

Council Member \_\_\_\_\_ introduced the following Resolution, which was seconded by Council Member \_\_\_\_\_:



**RESOLUTION 042224-D**

**A RESOLUTION CONSENTING TO THE VACATION OF PORTIONS OF 7<sup>TH</sup> 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 7<sup>th</sup> 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 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:

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Scott Brakefield, Mayor