Resolution 2026-R-232

Resolution assenting to vacation of right-of-way at Pine Whispers Drive, Irondale, Alabama

WHEREAS, the Owner of certain property within the City of Irondale, Alabama has executed and submitted to the City of Irondale a written Declaration of Vacation ("Declaration") for vacation of right-of-way on Pine Whispers Drive, Irondale, Alabama (a copy of such declaration is attached hereto as Exhibit A), seeking assent by the City to such vacation, thereby divesting from the City and the public, and investing into the Owner, 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 Alabama Golf Foundation ("Owner"), abutting landowner, has petitioned the City seeking such vacation; and

WHEREAS, the real property requested to be vacated by the Owner in the Declaration is as follows: ("Property")

SURVEY LEGAL DESCRIPTION

A parcel of land situated in the N.W. 1/4 of the N.W. 1/4 of Section 28, Township 17 South, Range 1 West, Jefferson County, Alabama being more particularly described as follows:

Commence at a Railroad Spike being the Southeast Corner of the N.W. 1/4 of the N.W. 1/4 of Section 28, Township 17 South, Range 1 West, Jefferson County, Alabama; thence in a Westerly direction along the South line of said 1/4-1/4 section a distance of 621.63 feet to a capped rebar (Illegible), being the Southeast corner of a 50 foot right-of-way as recorded in Real 1974, Page 323 in the Office of the Judge of Probate of Jefferson County, Alabama; thence 131°26'20" to the right in a Northeasterly direction along the Southeasterly line of said right-of-way and leaving said 1/4-1/4 section line a distance of 371.69 feet to a capped rebar (CA# 00065LS) and the P.C. (Point of curve) of a curve to the right having a radius of 330.20 feet and a central angle of 14°16'57"; thence along said arc and said Southeasterly right-of-way line in a Northeasterly direction a distance of 82.31 feet to a capped rebar (CA# 00065LS), being the Northeasternmost corner of said right-of-way; thence 90°00'00" to the left (angle measured to tangent) in a Northwesterly direction along the Northeasterly line of said right-of-way a distance of 50.00 feet to a capped rebar (CA# 00065LS), being the Northernmost corner of said right-of-way and a point on a curve to the left having a radius of 380.20 feet and a central angle of 14°16'57"; thence 90°00'00" to the left (angle measured to tangent) along said arc and the Northwesterly line of said right-of-way in a Southwesterly direction a distance of 94.77 feet to a capped rebar (CA# 00065LS) and the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southwesterly direction along said Northwesterly right-of-way line a distance of 415.83 feet to a capped rebar (CA# 00065LS), being the Southwest corner of said right-of-way and lying on the South line of said 1/4-1/4 section; thence 131°26'20" to the left in an Easterly direction along the South line of said 1/4-1/4 section a distance of 66.70 feet the Point of Beginning.

Containing 0.554 acres.

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 and its map depicting the property to be vacated be recorded in the Probate Court of Jefferson County as petitioned and has issued an opinion that the proposed vacation should not adversely affect the City's transportation network, public access, drainage facilities or other municipal infrastructure as set forth in Exhibit C; and

WHEREAS, Jefferson County, Alabama ("County"), to the extent that it maintains any ownership or interest in the Property has executed and delivered to the City a Quit Claim Deed dated August 27, 2026 ("Quitclaim Deed"), releasing, quitclaiming and conveying to the City all of the County's right, title, interest, and claim in and to said right-of-way, in relation to the vacation of the Property (a copy of the Quit Claim Deed is attached hereto as Exhibit D); and

WHEREAS, the City Council assents and approves the vacation of the Property as requested by the Owner in the Declaration, and desires to accept the Quitclaim Deed and authorize its recording.

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

1. A determination has been made upon presentation of material facts submitted by the Owner of the Property in the Declaration that the vacation of the Property on Pine Whispers Drive is hereby assented to, authorized and ratified by the City Council of 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.

2. The effect of the vacation of the Property and to the Owner 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.

3. The City Council hereby accepts the Quitclaim Deed (Exhibit D) from Jefferson County, Alabama, conveying to the City all of the County's right, title, interest, and claim in and to the right-of-way described therein, in relation to the vacation of the Property.

