

TUSCALOOSA COUNTY COMMISSION
MEETING
FEBRUARY 21, 2018

TUSCALOOSA COUNTY §
STATE OF ALABAMA §

This being the date and hour to which the Tuscaloosa County Commission adjourned, the County Commission met pursuant to such adjournment with Probate Judge W. Hardy McCollum presiding as Chairman. The following members were present:

Stan Acker
Mark C. Nelson
Reginald Murray

Commissioner Stan Acker moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to levy county license fees for alcoholic beverages for fiscal year 2018-2019 in the amounts shown in the exhibit as attached.

Exhibit 2-1, Pages

Chairman W. Hardy McCollum presented Tuscaloosa County Sheriff's Office Lieutenant John Barker a twenty-five year service pin and thanked him for his dedicated service to the citizens of Tuscaloosa County.

Commissioner Mark C. Nelson moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to adopt a resolution approving and accepting the preliminary plat submission for Hull Loop Acres.

Exhibit 2-2, Page

Commissioner Reginald Murray moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to approve the warrants issued to cover Tuscaloosa County's expenditures for January 2018.

Exhibit 2-3, Page

Commissioner Stan Acker moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to adopt resolutions authorizing the vacation of the following rights-of-way:

21st Street (Goodrich Blvd)

Old Bull Slough Road

Old Byler Road

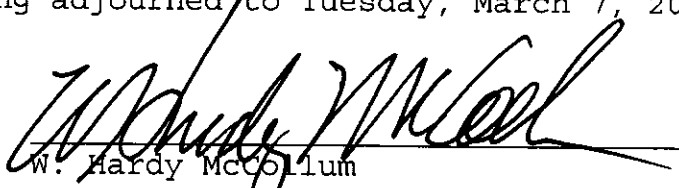
Exhibit 2-4, Pages

The Tuscaloosa County Commission held a public hearing on a public nuisance structure at 6321 63rd Avenue. Ms. Linda Whitehead was present and spoke on the condition and clean-up efforts regarding the structure. The Commission will allow the owners 60 days to have the structure demolished.

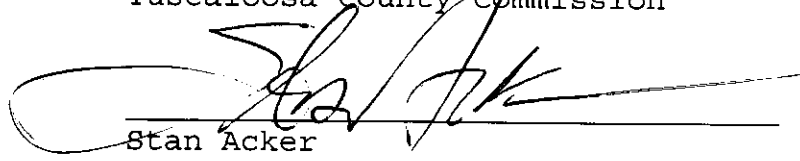
Commissioner Mark C. Nelson moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to approve a funding request in the amount of \$2,500.00 from the District 3 discretionary fund to the Tuscaloosa County Board of Education for the Hillcrest High School girls' softball team for the Patriot Classic Breast Cancer Tournament.

Commissioner Reginald Murray moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to approve a funding request in the amount of \$5,500.00 to the Sipse Valley High School girls' and boys' basketball programs for the sub-regional tournaments in Montgomery.

There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Tuesday, March 7, 2018.




W. Hardy McCollum
Judge of Probate and Chairman
Tuscaloosa County Commission




Stan Acker
Commissioner - District I

ABSENT

Jerry Tingle
Commissioner - District II



Mark C. Nelson
Commissioner - District III



Reginald Murray
Commissioner - District IV



**Alabama Alcoholic Beverage Control Board
Licensing and Compliance Division**

2715 Gunter Park Drive West
Montgomery, AL 36109
Phone: 334-213-6300
Fax: 334-213-6322

February 06, 2018

MEMORANDUM

To: All Wet County Commissions
From: Summer Childers
Licensing and Compliance Division Director
Subject: County Levies for Alcohol Licensing

Sec. 28-3A-4, Code of Alabama, requires the Alcoholic Beverage Control Board to collect all county license fees for all new license applications and renewed licenses. In order for this program to be set up for fiscal year 2018-2019, the **attached form must be completed** listing all amounts set by your county in column three (3). **If your county does not wish to make changes to the fees for a particular license type, please indicate that by writing "no change"**.

Limitations of the maximum amount of county fees for the following ten (10) types of licenses have been set.

<u>Type</u>	<u>Maximum County Fee</u>
Retail Beer (On or Off Premises)	\$75.00
Retail Beer (Off Premises Only)	\$75.00
Retail Table Wine (On or Off Premises)	\$75.00
Retail Table Wine (Off Premises Only)	\$75.00
Wholesale Beer Only	\$275.00
Wholesale Table Wine Only	\$275.00
Wholesale Table Wine and Beer	\$375.00
Additional Warehouse Wine or Beer or Both	\$100.00
Importer	\$250.00
Brewpub	\$500.00

Please supply us with this information no later than **April 25, 2018**. This form must be signed by an authorized county official. Please return your completed document to Courtney.Craig@abc.alabama.gov or mail to the address above. If there are any changes in your contact information, it is your responsibility to notify the ABC Board as soon as possible.

Received by: *M. R. Jones*
County: *Tuscaloosa*

EX 2-1

* No Change *

COUNTY (63) TUSCALOOSA 2018-2019

TYPE LICENSE & CODE	*FILING FEE	STATE LICENSE FEE	COUNTY LICENSE FEE	RENEWAL TOTAL	NEW LICENSE TOTAL
010 - LOUNGE RETAIL LIQUOR - CLASS I	\$ 50.00	\$300.00			
011 - LOUNGE RETAIL LIQUOR - CLASS II - (PACKAGE)	\$ 50.00	\$300.00			
020 - RESTAURANT RETAIL LIQUOR	\$ 50.00	\$300.00			
031 - CLUB LIQUOR - CLASS I	\$ 50.00	\$300.00			
032 - CLUB LIQUOR - CLASS II	\$ 50.00	\$750.00			
**					
040 - RETAIL BEER - (ON OR OFF PREMISES)	\$ 50.00	\$150.00			
**					
050 - RETAIL BEER (OFF PREMISES ONLY)	\$ 50.00	\$150.00			
**					
060 - RETAIL TABLE WINE (ON OR OFF PREMISES)	\$ 50.00	\$150.00			
**					
070 - RETAIL TABLE WINE (OFF PREMISES ONLY)	\$ 50.00	\$150.00			
080 - LIQUOR WHOLESALE	\$ 50.00	\$500.00			
**					
090 - WHOLESALE BEER ONLY	\$ 50.00	\$550.00			
**					
100 - WHOLESALE TABLE WINE ONLY - 16.5% OR LESS	\$ 50.00	\$550.00			
**					
110 - WHOLESALE TABLE WINE & BEER COMBINED	\$ 50.00	\$750.00			
120 - WAREHOUSE LICENSE	\$ 50.00	\$200.00			
**					
130 - ADDITIONAL WAREHOUSE-WINE, BEER OR BOTH	\$ 50.00	\$200.00			
140 - SPECIAL EVENTS RETAIL	\$ 50.00	\$150.00			
150 - SPECIAL RETAIL LICENSE - 30 DAYS OR LESS	\$ 50.00	\$100.00			
160 - SPECIAL RETAIL - MORE THAN 30 DAYS	\$ 50.00	\$250.00			
170 - RETAIL COMMON CARRIER	\$ 50.00	\$150.00			
200 - MANUFACTURER	\$ 50.00	\$500.00			
**					
210 - IMPORTER	\$ 50.00	\$500.00			
**					
220 - BREWPUB	\$ 50.00	\$1,000.00			
230 - INTERNATIONAL MOTOR SPEEDWAY	\$ 50.00	\$300.00			
240 - NON-PROFIT - TAX EXEMPT		\$0.00	N/A	N/A	N/A

* A \$50.00 non-refundable filing fee is charged to all new licenses.

