

RESOLUTION
R 1 9 2-10/11

RLPY 1454 16
Recorded In Above Book and Page
04/19/2011 02:56:36 PM
KIMBROUGH L BALLARD
Judge of Probate
Dallas County, Alabama

STATE OF ALABAMA

COUNTY OF DALLAS

A RESOLUTION ASSENTING TO THE VACATIONING OF A PORTION OF AN ALLEY

WHEREAS, pursuant to Ala. Code §23-4-20, *et seq.* the City of Selma adopted Resolution No. R180-10/11 on February 22, 2011 to propose the vacationing of a portion of an alley more particularly described as follows:

Block 1 Marks Addition to Selma, Alabama – A strip of land 12 feet in width described as follows: Commencing at the NE corner of Lot 7 of Block 1 according to the map of the Marks Addition to Selma, Ala., recorded in Map Book 1, at page 79, in the Probate Office of Dallas County, Alabama: thence run in a northeasterly direction along the south margin of Buckeye Avenue for a distance of six feet to the centerline of a 12 foot alley and the centerline of the 12 foot strip of land hereinafter set forth, and the point of beginning; thence from said point of beginning run along and six feet each side of said centerline in a southerly direction and parallel to the east line of said Lot 7, of Block 1 of the Marks Addition for a distance of 154.2 feet more or less, being that certain point where the centerline of the aforesaid alley shown on the map of the Marks Addition makes a turn to the southwest and heads in a generally southwesterly direction; thence continue along and six feet each side of said centerline in a southwesterly direction and parallel to the southern lot lines of Lots 7, 8, 9, 10, and 11, of said Block 1 of the map of the Marks Addition to a point on said centerline which is six feet south of the west lot line of Lot 11 as extended; thence continue along and six feet each side of said centerline in a northwesterly direction and parallel to the southwestern lot lines of Lots 12 and 13 of said Block 1 of the Marks Addition to a point where the centerline of said alley intersects the southern margin of Buckeye Avenue, said point being the point of ending of the herein described property; *and*

WHEREAS, the City of Selma issued legal notice to consider the vacation of a portion the alley as described here-in-above more particularly described with a map of the same attached hereto as Exhibit "A" and incorporated herein by this reference, and set a public hearing thereon; and

WHEREAS, the City of Selma published legal notice of the proposed hearing on said vacation in the Selma Times-Journal once a week for four consecutive weeks, pursuant to Section 23-4-2 of the Code of Alabama; and

WHEREAS, the said legal notice fixed a time and place for hearing all persons interested in or objecting to the proposed vacation, to wit: On Tuesday, April 12, 2011, at 5 p.m. of said day, at City Hall in the Council Chambers located at 222 Broad Street, Selma, Alabama; and

WHEREAS, the City of Selma posted a copy of the notice of the proposed hearing on a bulletin board at the Dallas County courthouse, pursuant to Section 23-4-2 of the Code of Alabama; and

WHEREAS, the City of Selma served by U.S. mail a copy of the notice of the proposed hearing on all abutting and nearby landowners and entities known to have facilities or equipment within the public right-of-way of the streets, or portions thereof to be vacated as described here-in-above, hereto, which abutting landowners and entities are listed as follows: Alagasco, Alabama Power Company, Charter Communications, AT&T of Alabama, Selma Water Works and Sewer, all pursuant to Section 23-4-2 of the Code of Alabama; and

WHEREAS, the City Council of Selma has determined that a convenient means of ingress and egress is afforded to all other property owners in the area in which the

hereinabove described real estate is located by the remaining streets, alleys and avenues therein located.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City Council of Selma finds that it is in the best interest of the public that the public right-of-way which is described herein more particularly described with a map of the same attached hereto as Exhibit "A" and made a part hereof by reference thereto, should be and is vacated.

2. It is hereby assented to and approved by the Selma City Council that the alley lying within the heretofore described territory be and the same is hereby abandoned and vacated pursuant to and in accordance with Section 23-4-1 *et seq.* of the Code of Alabama.

3. That convenient and reasonable means of ingress and egress are afforded to all other property owners in the area in which the subject property is located, by remaining streets or alleys therein located; and, the vacation of the subject property will not interfere with the rights of the public.

4. That this Resolution shall become effective upon approval by the Selma City Council and publication in the Selma Times Journal.

5. The City Clerk is hereby directed to cause a certified copy of this resolution attested under seal of the City of Selma to be filed in the Probate Court of Dallas County and further have a copy of the same published in the Selma Times Journal within 14 days after passage.

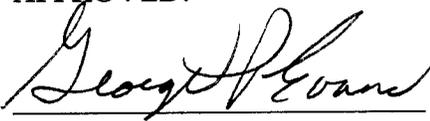
**ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELMA, ALABAMA,
on this the 12th day of April, 2011.**


COREY D. BOWIE, *President Pro Temp*

ATTEST:


IVY S. HARRISON, *City Clerk*

APPROVED:


GEORGE P. EVANS, *Mayor*

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