4. The City Clerk of the City of Irondale, Alabama is hereby authorized and empowered to attach a certified copy of this resolution to the Declaration for Vacation (Exhibit A) and maps depicting the area of vacation (Exhibit B) and to file the same with the proper Office of the Judge of Probate. The City Clerk is further authorized to record the Quitclaim Deed (Exhibit D), together with a certified copy of this resolution, in the Office of the Judge of Probate.

ADOPTED & APPROVED: This 20th day of October, 2026.

David Spivey, City Council President

APPROVED:

James D. Stewart, Jr., Mayor

ATTESTED:

Leigh Ann Allison, City Clerk

CERTIFICATION

I, Leigh Ann Allison, the City Clerk of the City of Irondale, Alabama, hereby certify 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 the 20th day of October, 2026, as the same appears in the minutes of record of said meeting.

Leigh Ann Allison, City Clerk

EXHIBIT A

DECLARATION FOR VACATION

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

DECLARATION OF VACATION

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the owner of all lands abutting that portion of alley described below, pursuant to and in accordance with the provisions of § 35-2-54 of the *Code of Alabama* (1975), does hereby declare such portion of the alley vacated and request the assent of the Council of the City of Irondale to the vacation of said public way and its approval of the vacation of the portion or portions of the public way located in the corporate limits of the City of Irondale, Alabama, described and shown as follows, to wit:

See attached "EXHIBIT A"

The portion of the public way to be vacated is shown by the map attached hereto as Exhibit B. The said owner does further declare that, after the vacation hereinabove declared, convenient means of ingress and egress to and from their respective properties will be afforded to all other property owners owning property in the tract of land embraced in the map by the remaining public ways dedicated to the public for public road purposes.

IN WITNESS WHEREOF, the undersigned have executed this instrument and caused this instrument to be dated as of the 5th day of OCTOBER, 2026.

[Signature Page Follows]

ALABAMA GOLF FOUNDATION
Printed Name of Owner

By: GRANTLAND RICE III
Signature: Grantland Rice III
Title: PRESIDENT

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Grantland Rice III, whose name as President of Alabama Golf Foundation, an Alabama 501(c) 3 corp., is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same for and as the act of said corporation.

Given under my hand and official seal of office, this 5th day of October, 2026.

Notary Public

[NOTARIAL SEAL]

