress

and egress is afforded to all other property owners owning property adjoining the Property and (ii) the vacation of the Property will not detrimentally affect the interest of the City of Irondale; and

**WHEREAS**, the City Council has agreed to assent to and approve the vacation of the Property as requested by the Owners in the Petition.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Irondale, as follows:

1. A determination has been made upon presentation of material facts submitted by the Owner(s) of the Property in the Petition that the vacation of the Property on Grants Mill Road including the right of way over and across said Property is hereby assented to, authorized and ratified by the City of Irondale, Alabama as required by Alabama Code § 35-2-54 and the same is hereby vacated and annulled and all public rights and easements of the Property thereon divested; subject, however, to all existing rights of way or easements for public utilities and to all utility facilities presently situated on the Property and that this vacation shall in no manner include any portion of Grants Mill Road.

2. The effect of the vacation of the Property and to the Owners thereof as described above is to vest title of that portion of the Property, which directly abuts onto such owner's property, into such owner's name(s).

3. The Acting City Clerk of the City of Irondale, Alabama is hereby, authorized and empowered to attach a certified copy of this resolution to the Petition for vacation (Exhibit A) and Maps depicting area of vacation (Exhibits B-C) and to file the same with the proper Office of the Judge of Probate.

**ADOPTED & APPROVED** this 1st day of April, 2021.

\_\_\_\_\_  
David Spivey, City Council President

**APPROVED:**

\_\_\_\_\_  
James D. Stewart, Jr., Mayor

**ATTESTED:**

\_\_\_\_\_  
Frank Pennington, Acting City Clerk

## **CERTIFICATION**

I, Frank Pennington, Acting City Clerk of the City of Irondale, Alabama, hereby certify that the above to be a true and correct copy of a resolution adopted by the City Council of the City of Irondale at its regular meeting held on April 1, 2021, as same appears in the minutes of record of said meeting.

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Frank Pennington, Acting City Clerk

**EXHIBIT A**

**PETITION FOR VACATION**

## PETITION FOR VACATION

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, HEPLEEDS, LLC, a Florida limited liability company, Robbin W. Kimbrell, Bennie S. Kimbrell f/k/a Bennie S. Higginbotham, Don Hamner, Kelly Lett Darden, Kathryn Lett Wright, Kristin Michele Lett Ross, and Grants Mill, LLC, an Alabama limited liability company, are the owners of all the property abutting or in any way served by the property herein described, and owns all the lands abutting on or touching said property, and as such owners are desirous of vacating all the property herein described, as provided for by Ala. Code § 23-4-20.

NOW THEREFORE, the undersigned, being the owners of all the lands abutting on the following described property:

### EXISTING RIGHT-OF-WAY

SOURCE (Tract No. 71 in INSTRUMENT 2021031783)

A part of Lot 11 and Lot 12, Olshan Realty Company's Residential Baby Farms, as recorded in Map book 51, Page 55, in the Birmingham Division of Jefferson County Probate Court and more particularly described as follows:

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; thence turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; thence turn left an angle of 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; thence turn right an angle of 25°13'46" and proceed northeasterly a distance of 825 feet, more or less, to the intersection of the southwesterly lot line of Lot 12, Olshan Realty Company's Residential Baby Farms, as recorded in Plat Book 51, Page 55, in the Birmingham Division of Jefferson County Probate Court and the point of beginning of a road right-of-way of variable widths, being bounded on the northwesterly side by the northerly property boundary of Grantor and being bounded on the southeasterly side by a line lying 75 feet southeasterly of and parallel to the following described line; thence continue northeasterly along last described course a distance of 325 feet, more or less, to a point where the southeasterly right-of-way boundary intersects the northerly property boundary of Grantor, said line being the north boundary of Lot 11 of Olshan Realty Company's Residential Baby Farms, and the end of this right-of-way; thence continue northeasterly along last described course a distance of 71.67 feet to a point known as Point "A" for future reference (total distance to last turn equals 1,221.67 feet).

Also a permanent roadway easement to be vacated being described as follows:

Commence at Point "A" as described in the right-of-way above and from last described course turn 180° and proceed southwesterly a distance of 7 feet, more or less, to the intersection of a northwesterly projection of the northeasterly boundary line of the aforescribed Lot 11 and the point of beginning of a permanent roadway easement of variable widths, being bounded on the

northwesterly side by the northerly property boundary of Grantor and being bounded on the southeasterly side by a straight line between a point on the northeasterly property boundary of Lot 11, lying 9 feet southeasterly of the northeast corner of said Lot 11 to a point lying 90 feet southeasterly of Point "B" described ahead; thence continue southwesterly along last described course a distance of 34.75 feet (total distance from Point "A" equals 41.75 feet). At which point, the permanent roadway easement becomes bounded on the southeasterly side by a line lying 90 feet southeasterly of and parallel to the following described line; thence proceed southwesterly a distance of 36.92 feet. At which point, the permanent roadway easement becomes 15 feet in width, being bounded on the northwesterly side by the right-of-way described above and bounded on the southeasterly side by a line lying 90 feet southeasterly of and parallel to the following described line; thence proceed southwesterly along last described course a distance of 139.02 feet to the end of this vacated permanent roadway easement.

All of said right-of-way and permanent roadway easement lies in the SE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West and is a part of said Lot 11 and Lot 12.

#### EXISTING RIGHT-OF-WAY

##### SOURCE

INSTRUMENT 200307/6210

INSTRUMENT 200207/0180

INSTRUMENT 200207/0178

A part of Parcel Two as shown and described by a survey prepared by Carr and Associates Engineers, Inc., as recorded in Map Book 0196/0074 in Office of the Judge of Jefferson County Probate Court, Birmingham Division described as follows:

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; thence turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; thence turn left an angle of 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; thence turn right an angle of 25°13'46" and proceed northeasterly a distance of 1029.92 feet to a point known as Point "A" for future reference; thence proceed northeasterly along same course a distance of 44 feet, more or less, to the intersection of the west line of Parcel Two described above and the point of beginning of a right-of-way of variable width, being bounded on the westerly side by the west line of said Parcel Two, being bounded on the southerly side by the south boundary line of the NE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West, being bounded on the easterly side by the east line of said Parcel Two and being bounded on the northerly side by a line lying 75.00 feet northerly of and parallel to the following described line; thence continue northeasterly along last described course a distance of 147.75 feet (total distance from Point "A" equals 191.75 feet) to a point of beginning of an 11°00'00" curve to the right, having a central angle of 69°29'08" and a radius of 520.87 feet;

thence proceed northeasterly, easterly, and southeasterly along the arc of said curve a distance of 562 feet, more or less, to the intersection of the South line of said Section 19 and the end of this right-of-way.

