

ELMORE COUNTY HIGHWAY DEPARTMENT

155 COUNTY SHOP ROAD • WETUMPKA, ALABAMA 36092
PHONE (334) 567-1162 • FAX (334) 567-1100

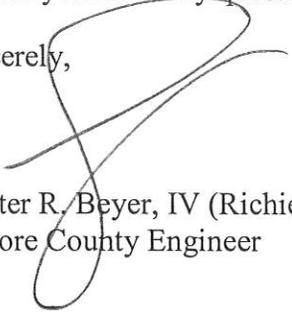
December 1, 2014

Re: Proposed Road Vacation

To Whom It May Concern:

This shall serve as notice that the Elmore County Commission has set a Public Hearing on January 12, 2015, at 5:00 p.m. at the Elmore County Courthouse to consider the proposed vacation of an unnamed road as shown on the attached petition and survey. Should you have any questions please feel free to contact our office at (334)567-1162.

Sincerely,



Walter R. Beyer, IV (Richie)
Elmore County Engineer

STATE OF ALABAMA
COUNTY OF ELMORE

PETITION TO THE ELMORE COUNTY COMMISSION TO ABANDON
RIGHT OF WAY AND ASSENT TO VACATION

Comes now Petitioners, ALBERT LOEB, as owner of Lot 3 of the R. H. Harden Subdivision, as recorded in Plat Book 2, Page 98 in the Office of the Judge of Probate of Elmore County, Alabama, and MILDRED T. BALLARD, as owner of property adjacent to the Loeb property which is more particularly described herein and presents unto the Elmore County Commission the following statement, to wit:

1. Petitioner Albert Loeb is the sole owner of the aforementioned Lot 3 by virtue of deed recorded on RLPY 2005, Page 53826.

2. Mildred T. Ballard is the sole owner of the adjacent property to the east of Lot 3 (which is not part of the R. H. Harden Subdivision), by virtue of deed recorded on RLPY 2010, Page 10881.

3. That on the plat of the R. H. Harden Subdivision, referenced above, there is a "roadway" shown that crosses across the northeast corner of Lot 3 and dead ends at a point located on the adjacent property own by Mildred T. Ballard. (See attached copy of the Plat).

4. Petitioners desire to vacate all that portion of the "roadway" that is shown on Lot 3 and the Ballard property on said Plat, which is more particularly described, to wit:

Commence at the Northeast Corner of Section 26, T-20-N, R-17-E, Elmore County, Alabama; Thence leaving said corner S 00°27'50" E, 1124.80 feet to a point; Thence S 89°32'10" W, 511.10 feet to an iron pin, said point being the Southeastern most corner of Lot 3, of the R.H. Harden Subdivision as recorded in Plat Book 2 at Page 98 in the Office of the Judge of Probate, Elmore County, Alabama; Thence N 26°42'11" W, 152.64 feet to the point of beginning of said centerline of a 20 wide easement; Thence leaving said point of beginning, N 61°47'36" E, 66.7 feet to the end point of said centerline. Thence from said point

of beginning along said centerline the following three courses (3); (1) S 74°32'14" W, 16.17, (2) S 88°14'45" W, 79.94 feet to a point; (3) N 87°22'33" W, 50.15 feet to the end point of said centerline. According to survey by Darrell Hyatt, Al. Reg. No. 16673 dated November 12, 2014, a copy of which is attached hereto.

5. The tax identification number of the parcel owned by Albert Loeb is 03 07 26 0 001 007.000 and the tax identification number of the property owned by Mildred T. Ballard is 03 07 26 0 001 001.004. (See copy of Elmore County Revenue Department Map attached hereto)

6. In addition Richard Alan Hawk and Debra A. Hawk, the owners of Lot 4 & 5 of said Harden Subdivision which borders the Loeb property on the North side, have reviewed this Petition and have consented to the requested vacation. (See enclosed Consent To Abandonment of Right Of Way)

7. Said property (portion of ROW to be vacated) lies within Elmore County, not within any municipality.

8. The vacation of the right of way described above and across the property will not deprive any property owner of convenient and reasonable means of ingress and egress to and from their property.

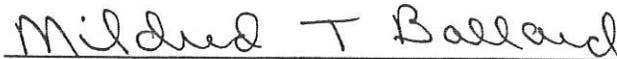
9. Petitioners desire to vacate said right of way and to close same and to nullify the effect of any dedication of said right of way to the County for public use.