My Commission Expires: 6/26/30

SURVEY LEGAL DESCRIPTION

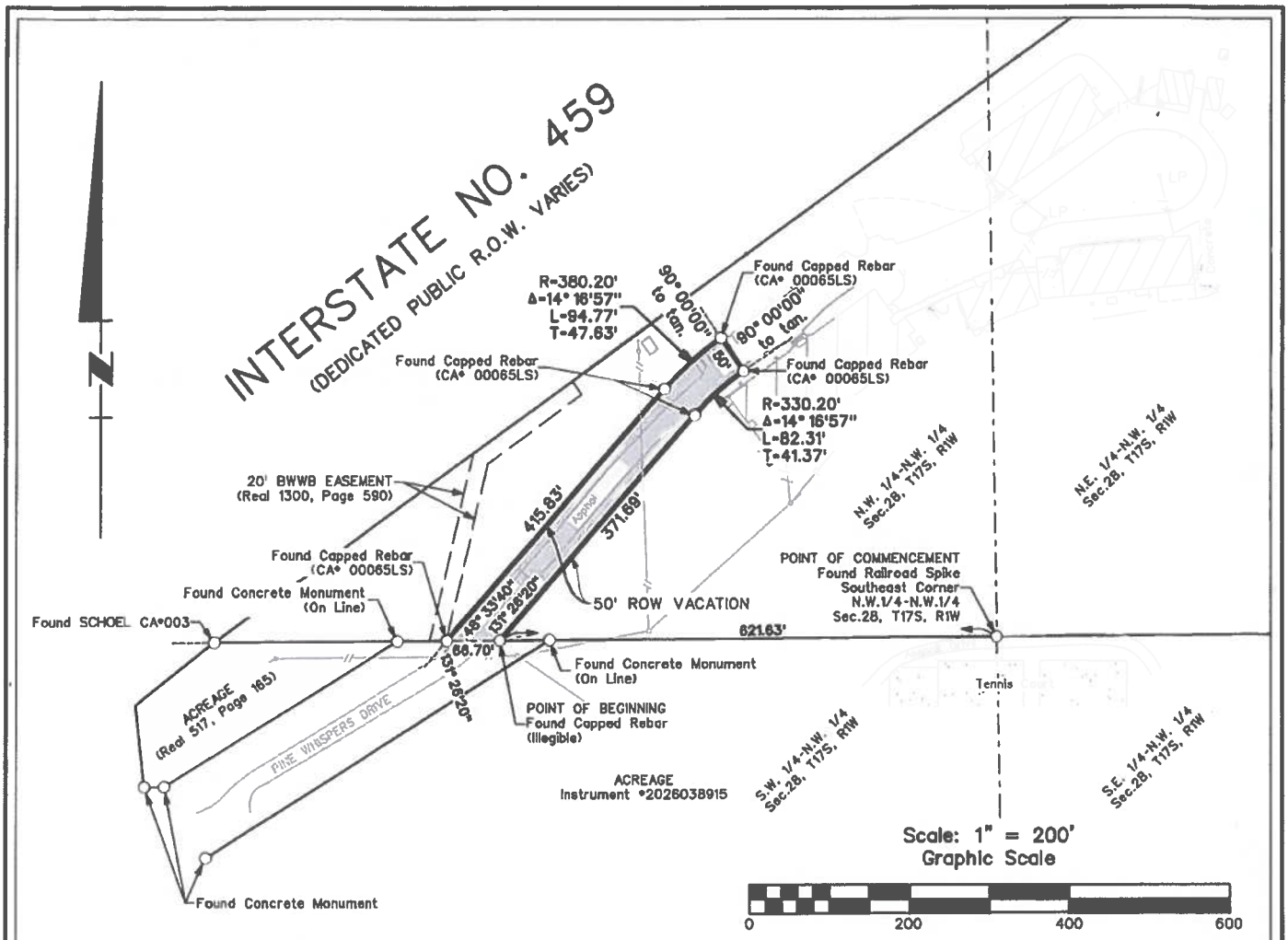
A parcel of land situated in the N.W. 1/4 of the N.W. 1/4 of Section 28, Township 17 South, Range 1 West, Jefferson County, Alabama being more particularly described as follows:

Commence at a Railroad Spike being the Southeast Corner of the N.W. 1/4 of the N.W. 1/4 of Section 28, Township 17 South, Range 1 West, Jefferson County, Alabama; thence in a Westerly direction along the South line of said 1/4-1/4 section a distance of 621.63 feet to a capped rebar (Illegible), being the Southeast corner of a 50 foot right-of-way as recorded in Real 1974, Page 323 in the Office of the Judge of Probate of Jefferson County, Alabama; thence 131°26'20" to the right in a Northeasterly direction along the Southeasterly line of said right-of-way and leaving said 1/4-1/4 section line a distance of 371.69 feet to a capped rebar (CA# 00065LS) and the P.C. (Point of curve) of a curve to the right having a radius of 330.20 feet and a central angle of 14°16'57"; thence along said arc and said Southeasterly right-of-way line in a Northeasterly direction a distance of 82.31 feet to a capped rebar (CA# 00065LS), being the Northeasternmost corner of said right-of-way; thence 90°00'00" to the left (angle measured to tangent) in a Northwesterly direction along the Northeasterly line of said right-of-way a distance of 50.00 feet to a capped rebar (CA# 00065LS), being the Northernmost corner of said right-of-way and a point on a curve to the left having a radius of 380.20 feet and a central angle of 14°16'57"; thence 90°00'00" to the left (angle measured to tangent) along said arc and the Northwesterly line of said right-of-way in a Southwesterly direction a distance of 94.77 feet to a capped rebar (CA# 00065LS) and the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southwesterly direction along said Northwesterly right-of-way line a distance of 415.83 feet to a capped rebar (CA# 00065LS), being the Southwest corner of said right-of-way and lying on the South line of said 1/4-1/4 section; thence 131°26'20" to the left in an Easterly direction along the South line of said 1/4-1/4 section a distance of 66.70 feet the Point of Beginning.

Containing 0.554 acres.

EXHIBIT B

[Exhibit B Page Follows]



SURVEY LEGAL DESCRIPTION

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Containing 0.554 acres.