Also a permanent roadway easement to be vacated being described as follows:

Commence at Point "A" from the above described right-of-way and from the previously described course, continue northeasterly a distance of 44 feet, more or less, to the intersection of the westerly property line of the Grantor and the point of beginning of a permanent roadway easement of variable widths, being bounded on the southerly side by the above described right-of-way and bounded on the northerly side by a line which begins on the westerly property line of Grantor 122 feet northerly of this point and ends 90 feet northerly of and perpendicular to a point being 147.75 feet ahead (total distance from Point "A" being 191.75 feet); thence continue ahead along the last described course a distance of 147.75 feet to said ending point. At this point, the permanent roadway easements becomes bounded on the northerly side by a line lying 90 feet northerly of and parallel to the following described line; thence run easterly along the arc of an  $11^\circ$  curve to the right, having a central angle of  $69^\circ 29' 08''$  and a radius of 520.87 feet a distance of 158.25 feet. At this point, the permanent roadway easement becomes bounded on the northerly side by a line beginning 90 feet northerly of and perpendicular to this point and ending 150 feet northerly of and perpendicular to a point 100 feet ahead; thence continue ahead along the arc of said curve of 100 feet to said ending point. At this point, the permanent roadway easement becomes bounded on the northerly side by a line lying 150 feet northerly of and parallel to the following described line; thence continue southeasterly along the arc of said curve a distance of 212 feet. At this point, the permanent roadway easement becomes bounded on the northerly side by the easterly property line of Grantor (said property line being the east line of the NE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West); thence continue southeasterly along the arc of said curve a distance of 42 feet to the end of this permanent roadway easement. Less and except that property owned by Robbin W. Kimbrell and Bennie S. Higginbotham Kimbrell, being part of the NE 1/4 of the SE 1/4 of Section 19, Township 17 South Range 1 West, and more particularly described as follows;

Begin at the northeast corner of Lot 9 of OLSHAN REALTY COMPANY'S RESIDENTIAL BABY FARMS as recorded in Map Book 51, Page 55, in the Office of the Judge of Probate of Jefferson County, Alabama; thence run in a westerly direction along the north line of said lot for a distance of 290.70 feet to the northwest corner of said lot; thence turn an angle to the right of  $137^\circ 07' 55''$  and run in a northeasterly direction for a distance of 174.04 feet; thence turn an angle to the right of  $18^\circ 19' 32''$  and run in a northeasterly direction for a distance of 114.92 feet; thence turn an angle to the right of  $21^\circ 33' 50''$  and run in an easterly direction for a distance of 58.63 feet; thence turn an angle to the right of  $92^\circ 57' 33''$  and run in a southerly direction to the point of beginning.

All of said right-of-way and permanent roadway easement lies in the NE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West and the right-of-

way contains 2.253 acres, more or less, and the permanent roadway easement contains 0.795 acres, more or less.

INSTRUMENT 200301/8157  
INSTRUMENT 200205/1779  
INSTRUMENT 200205/1781

A permanent roadway easement being a part of Lot 10, Olshan Realty Company's Residential Baby Farms, as recorded in Plat Book 51, Page 55, in the Birmingham Division of Jefferson County Probate Court and described as follows.

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; thence turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; thence turn an angle 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; thence turn right an angle of 25°13'46" and proceed northeasterly a distance of 1,280.15 feet (1214.67 feet), more or less, to the intersection of a northwesterly projection of the southwesterly lot line of said Lot 10, said point being known as Point "A" for future reference, and point of beginning of a permanent roadway easement of variable widths, being bounded on the northwesterly side by the southerly Right-of-Way line of Grants Mill Road and being bounded on the southeasterly side by a line lying 108 feet southeasterly of Point "A" to a point lying 150 feet on a radian of a curve from Point "B" described ahead; thence continue northeasterly along last described course a distance of 6.67 feet (total distance from last turn equals 1,221.67 feet), said point being the point of beginning of a 11°00'00" curve to the right, having a central angle of 69°29'08" and a radius of 520.87 feet; thence proceed northeasterly and easterly along the arc of said curve a distance of 158.25 feet Point "B". At which point the permanent roadway easement becomes bounded on the southeasterly side by a line lying 150 feet southeasterly of and parallel to the following described line; thence continue along the arc of said curve a distance of 132 feet to the end of this permanent roadway easement.

All of said permanent roadway easement lies in the SE 1/4 of the SE 1/4 of Section 19, Township. 17 South, Range 1 West and the permanent roadway easement contains 0.090 acres, more or less.

INSTRUMENT 200501/3471  
INSTRUMENT 200206/8402  
INSTRUMENT 200206/8410

#### EXISTING RIGHT-OF-WAY

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; thence turn right an angle of

155°46'46.11" and proceed northeasterly a distance of 453.80 feet; thence turn an angle 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; thence turn right an angle of 25°13'46" and proceed northeasterly a distance of 1582.91 feet; thence turn right an angle of 69°29'08" and proceed southeasterly a distance of 537.81 feet to a point known as Point "A" for future; thence turn 180° and proceed northwesterly a distance of 151 feet, more or less, to a point where a line lying 75.00 feet southwesterly of and parallel to the previously described line intersects the east boundary line of Section 19, Township 17 South, Range 1 West, said point being the point of beginning of a right of way of variable widths, being bounded on the southwesterly side by a line lying 75 feet southwesterly of and parallel to the following described line; thence continue northwesterly a distance of 25.57 feet (total distance from last turn equals 176.57 feet) to the point of beginning of a 11°00'00" curve to the left having a central angle of 69°29'08" and a radius of 520.87 feet; thence proceed northwesterly along the arc of said curve a distance of 120 feet. At this point, the right-of-way becomes 150 feet in width, lying 75 feet each side of parallel to the following described line; thence continue northwesterly along the arc of said curve a distance of 156 feet, more or less.

Also a permanent roadway easement to be vacated being described as follows:

Commence at Point "A" as described in the right-of-way above and from last described course turn 180° and proceed northwesterly a distance of 115 feet to the point of beginning of a permanent roadway easement of variable widths, being bounded on the northeasterly side by the right-of-way described above and bounded on the southwesterly side by a straight line beginning at a point lying 109 feet southwesterly of and perpendicular to the previously described course and ending at a point lying 125 feet southwesterly on a line lying perpendicular to the previously described course at a point 61.57 feet northeasterly ahead; thence proceed northeasterly along last described course a distance of 61.57 feet to said ending point. At which point, the permanent roadway easement becomes bounded on the southeasterly side by a line lying 125 feet southeasterly of and parallel to the following described line; said point also being the point of beginning of a 11°00'00" curve to the left, having a central angle of 69°29'08" and a radius of 520.87 feet; thence proceed northwesterly along the arc of said curve a distance of 173.43 feet. At which point, the permanent roadway easement becomes bounded on the southeasterly side by a line lying 150 feet southeasterly of and parallel to the following described line; thence continue northwesterly along last described course a distance of 100 feet, more or less.

Also a permanent roadway easement of variable widths, being bounded on the southerly side by the northerly boundary of right-of-way described above, bounded on the easterly side by the east line of Section 19, Township 20 South, Range 1 West, and bounded on the northerly side by the northerly property line of Grantor.

All of said right-of-way and permanent roadway easement lies in the E 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West and partially within

Lot 9 of Olshan Realty Company's Residential Baby Farms, as recorded in Plat Book 51, Page 55, and partially in The Laughlin Survey as recorded in Map Book 196, Page 71, in the Birmingham Division of Jefferson County Probate Court and the right-of-way contains 0.723 acres, more or less, and the permanent roadway easement contains 0.528 acres, more or less.