** May not charge more than one-half of the state fee for this type of license.

* No Change *

SIGNED: M. R. Jones
Authorized County Official

County Administrator
Title 2-21-18
Date

EX 2-1

STATE OF ALABAMA §

TUSCALOOSA COUNTY §

RESOLUTION ACCEPTING PRELIMINARY PLAT

Hull Loop Acres

WHEREAS, the County Engineer has reported to the Tuscaloosa County Commission that the developer has complied with all Tuscaloosa County Subdivision related to the preparation and presentation of a preliminary plat for a new development or the extension of an existing development; and

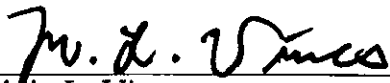
WHEREAS, the Tuscaloosa County Commission has been presented with the preliminary plat and accompanying information, and determines that there is no just reason to withhold approval of the preliminary plat.

NOW, THEREFORE, IT BE RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION that the preliminary plat recommended for approval by the Tuscaloosa County Engineer is approved and accepted

Approved and accepted at our regularly scheduled meeting on this the 21th day of February, 2018.



W. Hardy McCollum, Chairman
Tuscaloosa County Commission



Melvin L. Vines
County Administrator

EX 2-2

MONTH OF: JANUARY , 2018

FUND	CHECK NUMBERS	AMOUNT	
001 GENERAL FUND SPECIAL SALES TAX	36012-36506	\$8,440,448.15	
112 ROAD & BRIDGE	11362-11528	\$1,484,191.59	
116 CAPITAL IMPROVEMENT			
117 RRR GAS TAX			
120 REAPPRAISAL	3282-3307	\$187,536.52	
160 COMMUNITY DEVELOP	1781-1783	\$6,752.26	
710 PAYROLL-CHECKS	95849-95888	\$1,744,095.33	
	63459-63536	\$93,715.16	
	PAYROLL-DIR DEP	1000-1910	\$1,197,887.03
720 EXCESS LAND SALES	448	\$1,269.45	
730 FIDUCIARY			
750 PISTOL PERMIT	10293-10357	\$55,941.48	
780 E911			
781 GAS TAX BONDING			
783 GENERAL LIABILITY			
783 WORKMEN'S COMP	172	\$5,616.97	
783 HEALTH INSURANCE			
784 TAX COLL SPECIAL			
785 TAX ASSR SPECIAL			
786 MFG HOMES			
787 MOTOR VEH TRAINING			

\$13,217,453.94

CHECKED BY: 

WILLIAM M. LAMB, CHIEF FINANCIAL OFFICER

APPROVED BY TUSCALOOSA COUNTY COMMISSION:

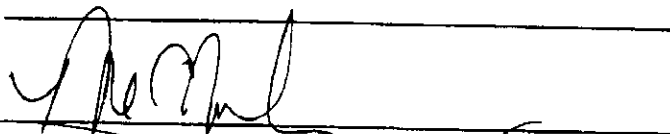
CHAIRMAN, W. HARDY MCCOLLUM



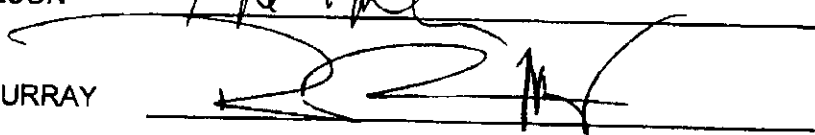
COMMISSIONER, STAN ACKER



COMMISSIONER, JERRY TINGLE



COMMISSIONER, MARK C. NELSON



COMMISSIONER, REGINALD MURRAY



EX 2-3

THIS INSTRUMENT PREPARED BY:
ROBERT M. SPENCE
ROSEN HARWOOD P.A.
ATTORNEYS AT LAW
2200 Jack Warner Parkway,
Suite 200 (35401)
Post Office Box 2727
Tuscaloosa, Alabama 35403
(205) 344-5000

Reference: Deed Book 1162, Page 164
Deed Book 2015, Page 2715

**RESOLUTION AUTHORIZING
THE VACATION OF TWENTY-FIRST STREET
(GOODRICH BOULEVARD)**

WHEREAS, the owners of the land abutting that certain right-of-way more particularly described and depicted on Exhibit "A," attached hereto and incorporated herein by reference, **Hunt Refining Company**, a Delaware corporation, and **McAbee Construction, Inc.**, an Alabama corporation (hereinafter referred to as the "Owners"), allege they own all of the land abutting said right-of-way requested to be vacated in Tuscaloosa County, Alabama; and,

WHEREAS, said right-of-way does not lie within the corporate limits of any municipality in Tuscaloosa County, but within the jurisdiction of Tuscaloosa County, Alabama, and the assent of the Tuscaloosa County Commission to the vacation of said right-of-way has been requested and is desired by the Owners; and,

WHEREAS, it appears to the Tuscaloosa County Commission, that the vacation of said right-of-way, as hereinafter described, will not deprive other property owners of their right to convenient and reasonable means of ingress and egress to and from their property, nor will it adversely affect the interest of the public in any way.

NOW, THEREFORE, be it resolved by the Tuscaloosa County Commission, Alabama, as follows:

1. That it is in the interest of the public that the right-of-way located in Tuscaloosa County, Alabama, as described and depicted on Exhibit "A" hereto, be vacated.