G:/26/166/Survey/Exhibits/Ironcale Vaction

ROW VACATION EXHIBIT

DATE: OCTOBER 2026
DRAWN BY: MTK

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SCHOEL

BIRMINGHAM
100 22nd Street South
Birmingham, Alabama 35205
205.323.8166

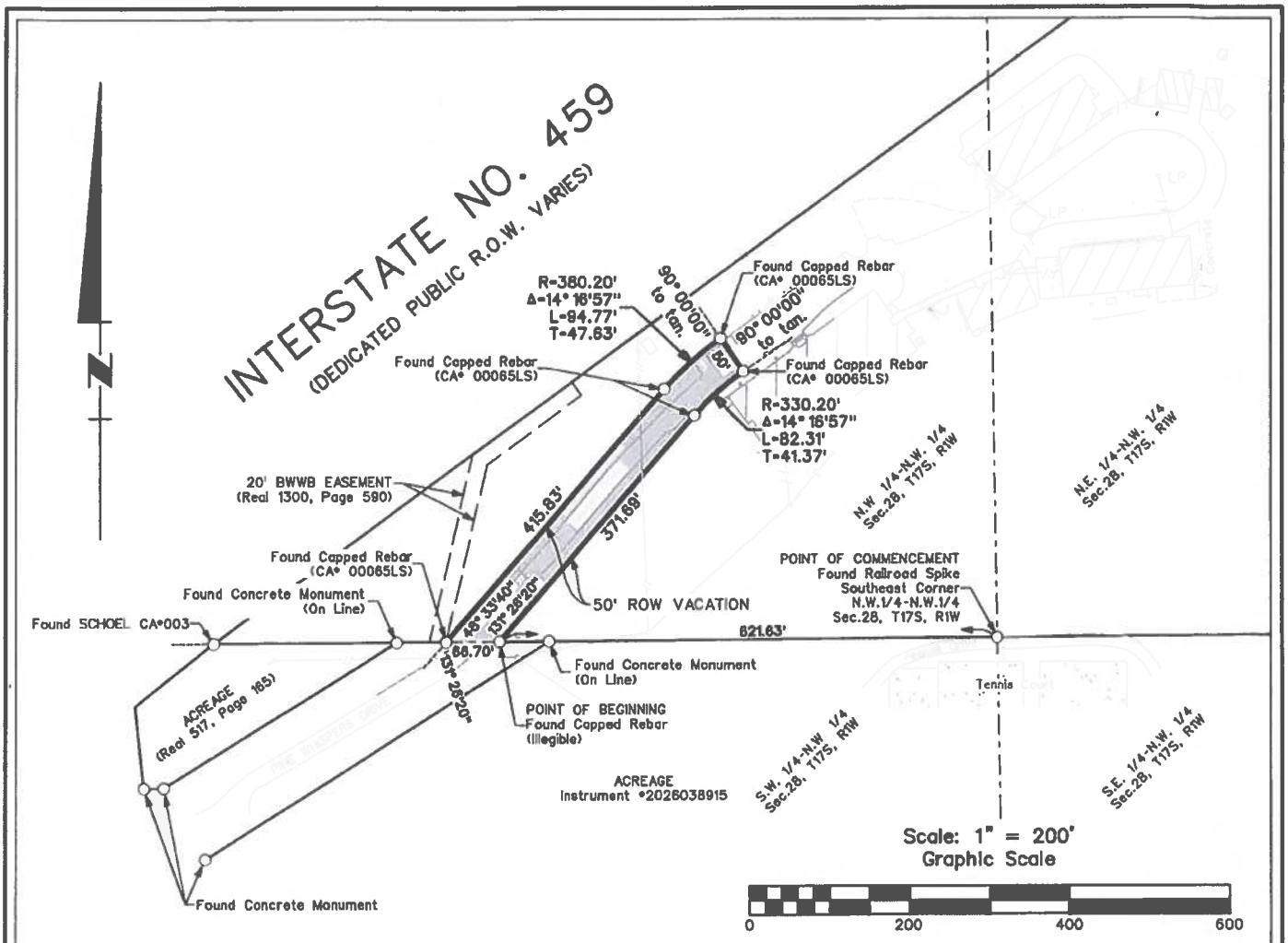
HUNTSVILLE
101 Washington Street SE
Huntsville, Alabama 35801
256.539.1921

TUSCALOOSA
3600 Alabama Road, Ste 202
Northport, Alabama 35473
205.133.8166

SCHOEL.COM

EXHIBIT B

SURVEY



SURVEY LEGAL DESCRIPTION

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Containing 0.554 acres.