INSTRUMENT 200317/6431

#### EXISTING RIGHT-OF-WAY

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; thence turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; thence turn an angle 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; thence turn right an angle of 25°13'46" and proceed northeasterly a distance of 1582.91 feet; thence turn right an angle of 69°29'08" and proceed southeasterly along a bearing of South 40°23'23.36" East a distance of 583.56 feet; thence turn 180° and proceed northwesterly a distance of 55 feet, more or less, to the intersection of a northwesterly right-of-way line of Old Leeds Road and the point of beginning of a right-of-way, being 150 feet in width, lying 75 feet each side of, parallel to, and abutting the following described centerline; thence proceed northwesterly along last described course a distance of 0.79 feet to a point known as Point "A" for future reference (total distance from last turn equal 55.79 feet); thence continue northwesterly 7.14 feet to Point "B" for future reference; thence continue northwesterly along last described course a distance of 42.90 feet to a point known as Point "C" for future reference; thence continue northwesterly along last describe course a distance of 95.00 feet. At which point the right-of-way becomes bounded on the southwesterly side by the west line of Section 20, Township 17 South, Range 1 West;

Also a permanent roadway easement to be vacated being described as follows:

Commence at Point "B" as described in the right-of-way above and continue northwesterly along previous course a distance of 27.82 feet; thence turn left an angle of 90° and proceed southwesterly a distance of 90.00 feet to the intersection of the westerly right-of-way of Grants Mill Road and the point of beginning of a permanent roadway easement of variable widths, being bounded on the northeasterly side by the westerly right-of-way of Grants Mill Road and on the southerly side by the following described line; thence turn an angle of 75°06'12" and proceed northwesterly a distance of 72 feet, more or less, to the intersection of the west line of Section 20, Township 17 South, Range 1 West; thence proceed northerly along the west boundary of said Section 20, a distance of 52 feet, more or less, to the intersection of the southwesterly right-of-way of Grants Mill Road and the end of this permanent roadway easement.

do hereby declare the above property vacated and annulled, and all public rights and easements therein divested of the property.

The undersigned owners do hereby further declare that after vacation of the said public street and alley located as described above, and all public rights and easements therein, convenient means of ingress and egress to and from the property will be afforded to all other property owners owning property in or near the tract of land embraced by the said map, plat, or survey, wherein the above-described property was dedicated for public purposes.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal by \_\_\_\_\_, as  
of HEPLEEDS, LLC, this the 22nd day of March, 2021.

HEPLEEDS, LLC, a Florida limited liability company

By: Halvorsen Holdings, LLC, a Florida limited liability  
company, as its Managing Member

By: HH Manager, Inc., a Florida corporation, as its  
Managing Member

By: \_\_\_\_\_  
Jeffrey T. Halvorsen, not individually but solely in his  
capacity as President of HH Manager, Inc.

STATE OF FLORIDA                    )  
PALM BEACH COUNTY                )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jeffrey T. Halvorsen personally and voluntarily came before me this day and acknowledged that his is the President of HH Manager, Inc., a Florida corporation, the Managing Member of Halvorsen Holdings, LLC, a Florida limited liability company, the Managing Member of HEPLEEDS, LLC, a Florida limited liability company, and that he, as President of the Managing Member of the Managing Member being authorized to do so, executed the foregoing on behalf of the company.

Given under my hand and official seal, this the 22nd day of March, 2021.

Cheryl Burden  
NOTARY PUBLIC



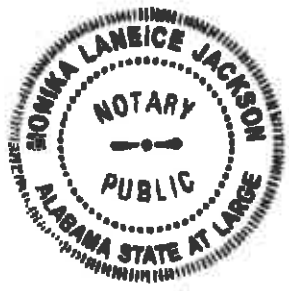
IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal by \_\_\_\_\_ as \_\_\_\_\_ of Robbin W. Kimbrell, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Robbi W Kimbrell  
Robbin W. Kimbrell

STATE OF Alabama )  
Jefferson COUNTY )

I Monika Laneice Jackson the undersigned, a Notary Public in and for said County in said State, hereby certify that Robbin W. Kimbrell is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 24 day of March, 2021.



Monika Laneice Jackson  
Notary Public

MY COMMISSION EXPIRES 2/10/25

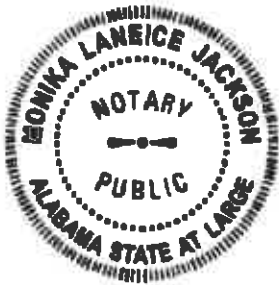
IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal by \_\_\_\_\_, as \_\_\_\_\_ of Bennie S. Kimbrell f/k/a Bennie S. Higginbotham, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Bennie S Kimbrell  
Bennie S. Kimbrell

STATE OF Alabama )  
Jefferson COUNTY )

I Monika Laneice Jackson the undersigned, a Notary Public in and for said County in said State, hereby certify that Bennie S. Kimbrell is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 24 day of March, 2021.



Monika Laneice Jackson  
Notary Public

MY COMMISSION EXPIRES 2/10/25

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal by  
as \_\_\_\_\_ of Don Hamner, this the 23<sup>rd</sup> day of March, 2021.

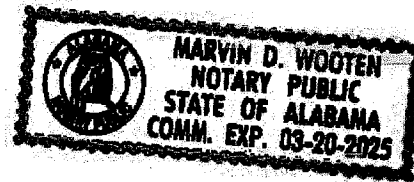
Don Hamner  
Don Hamner

STATE OF Alabama )  
Jefferson COUNTY )

I Marvin D Wooten, the undersigned, a Notary Public in and for said County in said State, hereby certify that Don Hamner is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 23<sup>rd</sup> day of March, 2021.

Marvin D. Wooten  
Notary Public



IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal by  
as \_\_\_\_\_ of Kristin Michele Lett Ross, this the 31 day of March  
2021.

Kristin Michele Lett Ross  
Kristin Michele Lett Ross

STATE OF Alabama )  
Shelby COUNTY )

I Stephanie Hill the undersigned, a Notary Public in and for said County in said State,  
hereby certify that Kristin Michele Lett Ross is signed to the foregoing conveyance, and who is known to  
me, acknowledged before me on this day that, being informed of the contents of the foregoing, executed  
the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 31 day of March, 2021.

Stephanie Hill  
Notary Public

My Commission Expires:  
July 18, 2021

IN WITNESS WHEREOF, the undersigned has hereunto set its hand, and seal by  
as of Kathryn Lett Wright, this the 31 day of March, 2021.

Kathryn Lett Wright  
Kathryn Lett Wright

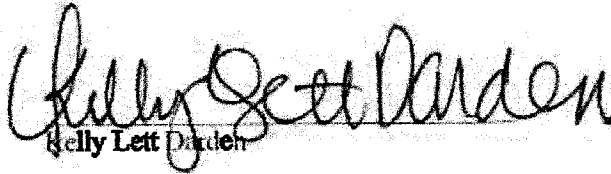
STATE OF Alabama )  
Shelby COUNTY )

I Rephanie Hill the undersigned, a Notary Public in and for said County in said State, hereby certify that Kathryn Lett Wright is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 31 day of March, 2021.