10. There is no other adjacent land owner that will be affected by this petition.

NOW THEREFORE, in consideration of the premises, Petitioners do hereby request that the Elmore County Commission assent to, approve, ratify and confirm the vacation of the above described portion of Right of Way and the annulment of the dedication of such property to the use of the public.

IN WITNESS WHEREOF the Petitioners have hereunto set their hands and seals on this
the 6th day of November, 2014.


ALBERT LOEB

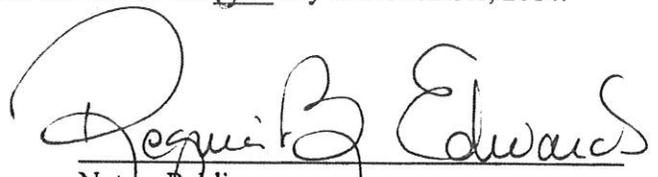

MILDRED T. BALLARD

STATE OF ALABAMA
COUNTY OF ELMORE

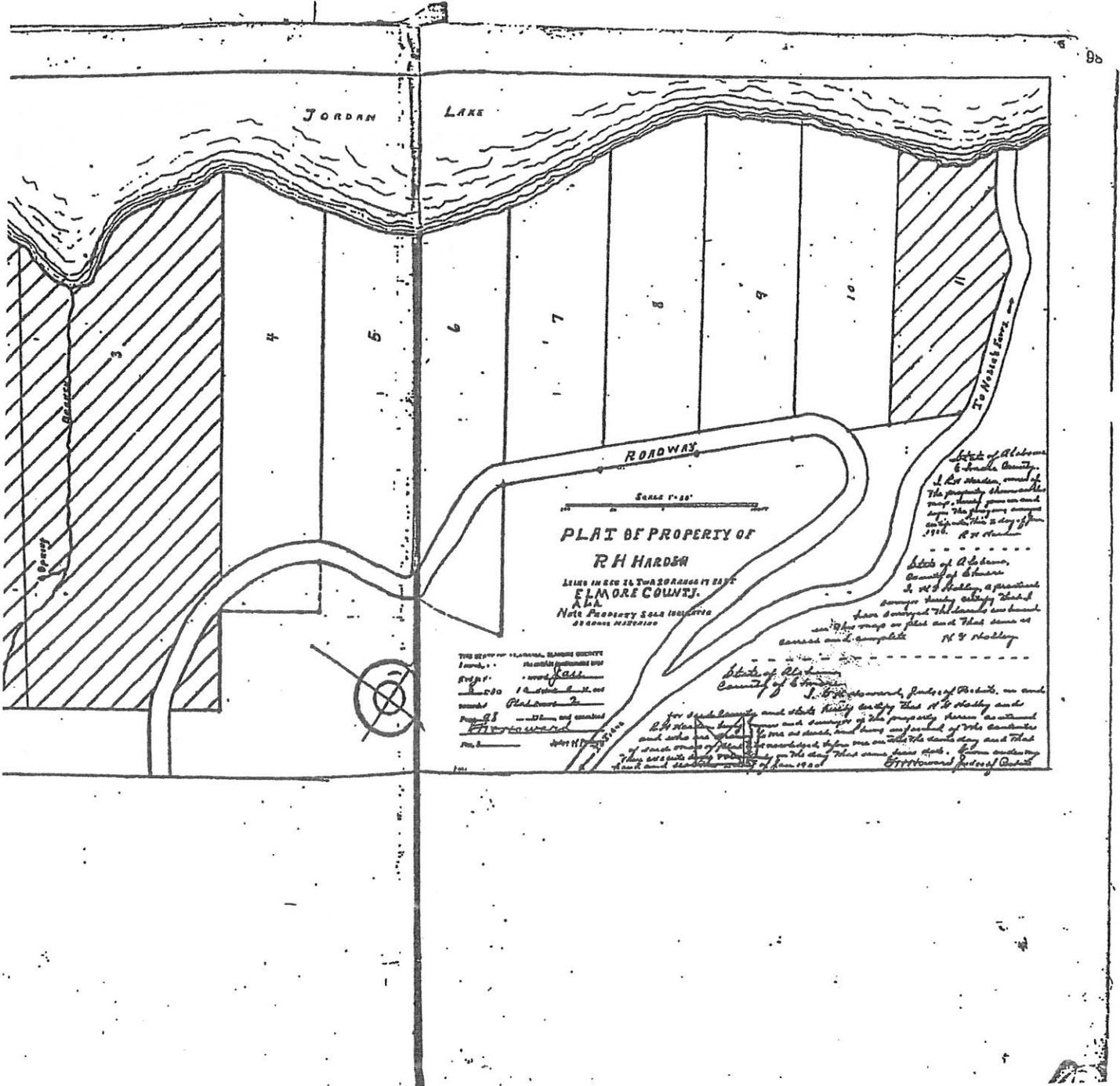
I, the undersigned authority, a Notary Public in and for the said State at Large, hereby certify that Albert Loeb and Mildred T. Ballard, whose name is signed to the foregoing instrument and who is known to me and who being by me first duly sworn, acknowledged before me on this day that being informed of the contents of the said instrument, he executed the same voluntarily on the day the same bears date.