EX 2-4

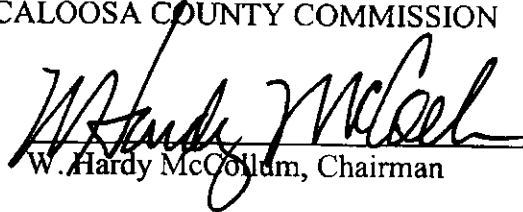
2. That the assent of the Tuscaloosa County Commission is hereby given to the vacation of said right-of-way located in Tuscaloosa County, Alabama, as described and depicted on Exhibit "A" hereto. Pursuant to Alabama Code (1975) §23-4-2 and §23-4-20, upon the filing of this Resolution, title to said right-of-way as described and depicted on Exhibit "A" as Tract No. 1 shall vest in **Hunt Refining Company**, and said right-of-way as described and depicted on Exhibit "A" as Tract No. 2 shall vest in **McAbee Construction, Inc.**

3. That the Judge of Probate of Tuscaloosa County, Alabama, be, and is hereby, authorized to present a copy of this resolution, duly certified as correct by County Clerk, to the Owners in order that the same may be recorded in the Office of the Judge of Probate.

RESOLVED AND DONE this 21st day of February, 2018.

TUSCALOOSA COUNTY COMMISSION

By:


W. Hardy McCollum, Chairman

ATTEST:


Melvin Vines, County Administrator

APPROVED THIS THE 21st DAY OF FEBRUARY, 2018.

Ex 2-4

EXHIBIT A

Legal Descriptions

TRACT NO. 1

A parcel of land being designated as a part of 21st Street and located in the Southeast Quarter of the Northwest Quarter of Section 29, Township 21 South, Range 10 West in Tuscaloosa County, Alabama and being more particularly described as follows:

As a starting point, begin at the Southwest corner of Lot B, Resurvey of Lot 1 55th Way Subdivision as recorded in Plat Book 18 page 292 in Probate Office of said County; thence run an Easterly direction along the South boundary of Lot B for a distance of 100.00 feet to a point; thence with a deflection angle $90^{\circ}02'$ to the right, run in a Southerly direction of a distance of 178.03 feet to a point on the North Right-of-Way of 21st Street and the Point of Beginning of the vacation parcel herein described; thence continue in a Southerly direction along said course of a distance of 40.00 feet to a point; thence with an interior angle of $89^{\circ}56'$, run in an Easterly direction for a distance of 240.30 feet to a point; thence with an interior angle of $126^{\circ}24'$, run in a Northeasterly direction for a distance of 49.70 feet to a point on the North Right-of-Way of said 21st Street; thence with an interior angle of $53^{\circ}36'$, run in a Westerly direction along said Right-of-Way for a distance of 269.74 feet to the Point of Beginning of the parcel herein described, at which point the interior angle is $90^{\circ}04'$. Said vacation parcel containing 0.23 acres.

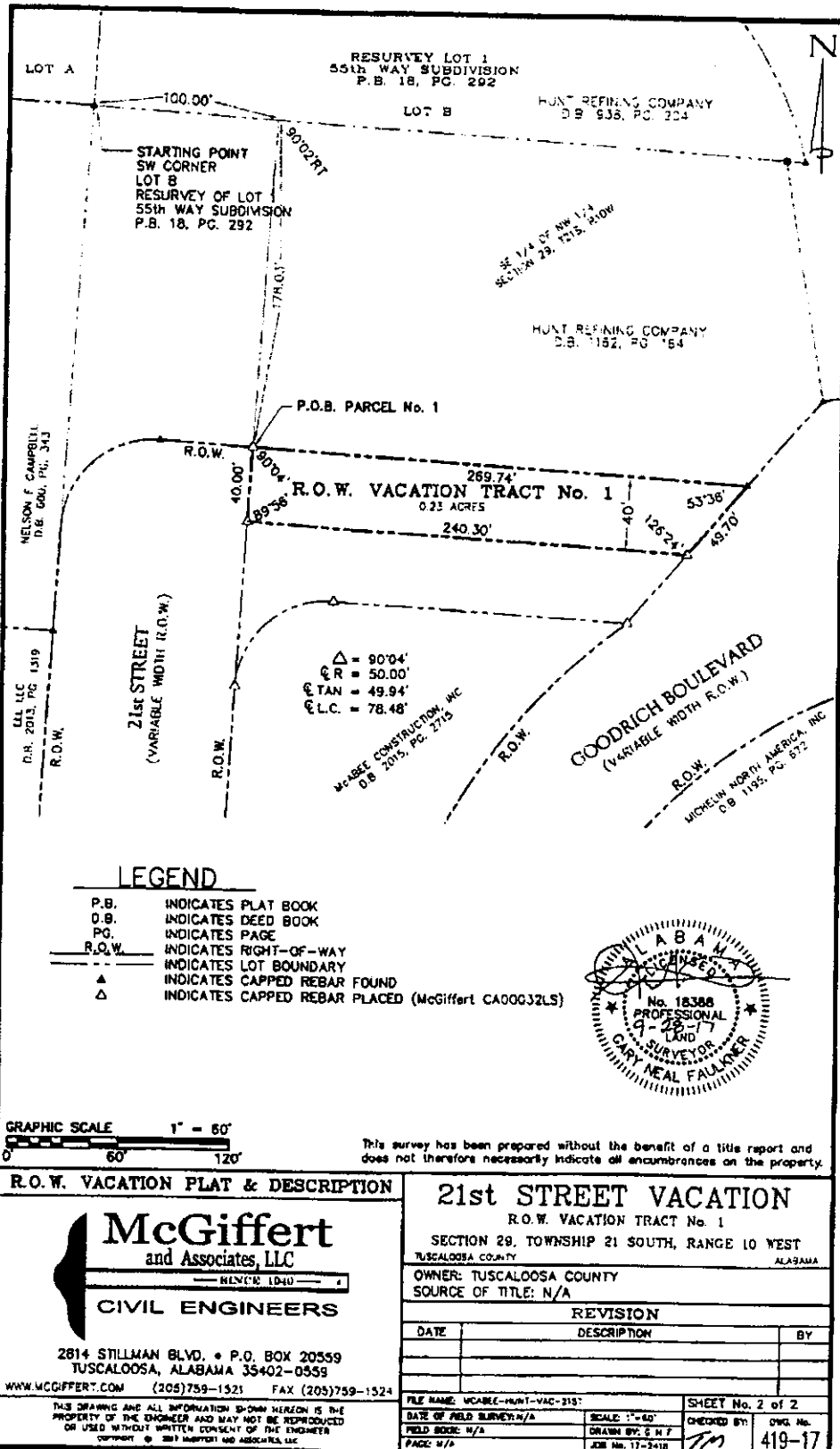
TRACT NO. 2

A parcel of land being designated as a part of 21st Street and located in the Southeast Quarter of the Northwest Quarter of Section 29, Township 21 South, Range 10 West in Tuscaloosa County, Alabama and being more particularly described as follows:

As a starting point, begin at the Southwest corner of Lot B, Resurvey of Lot 1 55th Way Subdivision as recorded in Plat Book 18 at Page 292 in Probate Office of said County; thence run in an Easterly direction along the South boundary of Lot B for a Distance of 100.00 feet to a point; thence with a deflection angle of $90^{\circ}02'$ to the right, run in a Southerly direction for a distance of 218.03 feet to the Point of Beginning of the vacation parcel herein described; thence continue in a Southerly direction along said course for a distance of 89.94 feet to a point on the curving South Right-of-Way of 21st Street, said curve having a delta of a $90^{\circ}04'$ and a radius of 50.00 feet; thence with an interior angle of $44^{\circ}58'$ to the chord, run in a Northerly to Easterly direction along said curving Right-of-Way for a chord distance of 70.67 feet (arc distance of 78.48 feet) to the point of tangency of said curve; thence with an interior angle of $224^{\circ}58'$ from the chord, run in an Easterly direction for a distance of 160.92 feet to the point; thence with an interior angle of $126^{\circ}24'$; run in a Northeasterly direction for a distance of 49.70 feet to a point; thence with an interior angle of $53^{\circ}36'$, run in a Westerly direction for a distance of 240.30 feet to the Point of Beginning of the parcel herein described, at which point the interior angle is $90^{\circ}04'$. Said vacation parcel containing 0.22 acres.

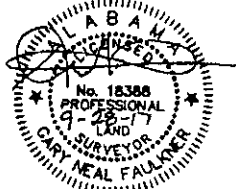
Ex 2-4

SURVEY OF TRACT NO. 1



LEGEND

- P.B. INDICATES PLAT BOOK
- O.B. INDICATES DEED BOOK
- PG. INDICATES PAGE
- R.O.W. INDICATES RIGHT-OF-WAY
- INDICATES LOT BOUNDARY
- ▲ INDICATES CAPPED REBAR FOUND
- △ INDICATES CAPPED REBAR PLACED (McGiffert CA00GJ2LS)

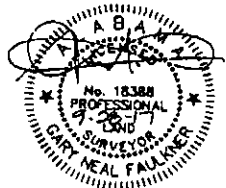
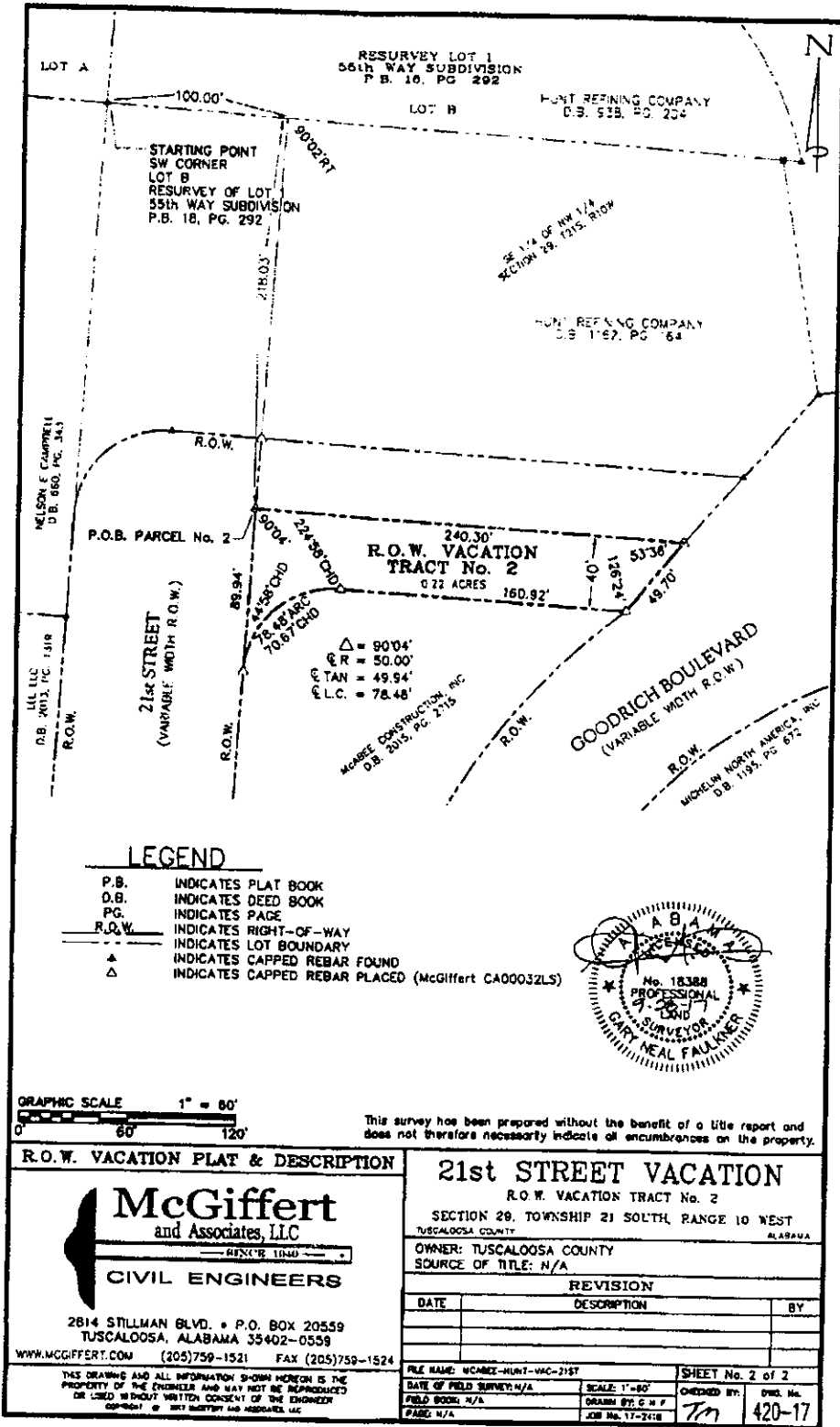


This survey has been prepared without the benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.