Rephanie Hill  
Notary Public  
My Commission Expires  
July 18, 2021

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal by  
as \_\_\_\_\_ of Kelly Lett Darden, this the 31 day of March, 2021.

  
Kelly Lett Darden

STATE OF Alabama )  
Shelby COUNTY )

I Seaman Hill, the undersigned, a Notary Public in and for said County in said State, hereby certify that Kelly Lett Darden is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 31 day of March, 2021.

  
Notary Public

My Commission Expires  
July 18, 2021

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal by \_\_\_\_\_, as \_\_\_\_\_ of Grants Mill, LLC, this the 25 day of March, 2021.

Grants Mill, LLC

By: \_\_\_\_\_

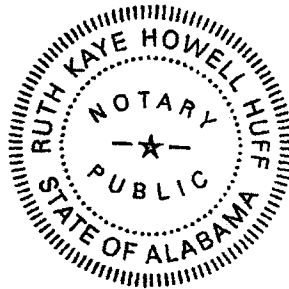
Its: Member

Alabama  
STATE OF ~~FLORIDA~~ )  
Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Rene Holtz, whose name as President of Grants Mill, LLC, is signed to the foregoing application, and who is known to me, acknowledged before me on this day that, being informed of the contents of the application, \_\_\_\_\_, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

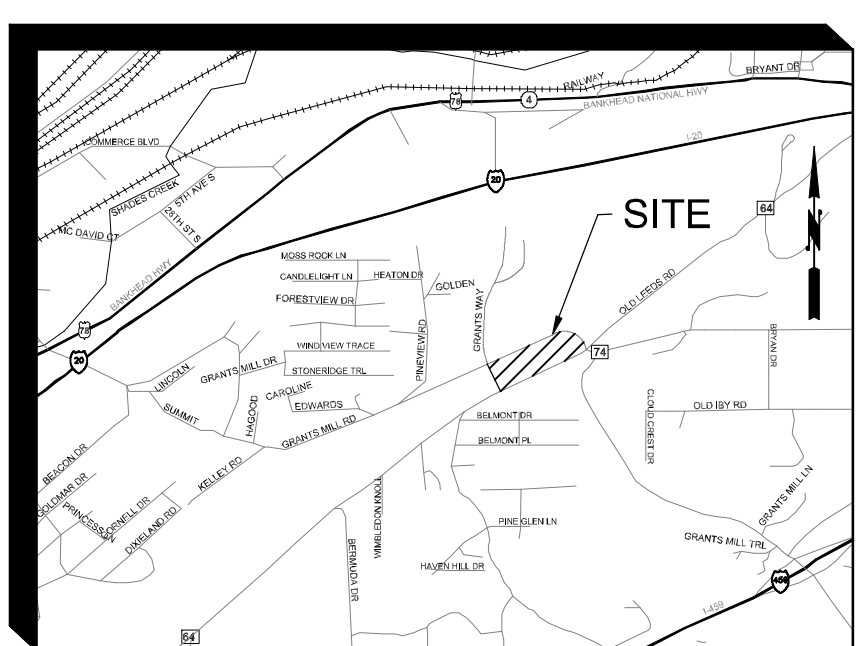
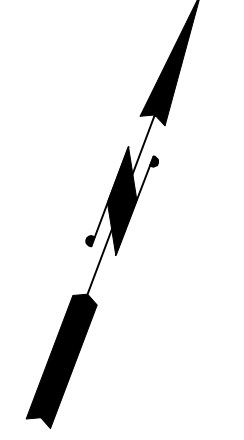
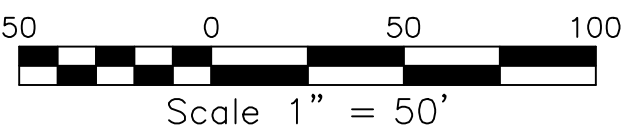
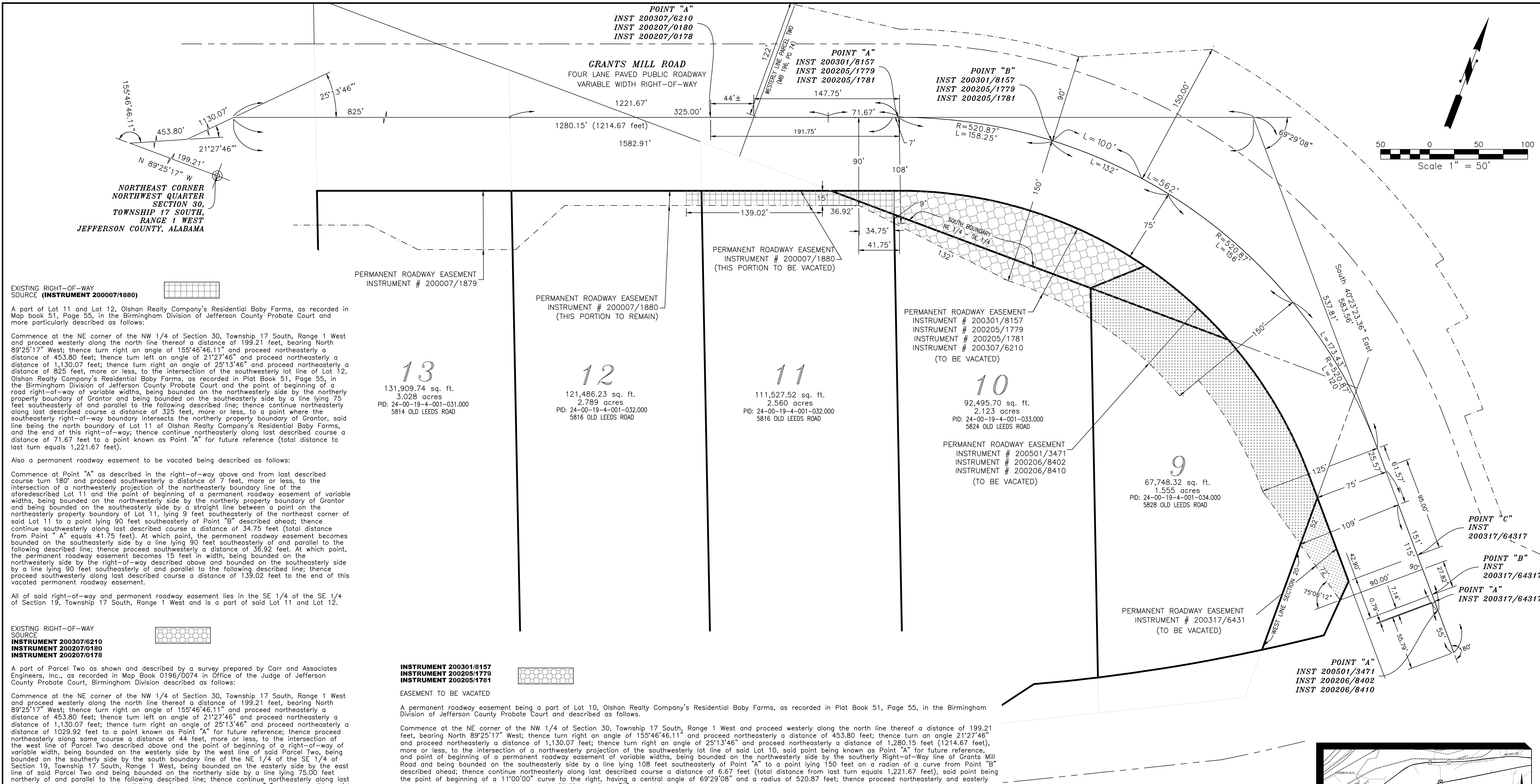
Given under my hand and official seal, this the 25 day of March, 2021.