G:/26/166/Survey/Exhibits/Irondale Vaction

ROW VACATION EXHIBIT

DATE: OCTOBER 2026
DRAWN BY: MTK

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EXHIBIT C

LETTER FROM CITY ENGINEER

SAIN ASSOCIATES

Two Perimeter Park South
Suite 500 East
Birmingham, Alabama 35243

Telephone: (205) 940-6420
www.sain.com

October 14, 2026

Mayor James Stewart
City of Irondale
101 20th Street South
Irondale, Alabama 35210

SUBJECT: **Alabama Golf Foundation**
Right-of-Way Vacation

Dear Mayor Stewart:

At the request of the City, I reviewed the petition and supporting exhibits for the proposed vacation of a portion of the Pine Whisper Drive public right-of-way.

Based on the survey information and legal description provided, it is my engineering opinion that the proposed vacation should not adversely affect the City's transportation network, public access, drainage facilities, or other municipal infrastructure.

This recommendation is limited to engineering considerations and should not be construed as a legal determination of ownership, title, easement rights, or other property interests.

Please contact me if additional information is required.

Respectfully,

Chris Jenkins, PE
Sain Associates, Inc.
Alabama License No. 26053

EXHIBIT D

QUIT CLAIM DEED FROM JEFFERSON COUNTY, ALABAMA

QUIT CLAIM DEED

STATE OF ALABAMA

JEFFERSON COUNTY

THIS INSTRUMENT PREPARED BY:
Hubert J. Chapman, SR/WA
County Property Manager
A200 Courthouse,
716 Richard Arrington Jr, Blvd N
Birmingham, AL 35203

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of ----------One and no/100---------- DOLLARS (1.00) to in hand paid by the **City of Irondale, a municipal corporation,** the receipt whereof is acknowledged **Jefferson County, a political subdivision of the State of Alabama,** to the extent that it maintains any ownership or interest does remise, release, quit claim and convey to the said **City of Irondale,** all its right, title, interest, and claim in the following described real estate, to wit:

A 50-foot right-of-way as recorded in REAL1974, Page 323 in the Office of the Judge of Probate, Jefferson County, Alabama, Birmingham Division, being more particularly described as follows:

Commence at the SE corner of the NW ¼ of the NW ¼ of Section 28, Township 17 South, Range 1 West, Jefferson County, Alabama, and run in a westerly direction along the south line of said ¼ - ¼ section a distance of 655.03 feet to the point of beginning, said point being the centerline of the herein described right-of-way; thence turn a deflection angle of 131° 26' 20" to the right and run in a northeasterly direction along the centerline of said 50 foot right-of-way a distance of 393.90 feet to the PC of a curve; thence continue in a northeasterly direction along the centerline of said right-of-way and along the arc of a curve to the right having a central angle of 14° 16' 55" and a radius of 355.20 feet a distance of 88.54 feet to the point of ending; the right-of-way lines (lines 25 feet right and left of and parallel to the centerline) are to be extended or shortened as necessary to intersect with the ¼ - ¼ line at the point of beginning and the edge of the existing parking lot at the point of ending; containing 0.55 acres, more or less.

According to a survey made by Thomas H. Gachet this 31st day of July 1980.

SUBJECT TO:

All easements, restrictions, and conditions of record.

Situated in Jefferson County, Alabama.

TO HAVE AND TO HOLD, to the said **City of Irondale**, their heirs and assigns forever.

Given under my hand(s) and seal(s), this 27th day of August, 2026.

JEFFERSON COUNTY, ALABAMA

Attest: Glenda Y. Colvin
Minute Clerk

By: _____
James A Stephens, President
Jefferson County Commission

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Aleshia Y. Coleman, a Notary Public in said County and State, hereby certify that **James A Stephens** whose name as **President** of the **Jefferson County Commission** 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 conveyance, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said commission.

Given under my hand and official seal, this 27th day of August, 2026.

My commission expires 12/14/2026.

Aleshia Y. Coleman
Notary Public

ALESHIA Y. COLEMAN
NOTARY
PUBLIC
ALABAMA STATE AT LARGE