R.O.W. VACATION PLAT & DESCRIPTION		21st STREET VACATION	
<p>McGiffert and Associates, LLC CIVIL ENGINEERS</p> <p>2814 STILLMAN BLVD. • P.O. BOX 20559 TUSCALOOSA, ALABAMA 35402-0559</p> <p>WWW.MCGIFFERT.COM (205)759-1521 FAX (205)759-1524</p> <p><small>THIS DRAWING AND ALL INFORMATION SHOWN HEREON IS THE PROPERTY OF THE ENGINEER AND MAY NOT BE REPRODUCED OR USED WITHOUT WRITTEN CONSENT OF THE ENGINEER OR FIRM. © 2011 MCGIFFERT AND ASSOCIATES, LLC</small></p>		SECTION 29, TOWNSHIP 21 SOUTH, RANGE 10 WEST TUSCALOOSA COUNTY ALABAMA OWNER: TUSCALOOSA COUNTY SOURCE OF TITLE: N/A	
		REVISION	
		DATE	DESCRIPTION
FILE NAME: WCMC-21ST-VAC-2151		SHEET No. 2 of 2	
DATE OF FIELD SURVEY: N/A	SCALE: 1"=60'	CHECKED BY: TM	DWG. No. 419-17
FIELD BOOK: N/A	DRAWN BY: E H F	JOB No. 17-2418	
PAGE: N/A			

EX 2-4

SURVEY OF TRACT NO. 2



R.O.W. VACATION PLAT & DESCRIPTION

McGuffert and Associates, LLC
CIVIL ENGINEERS

2814 STILLMAN BLVD. • P.O. BOX 20559
TUSCALOOSA, ALABAMA 35402-0559
WWW.MCGIFFERT.COM (205)759-1521 FAX (205)759-1524

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21st STREET VACATION
R.O.W. VACATION TRACT No. 2
SECTION 29, TOWNSHIP 21 SOUTH, RANGE 10 WEST
TUSCALOOSA COUNTY, ALABAMA

OWNER: TUSCALOOSA COUNTY
SOURCE OF TITLE: N/A

REVISION		
DATE	DESCRIPTION	BY

FILE NAME: MCGMBE-HUNT-VAC-21ST	SHEET No. 2 of 2	
DATE OF FIELD SURVEY: N/A	SCALE: 1"=60'	CHECKED BY: <i>TM</i>
FIELD BOOK: N/A	DRAWN BY: G.H.F.	DWG. No. 420-17
PAGE: N/A	JOB No. 17-2418	

Ex 2-4

THIS INSTRUMENT PREPARED BY:
Robert M. Spence
Ann L. Reardon
ROSEN HARWOOD, P.A.
2200 Jack Warner Parkway, Ste. 200
Tuscaloosa, AL 35401

THIS INSTRUMENT WAS PREPARED
WITHOUT THE BENEFIT OF TITLE
EXAMINATION, SURVEY, OR ON SITE
INSPECTION.

Source of Title: Deed Book 1162, Page 164
Deed Book 2015, Page 2715

STATE OF ALABAMA)
)
TUSCALOOSA COUNTY)

DECLARATION OF VACATION OF
TWENTY-FIRST STREET (GOODRICH BOULEVARD)

KNOW ALL MEN BY THESE PRESENTS, that **Hunt Refining Company**, a Delaware corporation, and **McAbee Construction, Inc.**, an Alabama corporation, are the owners of all the land abutting a right-of-way, which is hereinafter more particularly described, and which right-of-way said owner desires to vacate as provided in Section 23-4-20 of the Code of Alabama, 1975. The vacation of said right-of-way as hereinafter described will not deprive other property owners of reasonable means of ingress and egress to and from their property nor will it adversely affect the interest of the general public in any way.

NOW, THEREFORE, pursuant to the provisions of Section 23-4-20 of the Code of Alabama, 1975, the undersigned does hereby declare a portion of the following described right-of-way located in Tuscaloosa County, Alabama, to be vacated:

TRACT NO. 1

A parcel of land being designated as a part of 21st Street and located in the Southeast Quarter of the Northwest Quarter of Section 29, Township 21 South, Range 10 West in Tuscaloosa County, Alabama and being more particularly described as follows:

As a starting point, begin at the Southwest corner of Lot B, Resurvey of Lot 1 55th Way Subdivision as recorded in Plat Book 18 page 292 in Probate Office of said County; thence run an Easterly direction along the South boundary of Lot B for a distance of 100.00 feet to a point; thence with a deflection angle 90°02' to the right, run in a Southerly direction of a distance of 178.03 feet to a point on the North Right-of-Way of 21st Street and the Point of Beginning of the vacation parcel herein described; thence continue in a Southerly direction along said course of a distance of 40.00 feet to a point; thence with an interior angle of 89°56' , run in an Easterly

EX 2-4

direction for a distance of 240.30 feet to a point; thence with an interior angle of $126^{\circ}24'$, run in a Northeasterly direction for a distance of 49.70 feet to a point on the North Right-of-Way of said 21st Street; thence with an interior angle of $53^{\circ}36'$, run in a Westerly direction along said Right-of-Way for a distance of 269.74 feet to the Point of Beginning of the parcel herein described, at which point the interior angle is $90^{\circ}04'$. Said vacation parcel containing 0.23 acres.

TRACT NO. 2

A parcel of land being designated as a part of 21st Street and located in the Southeast Quarter of the Northwest Quarter of Section 29, Township 21 South, Range 10 West in Tuscaloosa County, Alabama and being more particularly described as follows:

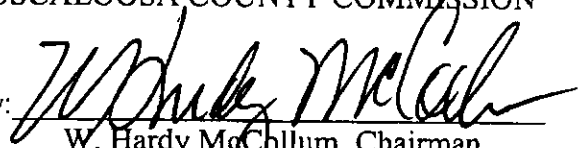
As a starting point, begin at the Southwest corner of Lot B, Resurvey of Lot 1 55th Way Subdivision as recorded in Plat Book 18 at Page 292 in Probate Office of said County; thence run in an Easterly direction along the South boundary of Lot B for a Distance of 100.00 feet to a point; thence with a deflection angle of $90^{\circ}02'$ to the right, run in a Southerly direction for a distance of 218.03 feet to the Point of Beginning of the vacation parcel herein described; thence continue in a Southerly direction along said course for a distance of 89.94 feet to a point on the curving South Right-of-Way of 21st Street, said curve having a delta of a $90^{\circ}04'$ and a radius of 50.00 feet; thence with an interior angle of $44^{\circ}58'$ to the chord, run in a Northerly to Easterly direction along said curving Right-of-Way for a chord distance of 70.67 feet (arc distance of 78.48 feet) to the point of tangency of said curve; thence with an interior angle of $224^{\circ}58'$ from the chord, run in an Easterly direction for a distance of 160.92 feet to the point; thence with an interior angle of $126^{\circ}24'$; run in a Northeasterly direction for a distance of 49.70 feet to a point; thence with an interior angle of $53^{\circ}36'$, run in a Westerly direction for a distance of 240.30 feet to the Point of Beginning of the parcel herein described, at which point the interior angle is $90^{\circ}04'$. Said vacation parcel containing 0.22 acres.

The said right-of-way to be vacated is not within the corporate limits of any municipality, but located in Tuscaloosa County and assent to the vacation of said right-of-way has been obtained from the Tuscaloosa County Commission by resolution, a copy of which, certified by the County Clerk, is attached hereto, filed and recorded with this written Declaration of Vacation, and made a part hereof.

EX-4

IN WITNESS WHEREOF, W. Hardy McCollum, Chairman of the Tuscaloosa County Commission has executed this Declaration of Vacation of Public Right-Of-Way this 21st day of February, 2018.