Ruth Kaye Howell Huff  
Notary Public



**EXHIBIT B**

**MAP DEPICTING AREA OF VACATION WITH DESCRIPTIONS**



EXISTING RIGHT-OF-WAY  
SOURCE (INSTRUMENT 200007/1880)

A part of Lot 11 and Lot 12, Olshan Realty Company's Residential Baby Farms, as recorded in Map book 51, Page 55, in the Birmingham Division of Jefferson County Probate Court and more particularly described as follows:

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; then turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; then turn left an angle of 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; then turn right an angle of 25°13'46" and proceed northeasterly a distance of 825 feet, more or less, to the intersection of the southwesterly lot line of Lot 12, Olshan Realty Company's Residential Baby Farms, as recorded in Plat Book 51, Page 55, in the Birmingham Division of Jefferson County Probate Court and the point of beginning of a road right-of-way of variable widths, being bounded on the northwesterly side by the northerly property boundary of Grantor and being bounded on the southeasterly side by a line lying 75 feet southeasterly of and parallel to the following described line; then continue northeasterly along last described course a distance of 325 feet, more or less, to a point where the southeasterly right-of-way boundary intersects the northerly property boundary of Grantor, said line being the north boundary of Lot 11 of Olshan Realty Company's Residential Baby Farms, and the end of this right-of-way; then continue northeasterly along last described course a distance of 71.67 feet to a point known as Point "A" for future reference (total distance to last turn equals 1,221.67 feet).

Also a permanent roadway easement to be vacated being described as follows:

Commence at Point "A" as described in the right-of-way above and from last described course turn 180° and proceed southwesterly a distance of 7 feet, more or less, to the intersection of a northwesterly projection of the northeasterly boundary line of the aforesaid Lot 11 and the point of beginning of a permanent roadway easement of variable widths, being bounded on the northwesterly side by the northerly property boundary of Grantor and being bounded on the southeasterly side by a straight line between a point on the northeasterly property boundary of Lot 11, lying 9 feet southeasterly of the northeast corner of said Lot 11 to a point lying 90 feet southeasterly of Point "B" described ahead; then continue southwesterly along last described course a distance of 34.75 feet (total distance from Point "A" equals 41.75 feet); at which point the permanent roadway easement becomes bounded on the southeasterly side by a line lying 90 feet southeasterly of and parallel to the following described line; then proceed southwesterly a distance of 36.92 feet. At which point, the permanent roadway easement becomes 15 feet in width, being bounded on the northwesterly side by the right-of-way described above and bounded on the southeasterly side by a line lying 90 feet southeasterly of and parallel to the following described line; then proceed southwesterly along last described course a distance of 139.02 feet to the end of this vacated permanent roadway easement.

All of said right-of-way and permanent roadway easement lies in the SE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West and is a part of said Lot 11 and Lot 12.

EXISTING RIGHT-OF-WAY  
SOURCE  
INSTRUMENT 200307/6210  
INSTRUMENT 200207/0180  
INSTRUMENT 200207/0178

A part of Parcel Two as shown and described by a survey prepared by Carr and Associates Engineers, Inc., as recorded in Map Book 0196/0074 in Office of the Judge of Jefferson County Probate Court, Birmingham Division described as follows:

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; then turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; then turn left an angle of 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; then turn right an angle of 25°13'46" and proceed northeasterly a distance of 1,029.92 feet to a point known as Point "A" for future reference; then proceed northeasterly along same course a distance of 44 feet, more or less, to the intersection of the west line of Parcel Two described above and the point of beginning of a right-of-way of variable width, being bounded on the westerly side by the west line of said Parcel Two, being bounded on the southerly side by the south boundary line of the NE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West, being bounded on the easterly side by the east line of said Parcel Two and being bounded on the northerly side by a line lying 75.00 feet northerly of and parallel to the following described line; then continue northeasterly along last described course a distance of 147.75 feet (total distance from Point "A" equals 191.75 feet); to a point of beginning of a 11°00'00" curve to the right, having a central angle of 69°29'08" and a radius of 520.87 feet; then proceed northeasterly, easterly, and southeasterly along the arc of said curve a distance of 562 feet, more or less, to the intersection of the South line of said Section 19 and the end of this right-of-way.

Also a permanent roadway easement to be vacated being described as follows:

Commence at Point "A" from the above described right-of-way and from the previously described course, continue northeasterly a distance of 44 feet, more or less, to the intersection of the westerly property line of the Grantor and the point of beginning of a permanent roadway easement of variable widths, being bounded on the southerly side by the above described right-of-way and bounded on the northerly side by a line which begins on the westerly property line of Grantor, 122 feet northerly of this point and ends 90 feet northerly of and perpendicular to a point being 147.75 feet ahead (total distance from Point "A" being 191.75 feet); then continue ahead along the last described course a distance of 147.75 feet to said ending point. At this point, the permanent roadway easements becomes bounded on the northerly side by a line lying 150 feet northerly of and parallel to the following described line; then run easterly along the arc of an 11° curve to the right, having a central angle of 69°29'08" and a radius of 520.87 feet a distance of 158.25 feet. At this point, the permanent roadway easement becomes bounded on the northerly side by a line beginning 90 feet northerly of and perpendicular to this point and ending 150 feet northerly of and perpendicular to a point 100 feet ahead; then continue ahead along the arc of said curve of 100 feet to said ending point. At this point, the permanent roadway easement becomes bounded on the northerly side by a line lying 125 feet northerly of and parallel to the following described line; then continue southwesterly along the arc of said curve a distance of 212 feet. At this point, the permanent roadway easement becomes bounded on the northerly side by the easterly property line of Grantor (said property line being the east line of the NE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West); then continue southwesterly along the arc of said curve a distance of 42 feet to the end of this permanent roadway easement. Less and except that property owned by Robin W. Kimbrell and Bennie S. Higginbotham Kimbrell, being part of the NE 1/4 of the SE 1/4 of Section 19, Township 17 South Range 1 West, and more particularly described as follows:

Begin at the northeast corner of Lot 9 of OLSHAN REALTY COMPANY'S RESIDENTIAL BABY FARMS as recorded in Map Book 51, Page 55, in the Office of the Judge of Probate of Jefferson County, Alabama; thence run in a westerly direction along the north line of said lot for a distance of 290.70 feet to the northwest corner of said lot; then turn an angle to the right of 137°07'55" and run in a northeasterly direction for a distance of 174.04 feet; then turn an angle to the right of 18°19'32" and run in a northeasterly direction for a distance of 114.32 feet; then turn an angle to the right of 21°33'50" and run in an easterly direction for a distance of 58.63 feet; then turn an angle to the right of 92°57'33" and run in a southerly direction to the point of beginning.