SWORN TO AND SUBSCRIBED before me on this the 6th day of November, 2014.

OFFICIAL SEAL
REGINA B. EDWARDS
NOTARY PUBLIC - ALABAMA
STATE AT LARGE
MY COMMISSION EXPIRES 5-16-2016


Notary Public
My Commission Expires: 5-16-2016

ATTORNEY FOR THE PETITIONERS:
Regina B. Edwards, Esq. (EDW1011)
REGINA B. EDWARDS, P.C.
109 East Bridge Street
Wetumpka, AL 36092
(334) 514-1011
11REL022



Plat Book 2
Page 98

P.O.C. - 20' WIDE ABANDONED EASEMENT
 NE Corner of Section
 26, T-20-N, R-17-E,
 Elmore County, Alabama

Nobles Ferry Road
 (80' Right of Way per Tax Maps)

LEGAL DESCRIPTION - 20' WIDE ACCESS EASEMENT

Commence at the Northeast Corner of Section 26, T-20-N, R-17-E, Elmore County, Alabama; Thence leaving said corner S 00°27'50" E, 1124.80 feet to a point; Thence S 89°32'10" W, 511.10 feet to an iron pin, said point being the Southeastern most corner of Lot 3, of the R.H. Harden Subdivision as recorded in Plat Book 2 at Page 98 in the Office of the Judge of Probate, Elmore County, Alabama; Thence N 26°42'11" W, 152.64 feet to the point of beginning of said centerline of a 20' wide easement; Thence leaving said point of beginning, N 61°47'36" E, 66.7 feet to the end point of said centerline; Thence from said point of beginning along said centerline the following three courses (3); (1) S 74°32'14" W, 16.17; (2) S 85°14'45" W, 79.94 feet to a point; (3) N 87°22'33" W, 50.15 feet to the end point of said centerline.

STATE OF ALABAMA
 COUNTY OF ELMORE

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.

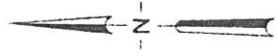
This the 3rd day of NOVEMBER, 2014.

W. DANIEL HYATT
 ALABAMA LICENSE NO. 16673

- LEGEND**
- FIP - FOUND IRON PIN
 - SIP - SET IRON PIN
 - △ CP - CALCULATED POINT
 - CH - CONCRETE MONUMENT
 - FP - FENCE POST
 - PP - POKER POLE
 - POINT OF COMMENCEMENT
 - Eas't. - EASEMENT
 - San. Swr. - SANITARY SEWER
 - Util. - UTILITY
 - BL - BUILDING LINE

NOTES :

1. NORTH IS BASED ON PLAT REED BEARINGS.
2. BEARINGS AND DISTANCES SHOWN ARE FIELD MEASUREMENTS.
3. ALL DIMENSIONS OF BUILDINGS ARE EXTERIOR DIMENSIONS ONLY. NO INTERIOR DIMENSIONS WERE TAKEN.



