

TUSCALOOSA COUNTY COMMISSION
MEETING
APRIL 5, 2017

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
Jerry Tingle
Mark C. Nelson
Reginald Murray

The County Commission received bids for right-of-way mowing and referred them to the Engineering Department for review.

Exhibit 4-1, Pages

Commissioner Stan Acker moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to adopt a resolution authorizing the vacation of right-of-way of a portion of Tierce Creek Lane. It was noted by County Attorney Robert Spence that a public hearing was held April 5, 2017 and no persons were in attendance to object.

Exhibit 4-2, Pages

Commissioner Jerry Tingle moved, seconded by Commissioner Stan Aker, the County Commission voted unanimously to adopt a resolution authorizing the vacation of a right-of-way of a portion of Creek Road for the Tuscaloosa County Board of Education.

Exhibit 4-3, Pages

Commissioner Jerry Tingle moved, seconded by Commissioner Stan Aker, the County Commission voted unanimously to execute a Conditional Loan Participation Agreement between the City of Tuscaloosa, Tuscaloosa County and Bryant Bank for the Tuscaloosa County Industrial Development Authority.

Exhibit 4-4, Pages

Commissioner Reginald Murray moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to declare the following vehicle from the EMA Fleet surplus property and authorize its disposal:

1992 Sea Ark boat Hull# SAMA0330D292

Upon request by PARA Director Gary Minor, Commissioner Stan Aker moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to authorize the removal of light poles at Sokol Park South ball fields by the County's Engineering Department.

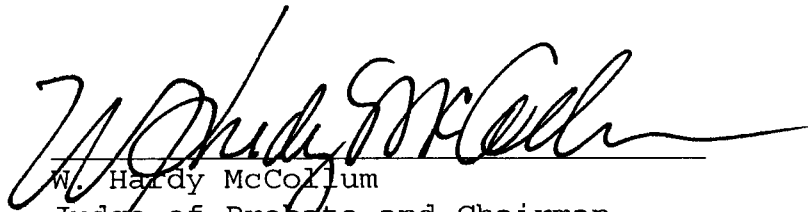
Commissioner Stan Aker moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to reappoint Mr. Farrell Noland to the Buhl, Holman, Elrod Water Authority and to reappoint Mr. James Randolph to the Carroll's Creek Water Authority. Their terms will expire March 1, 2023.

Commissioner Jerry Tingle moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to authorize Tuscaloosa County Public Works to demolish and dispose of the old Holt Elementary School Buildings under the following conditions: Before initiating any work, the property be deeded back to and accepted by the Tuscaloosa County School System. That the Tuscaloosa County School System Facilities Manager identify and mark from photos or maps which buildings the School System wants demolished. Upon completion of the work, the Tuscaloosa County School System agrees to pay Tuscaloosa County Public Works \$129,000.00, less \$41,000.00, which would be a total of \$88,000.00.

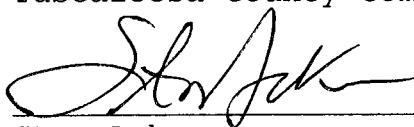
Commissioner Jerry Tingle moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to approve a funding request in the amount of \$673.20 to PARA for use by Holt in Action for the Holt cleanup materials.

Exhibit 4-5, Page

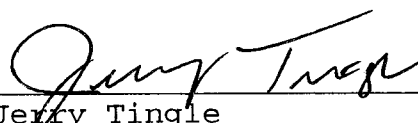
There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, April 19, 2017.



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



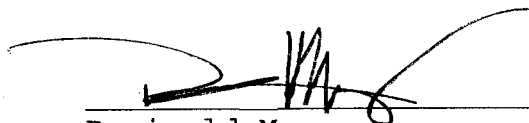
Stan Acker
Commissioner - District I



Jerry Tingle
Commissioner - District II



Mark C. Nelson
Commissioner - District III



Reginald Murray
Commissioner - District IV

41 23

Date: 4-5-17
 Title: President
 Name: JASON WEST
 Telephone: 205-799-7733
 Mailing Address: Drawer 390 Northport, AL 35476
 Company Name: J. WEST INC.