TUSCALOOSA COUNTY COMMISSION

By: 
W. Hardy McCollum, Chairman

ATTEST:


Melvin Vines, Administrator

EX 2-4

THIS INSTRUMENT PREPARED BY:
ROBERT M. SPENCE
ROSEN HARWOOD P.A.
ATTORNEYS AT LAW
2200 Jack Warner Parkway,
Suite 200 (35401)
Post Office Box 2727
Tuscaloosa, Alabama 35403
(205) 344-5000

Reference: Deed Book 1997, Page 9136
Deed Book 2007, Page 8624
Deed Book 2009, Page 14395
Deed Book 2012, Page 3071
Deed Book 2015, Page 19486

**RESOLUTION AUTHORIZING
THE VACATION OF OLD BULL SLOUGH ROAD
(ALSO KNOWN AS O'QUINN ROAD)**

WHEREAS, the owners of the land abutting that certain right-of-way more particularly described and depicted on Exhibit "A," attached hereto and incorporated herein by reference, **Harold G. Creek, Linda K. Creek, Duane Cunningham, William D. Engelke, and Susie Engelke** (hereinafter referred to as the "Owners"), allege they own all of the land abutting said right-of-way requested to be vacated in Tuscaloosa County, Alabama; and,

WHEREAS, said right-of-way does not lie within the corporate limits of any municipality in Tuscaloosa County, but within the jurisdiction of Tuscaloosa County, Alabama, and the assent of the Tuscaloosa County Commission to the vacation of said right-of-way has been requested and is desired by the Owners; and,

WHEREAS, it appears to the Tuscaloosa County Commission, that the vacation of said right-of-way, as hereinafter described, will not deprive other property owners of their right to convenient and reasonable means of ingress and egress to and from their property, nor will it adversely affect the interest of the public in any way.

NOW, THEREFORE, be it resolved by the Tuscaloosa County Commission, Alabama, as follows:

1. That it is in the interest of the public that the right-of-way located in Tuscaloosa

EX 2-4

County, Alabama, as described and depicted on Exhibit "A" hereto, be vacated.

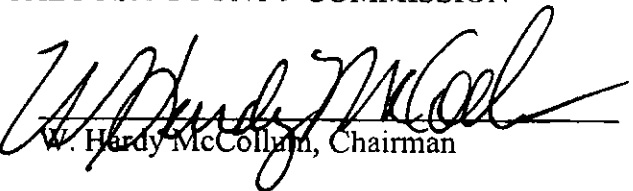
2. That the assent of the Tuscaloosa County Commission is hereby given to the vacation of said right-of-way located in Tuscaloosa County, Alabama, as described and depicted on Exhibit "A" hereto. Pursuant to Alabama Code (1975) §23-4-2 and §23-4-20, upon the filing of this Resolution, title to said right-of-way as described and depicted on Exhibit "A" shall vest in **Harold G. Creek, Linda K. Creek, Duane Cunningham, William D. Engelke, and Susie Engelke**, according to the property boundary lines (it is the intent of this document to vacate all claims on each side of and parallel to the centerline of the roadway known as Old Bull Slough Road).

3. That the Judge of Probate of Tuscaloosa County, Alabama, be, and is hereby, authorized to present a copy of this resolution, duly certified as correct by County Clerk, to the Owners in order that the same may be recorded in the Office of the Judge of Probate.

RESOLVED AND DONE this 21st day of February, 2018.

TUSCALOOSA COUNTY COMMISSION

By:


W. Hardy McCollum, Chairman

ATTEST:



Melvin Vines, County Administrator

APPROVED THIS THE 21st DAY OF FEBRUARY, 2018.

EX 2-4

EXHIBIT A

Legal Description

VACATION OF RIGHT-OF-WAY
OLD BULL SLOUGH ROAD
(ALSO KNOWN AS O'QUINN ROAD)

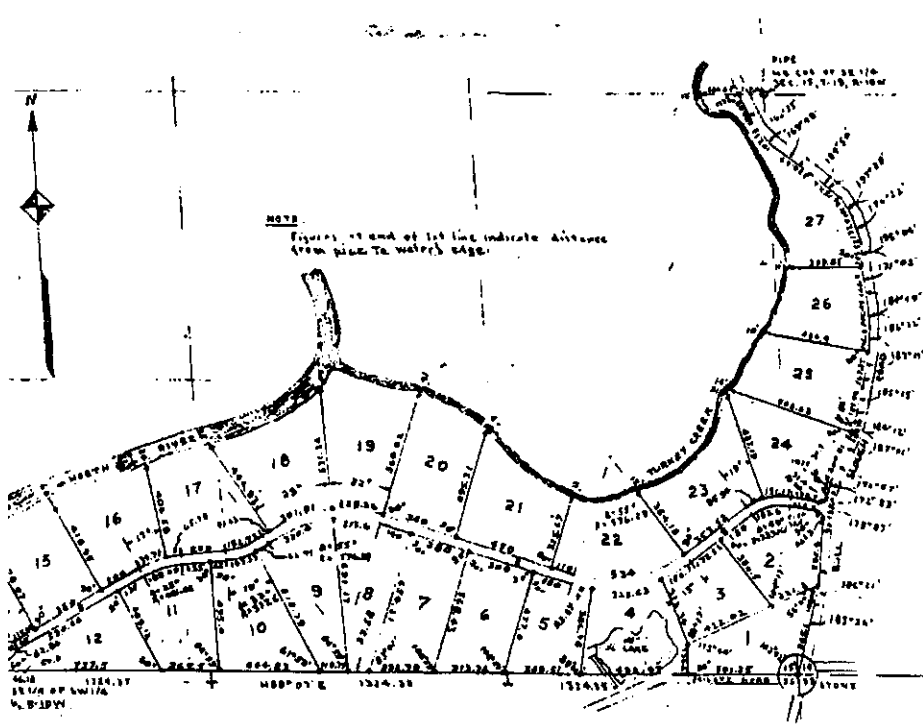
Commencing where Old Bull Slough Road or O'Quinn Road intersects the Southeast corner of Lot 26 of Hilltop Estates, a map or plat of which is recorded at Plat Book 7, Page 151 in the Probate Office of Tuscaloosa County, Alabama, and running north along the east side of Lots 26 and 27 and continuing until its terminus with the shoreline of Lake Tuscaloosa.

Ex 2-4

Sketch of Old Bull Slough Road

HILLTOP ESTATES

GRAPHIC SCALE
 Scale: 1 inch = 300 feet



STATE OF ALABAMA
 TUSCALOOSA COUNTY

I, Wesley Finwell, Jr., a Resident, Magistrate and Land Surveyor, hereby certify that I have surveyed the property situated in Tuscaloosa County, Alabama, herein shown and designated as Hilltop Estates, the same being a part of the S.W. 1/4 of Section 17, and the W. 1/2 of 1/4 of Section 19, all in Township 19, Range 10W, and that the above and foregoing plat is very generally shown with survey, and was, A.W. Patton, Jr., and A.W. Patton, Jr., owners of the property herein shown, hereby accept and agree to this survey and plat.