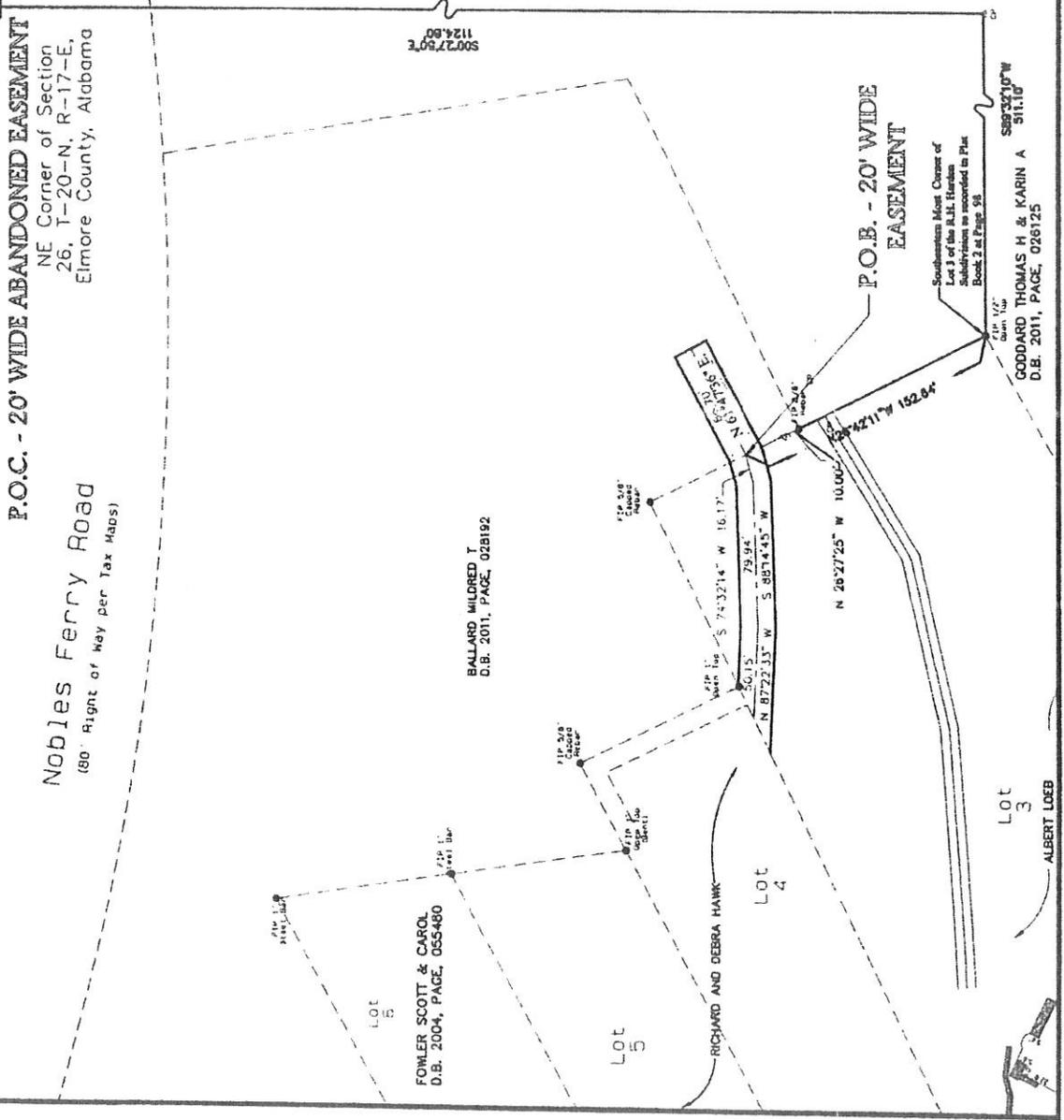
GRAPHIC SCALE: 1" = 60'



ENVIRONMENTAL CONSULTING & ENGINEERING, INC.
 1000 W. UNIVERSITY BLVD., SUITE 5
 MONTGOMERY, ALABAMA 36104
 PH (334) 271-4092 & 334-263-0450

20' WIDE EASEMENT SURVEY
 MILDRED BALLARD PROPERTY
 SECTION 26, T-20-N, R-17-E,
 ELMORE COUNTY, ALABAMA

FILE: C:\GCS-2014\WORKSHEET\WORKSHEET-11-05-14.DWG



S0027'50"E
 1124.80'

BALLARD MILDRED T
 D.B. 2011, PAGE, 028192

FOWLER SCOTT & CAROL
 D.B. 2004, PAGE, 055480

GODDARD THOMAS H & KARIN A
 D.B. 2011, PAGE, 026125

Lot 3
 ALBERT LOEB

N 61°47'36" E
 66.7'