The Bidder understands that the county reserves the right to reject any and all bids and to waive any informalities involved in the bidding process. The quantities listed above are approximate only. There will be no contract adjustments in the unit prices for any increase or decrease in the unit quantities.

| Description | Quantity | Unit | Unit Price | Bid Amount |
|---|----------|----------|-------------------|-----------------------------|
| 1 st Mowing of Right-of-way | 1 | Lump Sum | 150 ⁰⁰ | 183,210 ⁰⁰ |
| OPTIONAL 2 nd Mowing of Right-of-way | 1 | Lump Sum | 150 ⁰⁰ | 183,210 ⁰⁰ |
| Additional Roads | 10 | Mile | 138 ⁰⁰ | 1380 ⁰⁰ |
| Bid Total | | | | 367,800⁰⁰ |

BID SUBMISSION SHEET
 MOWING TUSCALOOSA COUNTY ROADS

**BID SUBMISSION SHEET
MOWING TUSCALOOSA COUNTY ROADS**

| Description | Quantity | Unit | Unit Price | Bid Amount |
|--|----------|----------|-------------------|-------------------|
| 1 st Mowing of Right-of-way | 1 | Lump Sum | <u>147,500.00</u> | <u>147,500.00</u> |
| OPTIONAL | | | | |
| 2 nd Mowing of Right-of-way | 1 | Lump Sum | <u>145,000.00</u> | <u>145,000.00</u> |
| Additional Roads | 10 | Mile | <u>100.00</u> | <u>1,000.00</u> |

Bid Total

293,500.00

The Bidder understands that the county reserves the right to reject any and all bids and to waive any informalities involved in the bidding process. The quantities listed above are approximate only. There will be no contract adjustments in the unit prices for any increase or decrease in the unit quantities.

Company Name: ORR CONTRACTING, INC.

Mailing Address: P.O. BOX 310 ROBBINSVILLE, N.C. 28771

Telephone: 828-479-8868

Name: Lloyd Scott Orr

Title: President

Date: 4/3/17

EX 4-1

Deed Book 2008 Page 12161

Robert M. Spence, Esq.
ROSEN HARWOOD, P.A.
2200 Jack Warner Parkway, Ste. 200
Tuscaloosa, Alabama 35401

**TUSCALOOSA COUNTY COMMISSION
TUSCALOOSA COUNTY, ALABAMA
RESOLUTION APPROVING THE VACATION OF A PUBLIC STREET
IN TUSCALOOSA COUNTY, ALABAMA**

WHEREAS, the Tuscaloosa County Commission is desirous of vacating a portion of a public street located in Tuscaloosa County, Alabama, generally known as "Tierce Creek Lane" and more particularly described below; and

WHEREAS, a duly advertised and noticed public hearing to address the proposed vacation of a portion of Tierce Creek Lane, a public street in Tuscaloosa County, Alabama, was held on April 5, 2017; and

WHEREAS, it appears to the Tuscaloosa County Commission that it is in the interest of the public that a portion of Tierce Creek Lane be vacated.

NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION as follows:

That the assent of the Tuscaloosa County Commission be, and the same is hereby given, to the vacation of the following described public street in Tuscaloosa County, Alabama, to-wit:

A PORTION OF TIERCE CREEK LANE RIGHT OF WAY

A strip of land, being of 60 feet in width, on each side of and parallel to the centerline of the roadway known as Tierce Creek Lane. Said roadway being located along the boundary line between the Southwest ¼ of the Southeast ¼ of Section 13, Township 19 South, Range 10 West, and the Southeast ¼ of the Southeast ¼ of Section 13,

EX-123

Township 19 South, Range 10 West, and terminating at the south boundary line of the section.