Witness my hands this 16th day of October, 1928.

Wesley Finwell, Jr.
 Magistrate

A.W. Patton, Jr.
 Owner

A.W. Patton, Jr.
 Owner

STATE OF ALABAMA
 TUSCALOOSA COUNTY

I, *Bessie Snuggs*, a Native Public in and a resident citizen of said State, hereby certify that *A.W. Patton, Jr.* and *A.W. Patton, Jr.*, whose names are signed to the foregoing survey shown and certified, and who are known to me, acknowledge before me on this day that being informed of the contents of the said plat, and certify that they have voluntarily on this day, and have thereunto on the day of October, 1928.

Bessie Snuggs
 Notary Public

THE STATE OF ALABAMA
 Tuscaloosa County

I, *David M. Cochran*, Judge of Probate, hereby certify that the foregoing plat was filed for registration of the 16th day of October, 1928, and duly recorded in the Probate Office for said County, Alabama, on the 16th day of October, 1928.

David M. Cochran
 Judge of Probate

Ex 2-4

THIS INSTRUMENT PREPARED BY:
Robert M. Spence
Ann L. Reardon
ROSEN HARWOOD, P.A.
2200 Jack Warner Parkway, Ste. 200
Tuscaloosa, AL 35401

THIS INSTRUMENT WAS PREPARED
WITHOUT THE BENEFIT OF TITLE
EXAMINATION, SURVEY, OR ON SITE
INSPECTION.

Source of Title: Deed Book 1997, Page 9136
Deed Book 2007, Page 8624
Deed Book 2009, Page 14395
Deed Book 2012, Page 3071
Deed Book 2015, Page 19486

STATE OF ALABAMA)
)
TUSCALOOSA COUNTY)

DECLARATION OF VACATION OF OLD BULL SLOUGH ROAD

KNOW ALL MEN BY THESE PRESENTS, that **Harold G. Creek, Linda K. Creek, Duane Cunningham, William D. Engelke, and Susie Engelke**, are the owners of all the land abutting a right-of-way, which is hereinafter more particularly described, and which right-of-way said owner desires to vacate as provided in Section 23-4-20 of the Code of Alabama, 1975. The vacation of said right-of-way as hereinafter described will not deprive other property owners of reasonable means of ingress and egress to and from their property nor will it adversely affect the interest of the general public in any way.

NOW, THEREFORE, pursuant to the provisions of Section 23-4-20 of the Code of Alabama, 1975, the undersigned does hereby declare a portion of the following described right-of-way located in Tuscaloosa County, Alabama, to be vacated:

OLD BULL SLOUGH ROAD
(ALSO KNOWN AS O'QUINN ROAD)

Commencing where Old Bull Slough Road or O'Quinn Road intersects the Southeast corner of Lot 26 of Hilltop Estates, a map or plat of which is recorded at Plat Book 7, Page 151 in the Probate Office of Tuscaloosa County, Alabama, and running north along the east side of Lots 26 and 27 and continuing until its terminus with the shoreline of Lake Tuscaloosa.

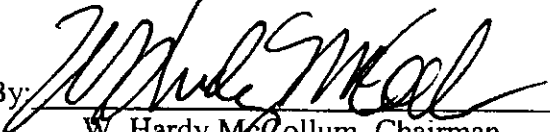
The said right-of-way to be vacated is not within the corporate limits of any municipality, but located in Tuscaloosa County and assent to the vacation of said right-of-way has been obtained from the Tuscaloosa County Commission by resolution, a copy of which, certified by the County Clerk, is attached hereto, filed and recorded with this written Declaration of Vacation, and made a

EX 2-4

part hereof.

IN WITNESS WHEREOF, W. Hardy McCollum, Chairman of the Tuscaloosa County Commission has executed this Declaration of Vacation of Public Right-Of-Way this 21st day of February, 2018.

TUSCALOOSA COUNTY COMMISSION

By: 
W. Hardy McCollum, Chairman

ATTEST:


Melvin Vines, Administrator

Ex 2-4

THIS INSTRUMENT PREPARED BY:
ROBERT M. SPENCE
ROSEN HARWOOD P.A.
ATTORNEYS AT LAW
2200 Jack Warner Parkway,
Suite 200 (35401)
Post Office Box 2727
Tuscaloosa, Alabama 35403
(205) 344-5000

Reference: Deed Book 2006, Page 21471
Deed Book 2008, Page 17481
Deed Book 2013, Page 2794
Deed Book 2017, Page 14083
Deed Book 2017, Page 14087

RESOLUTION AUTHORIZING THE VACATION OF OLD BYLER ROAD

WHEREAS, the owners of the land abutting that certain right-of-way more particularly described and depicted on Exhibit "A," attached hereto and incorporated herein by reference, **John Martin Hagler, Stephanie L. Hagler, Sonya Dalane Swindle, Gregory Long, and Pamela Long Daniel** (hereinafter referred to as the "Owners"), allege they own all of the land abutting said right-of-way requested to be vacated in Tuscaloosa County, Alabama; and,

WHEREAS, said right-of-way does not lie within the corporate limits of any municipality in Tuscaloosa County, but within the jurisdiction of Tuscaloosa County, Alabama, and the assent of the Tuscaloosa County Commission to the vacation of said right-of-way has been requested and is desired by the Owners; and,

WHEREAS, it appears to the Tuscaloosa County Commission, that the vacation of said right-of-way, as hereinafter described, will not deprive other property owners of their right to convenient and reasonable means of ingress and egress to and from their property, nor will it adversely affect the interest of the public in any way.

NOW, THEREFORE, be it resolved by the Tuscaloosa County Commission, Alabama, as follows:

1. That it is in the interest of the public that the right-of-way located in Tuscaloosa County, Alabama, as described and depicted on Exhibit "A" hereto, be vacated.

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2. That the assent of the Tuscaloosa County Commission is hereby given to the vacation of said right-of-way located in Tuscaloosa County, Alabama, as described and depicted on Exhibit "A" hereto. Pursuant to Alabama Code (1975) §23-4-2 and §23-4-20, upon the filing of this Resolution, title to said right-of-way as described and depicted on Exhibit "A" shall vest in **Pamela Long Daniel and Gregory Long**, according to the property boundary lines (i.e. the portion of the road easement that ran within the boundary lines of Pamela Long Daniel's property shall become vested in Pamela Long Daniel, and the portion of the road easement that ran within the boundary lines of Gregory Long's property shall become vested in Gregory Long).