S 74°32'14" W 16.17'
 79.94'

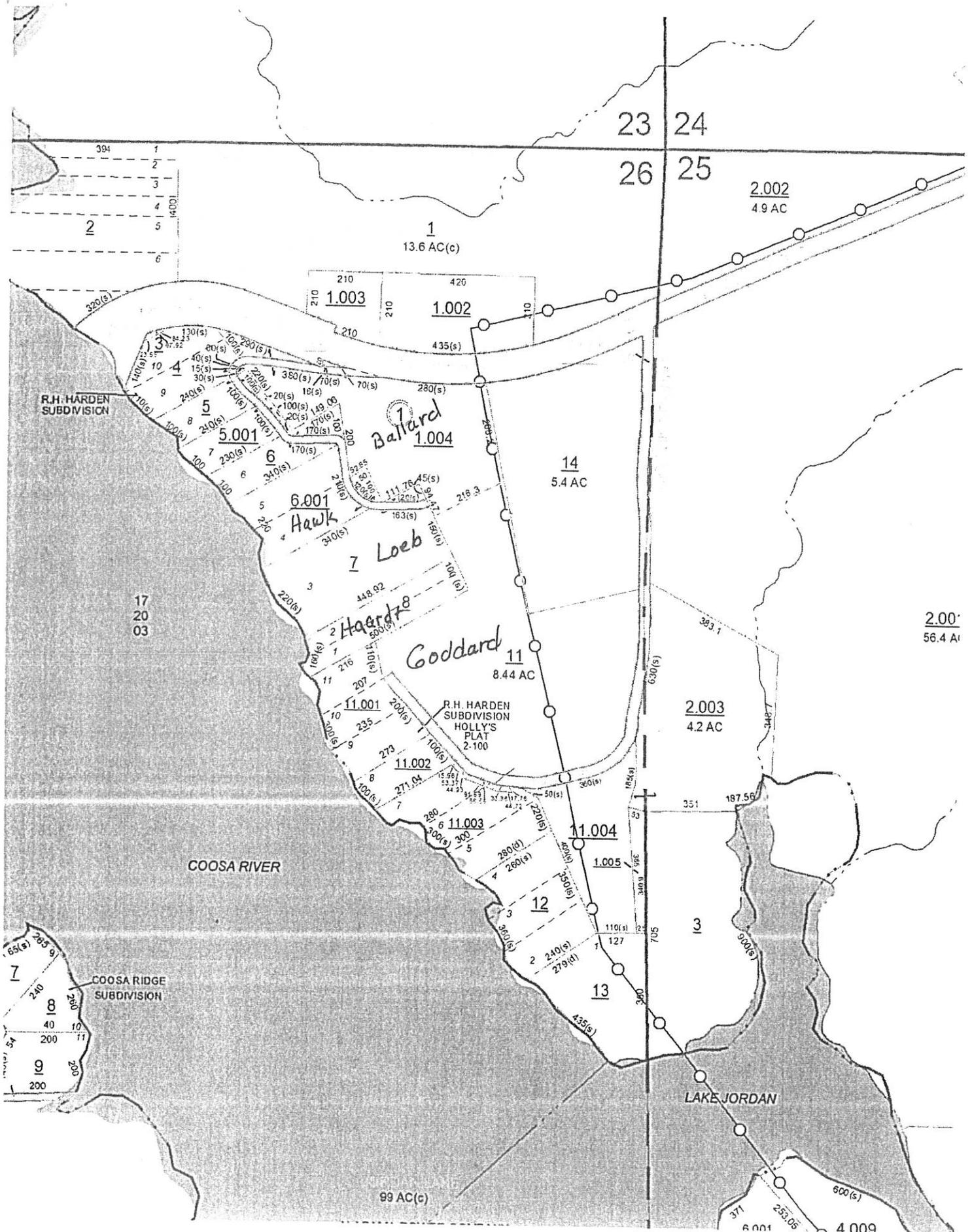
S 85°14'45" W 79.94'

N 26°42'11" W 152.64'

N 87°22'33" W 50.15'

N 26°27'25" W 10.00'

1/4" 1/2" 3/4" 1"



Tax Map