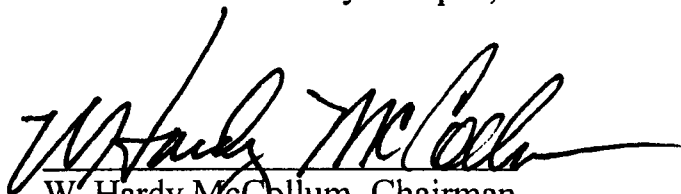
It is the intent of this document to vacate all claims on each side of and parallel to the centerline of the roadway known as Tierce Creek Lane through the above-described Sections and as shown on the attached Exhibit "A".

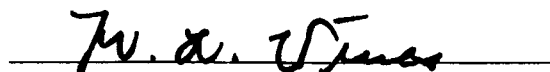
BE IT FURTHER RESOLVED that it appears that there exist no owners of lots or parcels of land that will be cut off from access to their respective parcel or lot by this vacation.

BE IT FURTHER RESOLVED that the Chairman of the County Commission be, and hereby is, authorized to publish notice of the adoption of this Resolution once in a newspaper in Tuscaloosa County within the next fourteen (14) days,

BE IT FURTHER RESOLVED that this vacation is subject to any and all public utilities which might be located in said right-of-way.

This the 5th day of April, 2017.


W. Hardy McCollum, Chairman
Tuscaloosa County Commission


Melvin Vines, County Administrator

Ex 4-2

This Instrument Prepared By:

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

Robert M. Spence, Esq.
ROSEN HARWOOD, P.A.
2200 Jack Warner Parkway, Ste. 200
Tuscaloosa, Alabama 35401

Source of Title: Deed Book 2008 Page 12161

DECLARATION OF VACATION OF PUBLIC RIGHT-OF-WAY FOR A PORTION OF TIERCE CREEK LANE IN TUSCALOOSA COUNTY, ALABAMA

KNOW ALL MEN BY THESE PRESENTS, that John Scarborough and Eason K. Wood are the owners of all of the land abutting a right-of-way, which is hereinafter more particularly described, and which right-of-way said owners desire 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 or 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 owners do hereby declare a portion of the following described right-of-way located in Tuscaloosa County, Alabama, to be vacated:

A strip of land, being of 60 feet in width, on each side of and parallel to the centerline of the roadway known as Tierce Creek Lane. Said roadway being located along the boundary line between the Southwest 1/4 of the Southeast 1/4 of Section 13, Township 19 South, Range 10 West, and the Southeast 1/4 of the Southeast 1/4 of Section 13, Township 19 South, Range 10 West, and terminating at the south boundary line of the section, being 1210 linear feet in length.

IN WITNESS WHEREOF, W. Hardy McCollum, chairman of the Tuscaloosa County Commission has executed this Declaration of Vacation of Public Right-of-Way on this the 5th day of April, 2017.

W. Hardy McCollum
W. Hardy McCollum, Chairman
Tuscaloosa County Commission
Melvin Vines
Melvin Vines, County Administrator

2-4-2

GORDON ROSEN (1921 – 2014)
R. BERNARD HARWOOD, JR.
JAMES J. SLEDGE
ROBERT M. SPENCE
***BLAKE A. MADISON
†*W. BRADFORD ROANE, JR.
**JEFFREY C. SMITH
DAVID E. RAINS
FOSTER C. ARNOLD
††MATTHEW Q. TOMPKINS
*THOMAS W. SCROGGINS
JENNIFER T. CRABTREE
††JANE L. CALAMUSA
KRISTOFOR D. SODERGREN
††*CHAD L. HOBBS
†BROOKE M. NIXON
††ROBIN E. PATE



**Board Certified - Civil Trial Advocacy -
National Board of Trial Advocacy
***Certified Information Privacy Professional
†Also admitted in Florida
††Also admitted in Mississippi
*Also admitted in Georgia
**Also admitted in Tennessee