All of said right-of-way and permanent roadway easement lies in the NE 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West and the right-of-way contains 2.253 acres, more or less, and the permanent roadway easement contains 0.795 acres, more or less.

INSTRUMENT 200301/8157  
INSTRUMENT 200205/1779  
INSTRUMENT 200205/1781

EASEMENT TO BE VACATED

A permanent roadway easement being a part of Lot 10, Olshan Realty Company's Residential Baby Farms, as recorded in Plat Book 51, Page 55, in the Birmingham Division of Jefferson County Probate Court and described as follows.

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; then turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; then turn an angle 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; then turn right an angle of 25°13'46" and proceed northeasterly a distance of 1,280.15 feet (1214.67 feet), more or less, to the intersection of a northwesterly projection of the southwesterly lot line of said Lot 10, said point being known as Point "A" for future reference, and point of beginning of a permanent roadway easement of variable widths, being bounded on the northwesterly side by the southerly Right-of-Way line of Grants Mill Road and being bounded on the southeasterly side by a line lying 108 feet southeasterly of Point "A" to a point lying 150 feet on a radius of a curve from Point "B" described ahead; then continue northeasterly along last described course a distance of 6.67 feet (total distance from last turn equals 1,221.67 feet), said point being the point of beginning of a 11°00'00" curve to the right, having a central angle of 69°29'08" and a radius of 520.87 feet; then proceed northeasterly and easterly along the arc of said curve a distance of 158.25 feet Point "B". At which point the permanent roadway easement becomes bounded on the southeasterly side by a line lying 150 feet southeasterly of and parallel to the following described line; then continue along the arc of said curve a distance of 132 feet to the end of this permanent roadway easement.

All of said permanent roadway easement lies in the SE 1/4 of the SE 1/4 of Section 19, Township. 17 South, Range 1 West and the permanent roadway easement contains 0.090 acres, more or less.

INSTRUMENT 200501/3471  
INSTRUMENT 200206/8402  
INSTRUMENT 200206/8410

EXISTING RIGHT-OF-WAY

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North 89°25'17" West; then turn right an angle of 155°46'46.11" and proceed northeasterly a distance of 453.80 feet; then turn an angle 21°27'46" and proceed northeasterly a distance of 1,130.07 feet; then turn right an angle of 25°13'46" and proceed northeasterly a distance of 1,280.15 feet (1214.67 feet), more or less, to the intersection of a northwesterly projection of the southwesterly lot line of said Lot 10, said point being known as Point "A" for future reference, and point of beginning of a permanent roadway easement of variable widths, being bounded on the northwesterly side by the southerly Right-of-Way line of Grants Mill Road and being bounded on the southeasterly side by a line lying 108 feet southeasterly of Point "A" to a point lying 150 feet on a radius of a curve from Point "B" described ahead; then continue northeasterly along last described course a distance of 6.67 feet (total distance from last turn equals 1,221.67 feet), said point being the point of beginning of a 11°00'00" curve to the right, having a central angle of 69°29'08" and a radius of 520.87 feet; then proceed northeasterly and easterly along the arc of said curve a distance of 158.25 feet Point "B". At which point the permanent roadway easement becomes bounded on the southeasterly side by a line lying 150 feet southeasterly of and parallel to the following described line; then continue northwesterly along the arc of said curve a distance of 156 feet, more or less.

Also a permanent roadway easement to be vacated being described as follows:

Commence at Point "A" as described in the right-of-way above and from last described course turn 180° and proceed northwesterly a distance of 115 feet to the point of beginning of a permanent roadway easement of variable widths, being bounded on the northeasterly side by the right-of-way described above and bounded on the southwesterly side by a straight line beginning at a point lying 109 feet southwesterly of and perpendicular to the previously described course and ending at a point lying 125 feet southwesterly on a line lying perpendicular to the previously described course at a point 61.57 feet northeasterly ahead; then proceed northeasterly along last described course a distance of 61.57 feet to said ending point. At which point, the permanent roadway easement becomes bounded on the southeasterly side by a line lying 125 feet southeasterly of and parallel to the following described line; said point also being the point of beginning of a 11°00'00" curve to the left, having a central angle of 69°29'08" and a radius of 520.87 feet; then proceed northwesterly along the arc of said curve a distance of 173.43 feet. At which point, the permanent roadway easement becomes bounded on the southeasterly side by a line lying 150 feet southeasterly of and parallel to the following described line; then continue northwesterly along last described course a distance of 100 feet, more or less.

Also a permanent roadway easement of variable widths, being bounded on the southerly side by the northerly boundary of right-of-way described above, bounded on the easterly side by the east line of Section 19, Township 20 South, Range 1 West, and bounded on the northerly side by the northerly property line of Grantor.

All of said right-of-way and permanent roadway easement lies in the E 1/4 of the SE 1/4 of Section 19, Township 17 South, Range 1 West and partially within Lot 9 of Olshan Realty Company's Residential Baby Farms, as recorded in Plat Book 51, Page 55, and partially in The Laughlin Survey as recorded in Map Book 196, Page 71, in the Birmingham Division of Jefferson County Probate Court and the right-of-way contains 0.723 acres, more or less, and the permanent roadway easement contains 0.528 acres, more or less.



**CARR & ASSOCIATES ENGINEERS, INC.**  
153 CAHABA VALLEY PARKWAY  
PELHAM, ALABAMA 35124  
PHONE (205) 864-8888 FAX (205) 864-8885  
CIVIL, STRUCTURAL & ENVIRONMENTAL ENGINEERS  
AND  
LAND SURVEYORS  
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NO.	DESCRIPTION	BY	REVIEW	DATE

REVISION	REVIEW	DATE

CLIENT: **HEPLEEDS, LLC**  
PROJECT NAME: **LOTS 9-11 OLSHAN REALTY CO.'S RESIDENTIAL BABY FARMS CITY OF IRONDALE JEFFERSON COUNTY, ALABAMA**  
DRAWING TITLE: **VACATION EXHIBIT**  
PROJECT NO.: 19.0703  
SHEET 2 OF 2  
DWG. NO.: **19.0703-02**

PROJECT NO. 19.0703

## EXHIBIT C

### MAP DEPICTING COMPLETE AREA OF VACATION AND DESCRIPTION

#### **The City consents to vacation of the combined area as follows:**

Being a portion of a permanent roadway easement to be vacated being described as follows:

Commence at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed westerly along the north line thereof a distance of 199.21 feet, bearing North  $89^{\circ}25'17''$  West; thence turn right an angle of  $155^{\circ}46'46.11''$  and proceed northeasterly a distance of 453.80 feet; thence turn left an angle of  $21^{\circ}27'46''$  and proceed northeasterly a distance of 1,130.07 feet; thence turn right an angle of  $25^{\circ}13'46''$  and proceed northeasterly a distance of 1005.13 feet to the a point: thence turn right an angle of  $90^{\circ}00'00''$  and proceed southeasterly for 75.00 feet to a the Point of Beginning lying on the southerly right of way of Grants Mill Road; thence turn left an angle of  $90^{\circ}00'00''$  and proceed northeasterly along said right of way for 217.69 feet to a point lying on a curve to the right concave southerly having a radius of 445.87 feet and a central angle of  $69^{\circ}29'08''$ ; thence run along said arc of said curve and along said right of way a distance of 540.73 feet to a point; thence tangent to said curve and along said right of way proceed southeasterly for a distance of 116.48 feet to a point; thence turn right an angle of  $44^{\circ}50'26''$  and proceed southerly for a distance of 21.27 feet to a point; thence turn an angle right of  $120^{\circ}15'44''$  and proceed northwesterly for a distance of 136.14 feet to a point lying on a curve to the left concave southerly having a radius of 395.87 feet, a central angle of  $19^{\circ}04'39''$ , an angle right to the chord of  $5^{\circ}21'29''$  and a chord distance of 131.20 feet; thence run along said arc of said curve and along said right of way a distance of 131.81 feet to a point; thence turn an angle left of  $99^{\circ}32'20''$  from the chord of said curve and proceed southerly for a distance of 25.00 feet to a point lying on a curve to the left concave southerly having a radius of 370.87 feet, a central angle of  $33^{\circ}00'00''$ , an angle right to the chord of  $73^{\circ}30'02''$  and a chord distance of 210.67 feet; thence run along said arc of said curve and along said right of way a distance of 213.61 feet to a point; thence turn an angle left from the chord of said curve of  $7^{\circ}08'56''$  and proceed westerly for a distance of 171.01 feet to a point; thence turn an angle left of  $26^{\circ}45'20''$  and proceed southwestly for a distance of 175.94 feet to a point; thence turn an angle right of  $90^{\circ}00'00''$  and proceed northwesterly for a distance of 15.00 feet to the Point of Beginning. Said portion of permanent roadway easement to be vacated contains 0.918 acres or 39,979.10 square feet more or less.

Said portion of permanent roadway easement to be vacated excludes any portion of property that exist within the current right of way of Grants Mill Road and any portion of property lying north of the northerly right of way of Grants Mill Road.

# EXHIBIT C



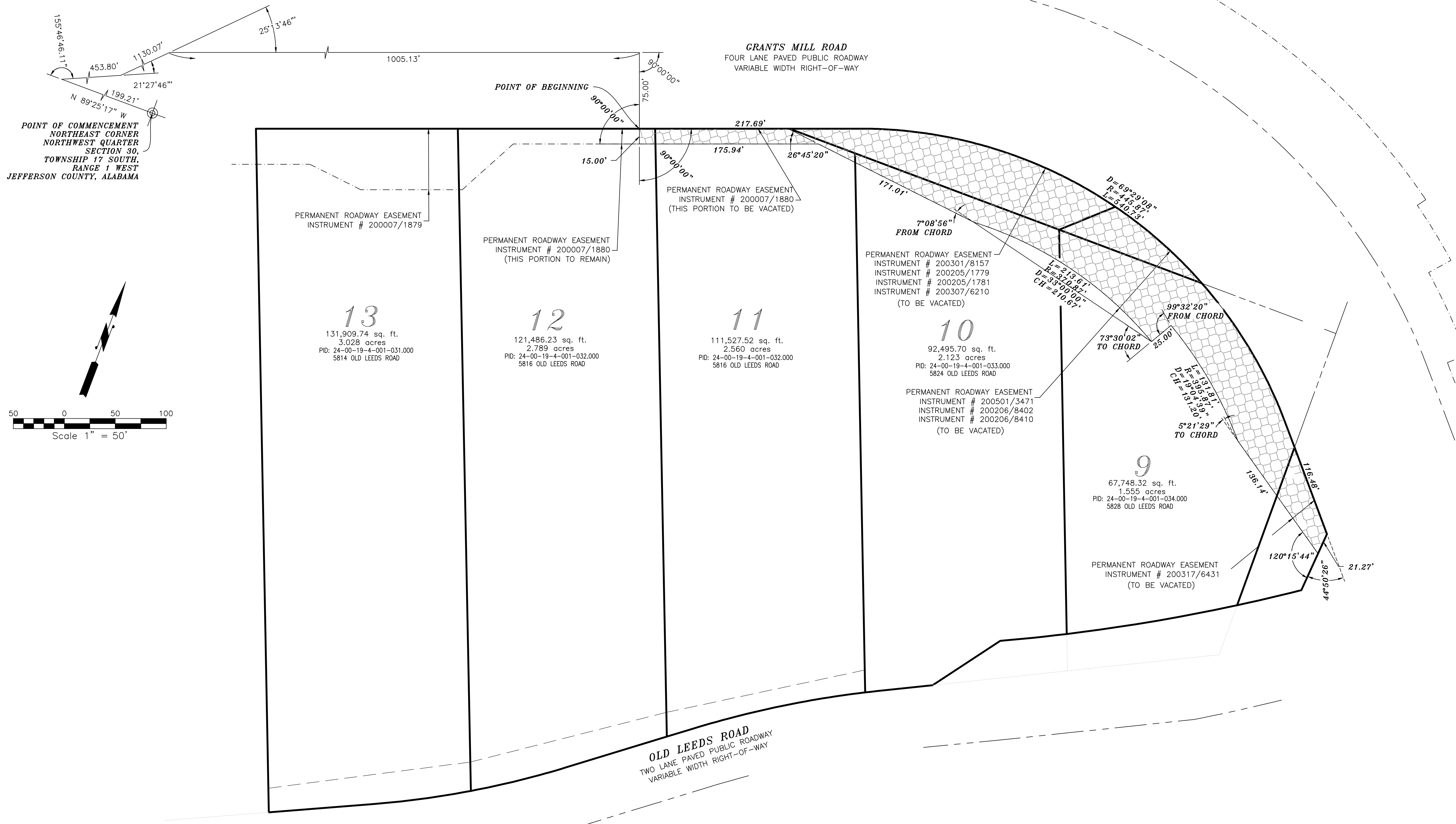
**CARR & ASSOCIATES ENGINEERS, INC.**  
 153 CAHABA VALLEY PARKWAY  
 PELHAM, ALABAMA 35124  
 PHONE (205) 864-8888 FAX (205) 864-9885  
 CIVIL, STRUCTURAL & ENVIRONMENTAL ENGINEERS  
 AND  
 LAND SURVEYORS