3. That the Judge of Probate of Tuscaloosa County, Alabama, be, and is hereby, authorized to present a copy of this resolution, duly certified as correct by County Clerk, to the Owners in order that the same may be recorded in the Office of the Judge of Probate.

RESOLVED AND DONE this 21st day of February, 2018.

TUSCALOOSA COUNTY COMMISSION

By:


W. Hardy McCollum, Chairman

ATTEST:


Melvin Vines, County Administrator

APPROVED THIS THE 21st DAY OF FEBRUARY, 2018.

EX 2-4

EXHIBIT A

Legal Description

VACATION OF RIGHT-OF-WAY
OLD BYLER ROAD

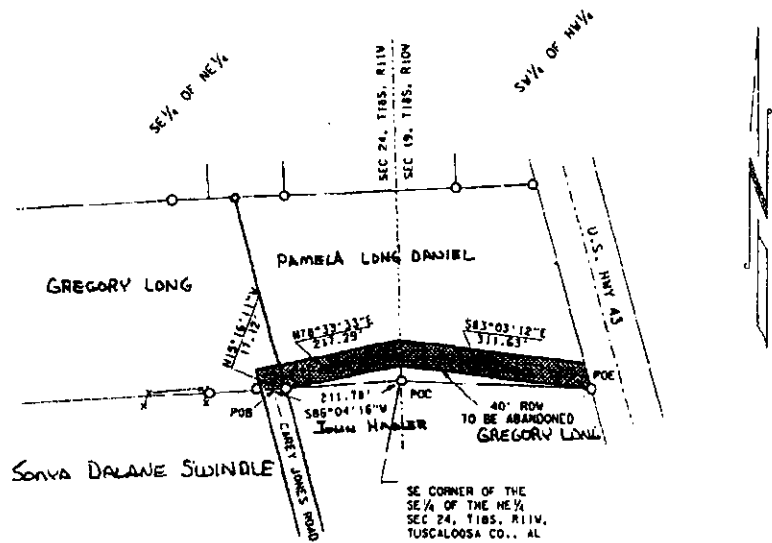
To locate the point of beginning, commence at the Southeast corner of the SE¼ of the NE¼ of Section 24, Township 18 South, Range 11 West, Tuscaloosa County, Alabama; thence S86°04'16"W on the south boundary of said SE¼ of the NE¼ a distance of 211.78 feet to the point of beginning, said point being the centerline of Carey Jones Road (Old Byler Road) (abandoned); thence N15°16'11"W on said centerline a distance of 17.12 feet to a point; thence N78°33'33"E on said centerline a distance of 217.29 feet to a point; thence S83°03'12"E on said centerline a distance of 311.63 feet to the point of ending on the West right-of-way of U.S. Highway 43.

Ex 2-4

Survey of Vacated Old Byler Road

EX 2-4

SECTION 24, TOWNSHIP 18 SOUTH, RANGE 11 WEST
 SECTION 19, TOWNSHIP 18 SOUTH, RANGE 10 WEST
 TUSCALOOSA COUNTY, ALABAMA



LEGEND

- O IRON PIPE/PIN FOUND
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- POE POINT OF ENDING

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

SURVEYOR'S SIGNATURE *Brian K. Foster*

ALABAMA LICENSE NO: 17508 DATE 5-16-17



SEE ATTACHED FOR DESCRIPTION

Foster & Associates, Inc.
 SURVEYORS PLANNERS ENGINEERS
 9726 OLD GREENSBORO ROAD, TUSCALOOSA, ALABAMA 35601 206/348-6087
 Cell: 5-18-17 Field Book: _____ Page: _____
 Job No.: 17073 Drawn By: BKF Ctd By: BLS
 Scale: 1" = 200' Date: 5-16-17 Sheet: 1 of 1

RIGHT-OF-WAY ABANDONMENT
EXHIBIT A

EX 2-4

THIS INSTRUMENT PREPARED BY:
Robert M. Spence
Ann L. Reardon
ROSEN HARWOOD, P.A.
2200 Jack Warner Parkway, Ste. 200
Tuscaloosa, AL 35401

THIS INSTRUMENT WAS PREPARED
WITHOUT THE BENEFIT OF TITLE
EXAMINATION, SURVEY, OR ON SITE
INSPECTION.

Source of Title: Deed Book 2006, Page 21471
Deed Book 2008, Page 17481
Deed Book 2013, Page 2794
Deed Book 2018, Page 14083
Deed Book 2018, Page 14087

STATE OF ALABAMA)
)
TUSCALOOSA COUNTY)

DECLARATION OF VACATION OF OLD BYLER ROAD

KNOW ALL MEN BY THESE PRESENTS, that **John Martin Hagler, Stephanie L. Hagler, Sonya Dalane Swindle, Gregory Long, and Pamela Long Daniel**, are the owners of all the land abutting a right-of-way, which is hereinafter more particularly described, and which right-of-way said owner desires to vacate as provided in Section 23-4-20 of the Code of Alabama, 1975. The vacation of said right-of-way as hereinafter described will not deprive other property owners of reasonable means of ingress and egress to and from their property nor will it adversely affect the interest of the general public in any way.

NOW, THEREFORE, pursuant to the provisions of Section 23-4-20 of the Code of Alabama, 1975, the undersigned does hereby declare a portion of the following described right-of-way located in Tuscaloosa County, Alabama, to be vacated:

OLD BYLER ROAD

To locate the point of beginning, commence at the Southeast corner of the SE¼ of the NE¼ of Section 24, Township 18 South, Range 11 West, Tuscaloosa County, Alabama; thence S86°04'16"W on the south boundary of said SE¼ of the NE¼ a distance of 211.78 feet to the point of beginning, said point being the centerline of Carey Jones Road (Old Byler Road) (abandoned); thence N15°16'11"W on said centerline a distance of 17.12 feet to a point; thence N78°33'33"E on said centerline a distance of 217.29 feet to a point; thence S83°03'12"E on said centerline a distance of 311.63 feet to the point of ending on the West right-of-way of U.S. Highway 43.

Ex 2-4

The said right-of-way to be vacated is not within the corporate limits of any municipality, but located in Tuscaloosa County and assent to the vacation of said right-of-way has been obtained from the Tuscaloosa County Commission by resolution, a copy of which, certified by the County Clerk, is attached hereto, filed and recorded with this written Declaration of Vacation, and made a part hereof.

IN WITNESS WHEREOF, W. Hardy McCollum, Chairman of the Tuscaloosa County Commission has executed this Declaration of Vacation of Public Right-Of-Way this 21st day of February, 2018.

TUSCALOOSA COUNTY COMMISSION

By:


W. Hardy McCollum, Chairman

ATTEST:


Melvin Vines, Administrator

Ex 2-4