MARY BETH WEAR CAVERT
ANN L. REARDON
††LORI M. CREEL
††JILLIAN L. GUIN WHITE
EMILEE H. SCHEEFF
KEVIN J. ROAK
NICOLE B. HAMPTON

OF COUNSEL:
ALYCE M. SPRUELL
ROBERT A. MORGAN

Writer's Email Address:
mtompkins@rosenharwood.com

March 30, 2017

VIA: HAND DELIVERY

Melvin Vines
County Administrator
Tuscaloosa County
714 Greensboro Avenue
Suite G-78
Tuscaloosa AL 35401

RE: Vacations of Creek Road and Utility & Access Easement

Dear Mr. Vines:

Please find enclosed the original executed Petitions for the vacation of Creek Road and the vacation of the Utility and Access Easement located on the Holt High School property. If you have any questions or need anything else with respect to these two vacations, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Q. Tompkins', written in a cursive style.

Matthew Q. Tompkins

MQT:alr

Enclosure

cc: Robert Spence

EX 4-3

EX-3

TUSCALOOSA COUNTY BOARD OF EDUCATION

By: Walter W. Davie
Its: Walter W. Davie
Superintendent

IN WITNESS WHEREOF, Dr. Walter Davie has executed this Petition for Vacation of Right-of-Way on behalf of the Tuscaloosa County Board of Education on this 10 day of March, 2017.

The said Utility and Access Easement is not within the corporate limits of any municipality, but located in Tuscaloosa County. The vacation of said Utility and Access Easement will not deprive other property owners of reasonable means of utility access or otherwise effect the ingress and egress to and from their property, nor will it adversely affect the interest of the general public in any way.

See Exhibit A attached hereto.

NOW, THEREFORE, pursuant to the provisions of Section 23-4-20 of the Code of Alabama, 1975, the undersigned owner does hereby request the following described Utility and Access Easement located in Tuscaloosa County, Alabama, to be vacated:

KNOW ALL MEN BY THESE PRESENTS, that the Tuscaloosa County Board of Education is the owner of all the land abutting a part of a Utility and Access Easement, which is hereinafter more particularly described, and which Utility and Access Easement said owners desire to vacate as provided in Section 23-4-20 of the Code of Alabama, 1975.

PETITION FOR VACATION OF UTILITY AND ACCESS EASEMENT
BY ABUTTING LANDOWNERS

STATE OF ALABAMA)
)
TUSCALOOSA COUNTY)

STATE OF ALABAMA)
 :
TUSCALOOSA COUNTY)

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, do hereby certify that Walter Davis, whose name as Superintendent of the TUSCALOOSA COUNTY BOARD OF EDUCATION, 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 voluntarily for and as the act of the said entity.

GIVEN under my hand and official seal of office on this the 10 day of March, 2017.

Michelle Johnson
Notary Public in and for the
State of Alabama at Large
My Commission Expires: 6-2-2020

My Commission Expires 6-2-2020

Ex4-3

3x4-3

Melvin Vines, Administrator

Melvin Vines

ATTEST:

W. Hardy McCollum, Chairman

W. Hardy McCollum

TUSCALOOSA COUNTY COMMISSION

_____, 2017.

IN WITNESS WHEREOF, W. Hardy McCollum, Chairman of the Tuscaloosa County Commission has executed this Declaration of Vacation of Public Right-Of-Way this 5th day of _____

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.

The Creek Road right-of-way as depicted on the plat of the Resubdivision of Lot No. 3 J.M. Lewis Survey, recorded in Plat Book 1997, Page 140 in the Probate Office of Tuscaloosa County, Alabama.

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

KNOW ALL MEN BY THESE PRESENTS, that the Tuscaloosa County Board of Education is the owner 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.

DECLARATION OF VACATION OF PUBLIC RIGHT-OF-WAY FOR CREEK ROAD BY ABUTTING LANDOWNER

) STATE OF ALABAMA
)
) TUSCALOOSA COUNTY

Source of Title:

Tuscaloosa, AL 35401
2200 Jack Warner Parkway, Ste. 200
ROSEN HARWOOD, P.A.