NO.	DESCRIPTION	BY	REVIEW	DATE

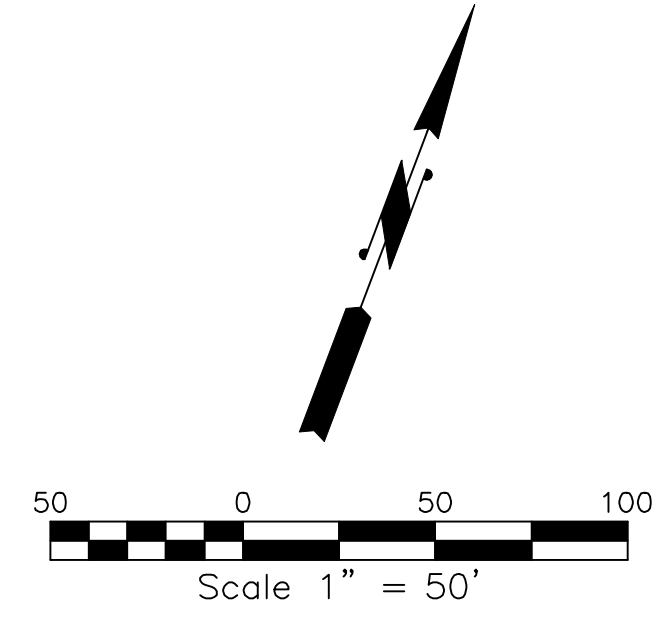
PRODUCTION	REVIEW
FIELD BOOK: 1183	SURVEYOR
CREW CHIEF: MAJ/CC	DESIGN ENGINEER
CADD OPERATOR: Young	P. E.
CADD FILE: 19.0703	DESIGN FILE: N/A
DESIGN FILE: N/A	PRINCIPAL
DATE: 1/18/21	SCALE: 1"=50'

CLIENT:	<b>HEPLEEDS, LLC</b>
PROJECT NAME:	<b>LOTS 9-11 OLSHAN REALTY CO.'S RESIDENTIAL BABY FARMS CITY OF IRONDALE JEFFERSON COUNTY, ALABAMA</b>
DRAWING TITLE:	<b>VACATION EXHIBIT</b>
PROJECT NO.:	19.0703
SHEET	2 OF 2
DWG. NO.:	<b>19.0703-02</b>

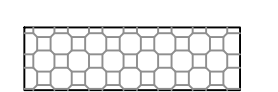
PROJECT NO. 19.0703



POINT OF COMMENCEMENT  
 NORTHWEST CORNER  
 NORTHWEST QUARTER  
 SECTION 30,  
 TOWNSHIP 17 SOUTH,  
 RANGE 1 WEST  
 JEFFERSON COUNTY, ALABAMA



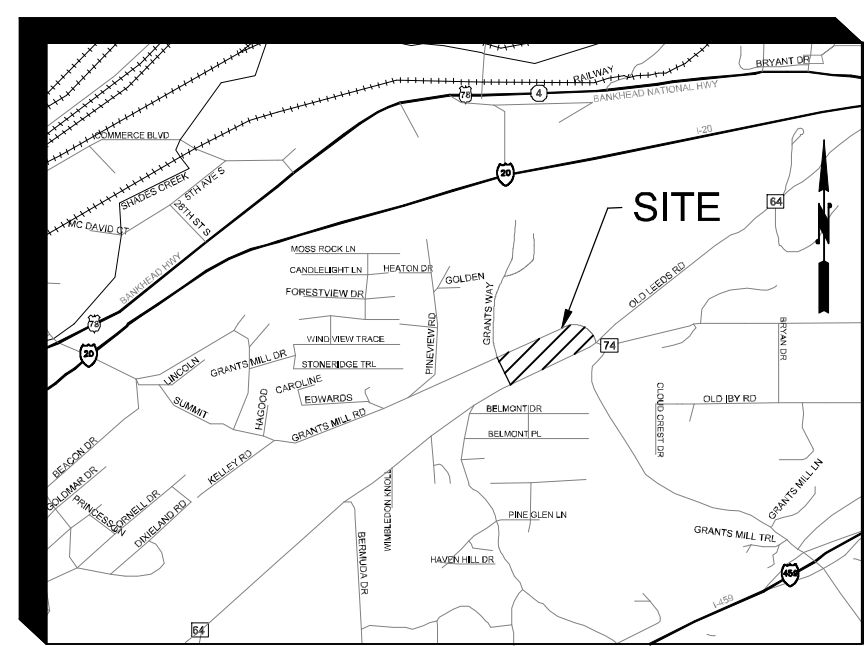
**LEGAL DESCRIPTION**



Being a portion of a permanent roadway easement to be vacated being described as follows:

**Commence** at the NE corner of the NW 1/4 of Section 30, Township 17 South, Range 1 West and proceed **westerly** along the north line thereof a distance of **199.21 feet**, bearing **North 89°25'17" West**; thence turn right an angle of **155°46'46.11"** and proceed **northeasterly** a distance of **453.80 feet**; thence turn left an angle of **21°27'46"** and proceed **northeasterly** a distance of **1,130.07 feet**; thence turn right an angle of **25°13'46"** and proceed **northeasterly** a distance of **1005.13 feet** to the a point; thence turn right an angle of **90°00'00"** and proceed **southeasterly** for **75.00 feet** to a the **Point of Beginning** lying on the southerly right of way of Grants Mill Road; thence turn left an angle of **90°00'00"** and proceed **northeasterly** along said right of way for **217.69 feet** to a point lying on a curve to the right concave southerly having a radius of 445.87 feet and a central angle of 69°29'08"; thence run along said arc of said curve and along said right of way a distance of **540.73 feet** to a point; thence **tangent** to said curve and along said right of way proceed **southeasterly** for a distance of **116.48 feet** to a point; thence turn right an angle of **44°50'26"** and proceed **southerly** for a distance of **21.27 feet** to a point; thence turn an angle right of **120°15'44"** and proceed **northwesterly** for a distance of **136.14 feet** to a point lying on a curve to the left concave southerly having a radius of 395.87 feet, a central angle of 19°04'39"; an angle right to the chord of 5°21'29" and a chord distance of 131.20 feet; thence run along said arc of said curve and along said right of way a distance of **131.81 feet** to a point; thence turn an angle left of **99°32'20"** from the chord of said curve and proceed **southerly** for a distance of **25.00 feet** to a point lying on a curve to the left concave southerly having a radius of 370.87 feet, a central angle of 33°00'00"; an angle right to the chord of 73°30'02" and a chord distance of 210.67 feet; thence run along said arc of said curve and along said right of way a distance of **213.61 feet** to a point; thence turn an angle left from the chord of said curve of **7°08'56"** and proceed **westerly** for a distance of **171.01 feet** to a point; thence turn an angle left of **26°45'20"** and proceed **southwesterly** for a distance of **175.94 feet** to a point; thence turn an angle right of **90°00'00"** and proceed **northwesterly** for a distance of **15.00 feet** to the **Point of Beginning**. Said portion of permanent roadway easement to be vacated contains 0.918 acres or 39,979.10 square feet more or less.

Said portion of permanent roadway easement to be vacated excludes any portion of property that exist within the current right of way of Grants Mill Road and any portion of property lying north of the northerly right of way of Grants Mill Road.



VICINITY MAP  
 NOT TO SCALE