THIS INSTRUMENT PREPARED BY: Robert M. Spence

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

EXHIBIT A

TRACT 24:

A 30 foot Utility and Access Easement vacation being 15 feet either side of a centerline located in the Southeast Quarter of the Northeast Quarter of Section 16, Township 21 South, Range 9 West in Tuscaloosa County, Alabama and being more particularly described as follows:
As a STARTING POINT, begin at the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 16; thence run in an Easterly direction and along the South Boundary of said Quarter-Quarter for a distance of 35.05 feet to a point; thence with a deflection angle of 92 degrees 50 minutes to the left, run in a Northerly direction for a distance of 567.85 feet to the POINT OF BEGINNING of the easement vacation herein described; thence continue on said course and along said easement's centerline for a distance of 52.16 feet to the END of the easement vacation's centerline herein described. Said easement containing 0.04 acres.

TRACT 25:

UTILITY AND ACCESS EASEMENT VACATION - SEGMENT 1
PART OF TRACT 25

A variable width Utility and Access Easement Vacation being part of Lot 2 of the Resurvey of Lot 3 J. M. Lewis Survey as recorded in Plat Book 1997 at Page 140 in the Probate Office of Tuscaloosa County, Alabama and being located in the Southeast Quarter of Section 16, Township 21 South, Range 9 West in said Tuscaloosa County, Alabama and being more particularly described as follows:

UTILITY AND ACCESS EASEMENT VACATION - SEGMENT 2
PART OF TRACT 25

As a STARTING POINT, begin at the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 16; thence run in an Easterly direction and along the South Boundary of said Quarter-Quarter for a distance of 64.33 feet to a point; thence with a deflection angle of 92 degrees 48 minutes to the left, run in a Northerly direction for a distance of 904.72 feet to the POINT OF BEGINNING of the easement vacation herein described; thence continue on said course for a distance of 30.03 feet to a point; thence with an interior angle of 87 degrees 27 minutes, run in an Southeasterly direction for a distance of 585.65 feet to a point; thence with an interior angle of 90 degrees 00 minutes, run in a Southwesterly direction for a distance of 30.00 feet to a point; thence with an interior angle of 90 degrees 00 minutes, run in a Northwesterly direction for a distance of 584.31 feet to the POINT OF BEGINNING of the easement vacation herein described, at which point the interior angle is 92 degrees 33 minutes. Said easement vacation containing 0.40 acres.

A variable width Utility and Access Easement Vacation being part of Lot 2 of the Resurvey of Lot 3 J. M. Lewis Survey as recorded in Plat Book 1997 at Page 140 in the Probate Office of Tuscaloosa County, Alabama and being located in the Southeast Quarter of Section 16, Township 21 South, Range 9 West in said Tuscaloosa County, Alabama and being more particularly

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EXHIBIT A

TRACT 24:

A 30 foot Utility and Access Easement vacation being 15 feet either side of a centerline located in the Southeast Quarter of the Northeast Quarter of Section 16, Township 21 South, Range 9 West in Tuscaloosa County, Alabama and being more particularly described as follows:

As a STARTING POINT, begin at the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 16; thence run in an Easterly direction and along the South Boundary of said Quarter-Quarter for a distance of 35.05 feet to a point; thence with a deflection angle of 92 degrees 50 minutes to the left, run in a Northerly direction for a distance of 567.85 feet to the POINT OF BEGINNING of the easement vacation herein described; thence continue on said course and along said easement's centerline for a distance of 52.16 feet to the END of the easement vacation's centerline herein described. Said easement containing 0.04 acres.

TRACT 25:

UTILITY AND ACCESS EASEMENT VACATION - SEGMENT 1

PART OF TRACT 25

A variable width Utility and Access Easement Vacation being part of Lot 2 of the Resurvey of Lot 3 J. M. Lewis Survey as recorded in Plat Book 1997 at Page 140 in the Probate Office of Tuscaloosa County, Alabama and being located in the Southeast Quarter of Section 16, Township 21 South, Range 9 West in said Tuscaloosa County, Alabama and being more particularly described as follows:

As a STARTING POINT, begin at the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 16; thence run in an Easterly direction and along the South Boundary of said Quarter-Quarter for a distance of 64.33 feet to a point; thence with a deflection angle of 92 degrees 48 minutes to the left, run in a Northerly direction for a distance of 904.72 feet to the POINT OF BEGINNING of the easement vacation herein described; thence continue on said course for a distance of 30.03 feet to a point; thence with an interior angle of 87 degrees 27 minutes, run in an Southeasterly direction for a distance of 585.65 feet to a point; thence with an interior angle of 90 degrees 00 minutes, run in a Southwesterly direction for a distance of 30.00 feet to a point; thence with an interior angle of 90 degrees 00 minutes, run in a Northwesterly direction for a distance of 584.31 feet to the POINT OF BEGINNING of the easement vacation herein described, at which point the interior angle is 92 degrees 33 minutes. Said easement vacation containing 0.40 acres.

UTILITY AND ACCESS EASEMENT VACATION - SEGMENT 2
PART OF TRACT 25

A variable width Utility and Access Easement Vacation being part of Lot 2 of the Resurvey of Lot 3 J. M. Lewis Survey as recorded in Plat Book 1997 at Page 140 in the Probate Office of Tuscaloosa County, Alabama and being located in the Southeast Quarter of Section 16, Township 21 South, Range 9 West in said Tuscaloosa County, Alabama and being more particularly

EX-3

described as follows:

As a STARTING POINT, begin at the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 16; thence run in an Easterly direction and along the South Boundary of said Quarter-Quarter for a distance of 64.33 feet to a point; thence with a deflection angle of 92 degrees 48 minutes to the left, run in a Northerly direction for a distance of 934.75 feet a point; thence with a deflection angle of 92 degrees 33 minutes to the right, run in a Southeasterly direction for a distance of 730.15 feet to the POINT OF BEGINNING of the easement vacation herein described; thence continue on said course for a distance of 40.00 feet to a point; thence with an interior angle of 90 degrees 05 minutes, run in a Northeasterly direction for a distance of 176.28 feet to a point; thence with an interior angle of 90 degrees 00 minutes, run in a Northwesterly direction for a distance of 40.00 feet to a point; thence with an interior angle of 90 degrees 00 minutes, run in a Southwesterly direction for a distance of 176.35 feet to the POINT OF BEGINNING of the easement vacation herein described, at which point the interior angle is 89 degrees 55 minutes. Said easement vacation containing 0.16 acres.

UTILITY AND ACCESS EASEMENT VACATION - SEGMENT 3
PART OF TRACT 25

A variable width Utility and Access Easement Vacation being part of Lot 2 of the Resurvey of Lot 3 J. M. Lewis Survey as recorded in Plat Book 1997 at Page 140 in the Probate Office of Tuscaloosa County, Alabama and being located in the Southeast Quarter of the Northeast Quarter of Section 16, Township 21 South, Range 9 West in said Tuscaloosa County, Alabama and being more particularly described as follows:

As a STARTING POINT, begin at the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 16; thence run in an Easterly direction and along the South Boundary of said Quarter-Quarter for a distance of 64.33 feet to a point; thence with a deflection angle of 92 degrees 48 minutes to the left, run in a Northerly direction for a distance of 934.75 feet a point, thence with a deflection angle of 92 degrees 33 minutes to the right, run in a Southeasterly direction for a distance of 808.61 feet to the POINT OF BEGINNING of the easement vacation herein described; thence continue on said course for a distance of 312.10 feet to a point; thence with an interior angle of 90 degrees 00 minutes, run in a Southwesterly direction for a distance of 30.00 feet to a point; thence with on interior angle of 90 degrees 00 minutes, run in a Northwesterly direction for a distance of 41.69 feet to a point; thence with an interior angle of 269 degrees 55 minutes, run in a Southwesterly direction for a distance of 149.21 feet to a point; thence with an interior angle of 90 degrees 00 minutes, run in a Northwesterly direction for a distance of 30.00 feet to a point; thence with on interior angle of 90 degrees 00 minutes, run in a Northeasterly direction for a distance of 149.17 feet to a point; thence with an interior angle of 270 degrees 05 minutes, run in a Northwesterly direction for a distance of 240.42 feet to a point; thence with an interior angle of 90 degrees 00 minutes, run in a Northeasterly direction for a distance of 30.00 feet to the POINT OF BEGINNING of the easement vacation herein described, at which point the interior angle is 90 degrees 00 minutes. Said easement vacation containing 0.32 acres.

EX-3

3-4-3

A 40 foot Utility and Access Easement Vacation being located in the East Half of the Northeast Quarter of Section 16, Township 21 South, Range 9 West in Tuscaloosa County, Alabama and being more particularly described as follows:

As a STARTING POINT, begin at the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 16; thence run in an Easterly direction and along the South Boundary of said Quarter-Quarter for a distance of 61.18 feet to a point; thence with a deflection angle of 92 degrees 53 minutes to the left, run in a Northerly direction for a distance of 1,293.71 feet to the POINT OF BEGINNING of the easement vacation herein described; thence with a deflection angle of 87 degrees 09 minutes to the right, run in an Easterly direction for a distance of 750.44 feet to a point; thence with an interior angle of 269 degrees 50 minutes, run in a Southwesterly direction for a distance of 133.81 feet to a point on the Northern Right-of-Way of Creek Road, a 45 foot Right-of-Way; thence with an interior angle of 90 degrees 02 minutes, run in a Southeasterly direction along said Right-of-Way for a distance of 40.00 feet to a point; thence with an interior angle of 89 degrees 58 minutes, run in a Northeasterly direction, leaving said Right-of-Way, for a distance of 193.00 feet to a point; thence with an interior angle of 89 degrees 54 minutes, run in a Northwesterly direction for a distance of 40.00 feet to a point; thence with an interior angle of 90 degrees 06 minutes, run in a Southwesterly direction for a distance of 19.10 feet to a point; thence with an interior angle of 270 degrees 10 minutes, run in a Northwesterly direction for a distance of 752.04 feet to a point; thence with an interior angle of 87 degrees 09 minutes, run in a Southwesterly direction for a distance of 40.03 feet to the POINT OF BEGINNING of the easement vacation herein described, at which point the interior angle is 92 degrees 51 minutes. Said easement containing 0.87 acres.

TRACT 27:

049 H&E 329

THIS INSTRUMENT PREPARED BY:
MATTHEW Q. TOMPKINS
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 _____ at Page _____

**RESOLUTION AUTHORIZING
THE VACATION OF CREEK ROAD**

WHEREAS, the owner of the land abutting that certain right-of-way more particularly described and depicted on Exhibit "A," attached hereto and incorporated herein by reference, the **Tuscaloosa County Board of Education** (hereinafter referred to as the "Owner"), alleges it owns 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 Owner; 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.
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

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Resolution, title to said right-of-way as described and depicted on Exhibit "A" shall vest in the

Tuscaloosa County Board of Education.

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

Owner in order that the same may be recorded in the Office of the Judge of Probate.

RESOLVED AND DONE this 5th day of April, 2017.

TUSCALOOSA COUNTY COMMISSION

By:

W. Hardy McCollum
W. Hardy McCollum, Chairman

ATTEST:

M. R. Vines
Melvin Vines, County Administrator

APPROVED THIS THE 5th DAY OF April, 2017.

EXHIBIT A

Legal Description

The Creek Road right-of-way as depicted on the plat of the Resubdivision of Lot No. 3 J.M. Lewis Survey, recorded in Plat Book 1997, Page 140 in the Probate Office of Tuscaloosa County, Alabama.

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