

RESOLUTION
R 177-10/11

A RESOLUTION ABANDONING A PORTION OF A SEWER EASEMENT
on certain property located in the vicinity of the "Woodland Heights Subdivision"

WHEREAS, the City of Selma desires to abandon a portion of a sewer easement heretofore dedicated to the City of Selma and more particularly described herein providing that such abandonment shall be only insofar as applicable to the public right, title and interest; *and*

WHEREAS, that portion of the hereinafter described sewer easement located within the city limits of the city of Selma is no longer needed or necessary for public use because said easement is being relocated and such portion should be abandoned so that the city will no longer have any responsibility for maintaining the same; *and*

WHEREAS, the governing body of the City of Selma has concluded that such portion of the hereinafter described sewer easement depicted on said plat attached hereto as "Exhibit A" is no longer needed or necessary for the public use and should be abandoned.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Selma, Alabama as follows:

SECTION 1. That the hereinafter described sewer easement located within the limits of the city of Selma, Alabama, be and the same is hereby abandoned, insofar as the right, title and interest of the public is concerned. That the portion of the sewer easement so abandoned is described as follows, to wit:

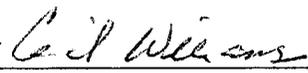
Commencing at the southwest corner of Lot 5, Block T, REVISION OF LOTS 22, 23 AND 24, OF BLOCK T, SOUTH SECTION, "WOODLAND HEIGHTS SUBDIVISION"; thence run S 89°00' E along the south line of said Lot 5 for 36.5 feet to the Point of Beginning of an easement, being 10 feet in width each side of the following described center line; thence run N 5°07' E for 113.5 feet to the Point of Ending of said Easement.

SECTION 2. That the abandonment provided for herein shall extend only to the public right, title and interest in and to said sewer easement above described, and shall be construed to extend only to that interest the governing body of the City of Selma may legally and lawfully abandon; and

SECTION 3. That the abandonment provided for herein shall be in favor of the property owner of Lot 5, respectively, and a certified copy of this Resolution shall be filed for record in the Deed Records of Dallas County, Alabama; and

SECTION 4. The fact that a portion of the sewer easement in Lot 5, Block T, of the Woodland Heights Subdivision of the City of Selma, Alabama, is being relocated and that the portion of the sewer easement as described herein is no longer needed or necessary for public use, should be abandoned so that the city will no longer have the responsibility for maintaining and the same creates an urgency and an emergency in the preservation of the public health, safety and welfare and requires that this resolution shall take effect immediately from and after its passage.

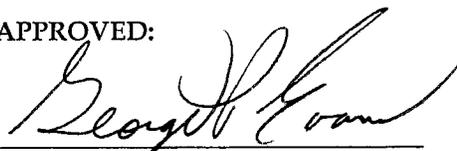
ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELMA, ALABAMA,
on this the 8th day of March, 2011.

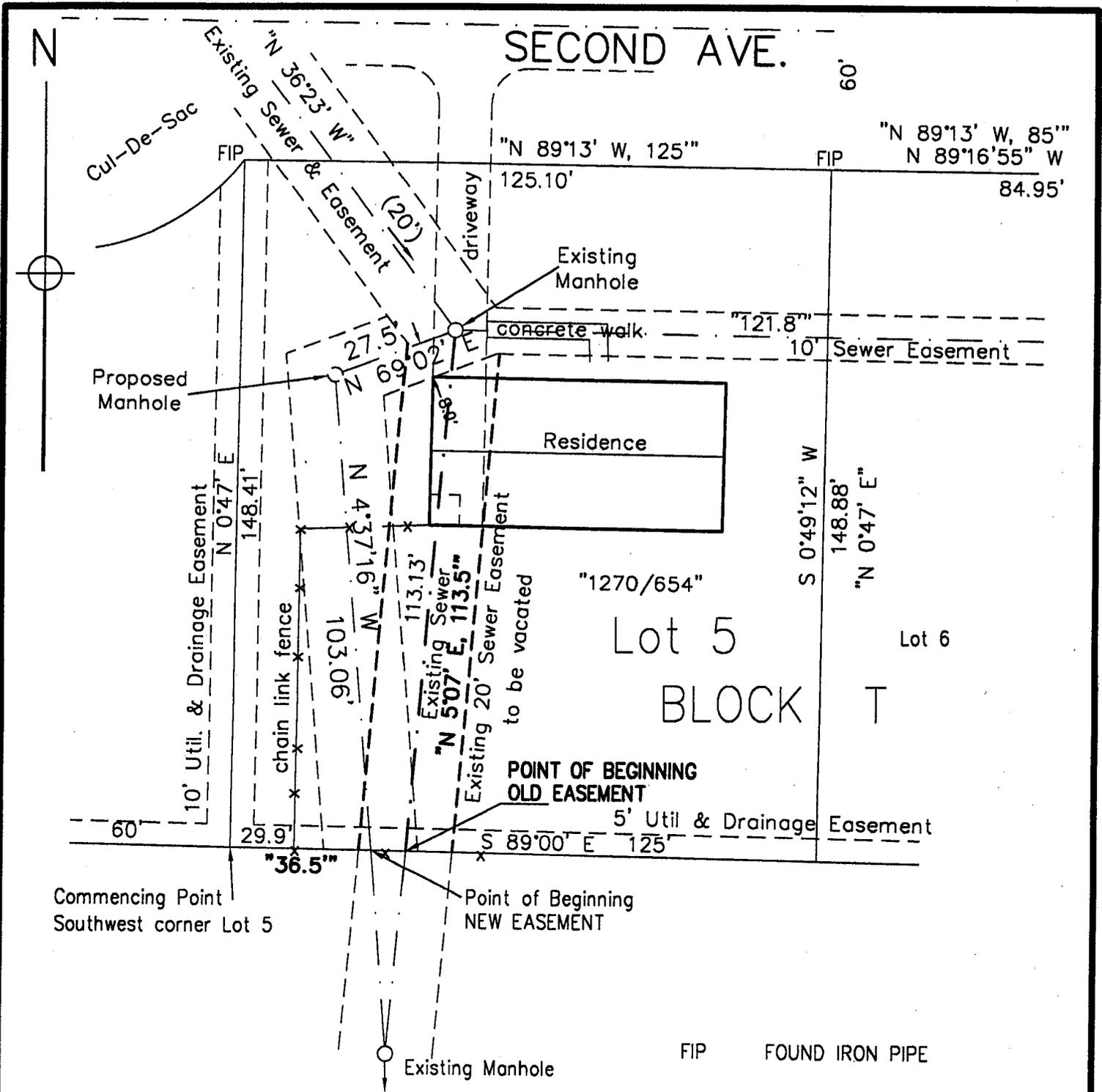

DR. CECIL WILLIAMSON, *President*

ATTEST:


IVY HARRISON, *City Clerk*

APPROVED:


GEORGE P. EVANS, *Mayor*



SURVEY OF SEWER EASEMENT TO BE ABANDONED FOR 304 & 306 SECOND AVE. SELMA, ALABAMA 36701

STATE OF ALABAMA
COUNTY OF DALLAS

TO ALL INTERESTED PARTIES:
SCALE: 1" = 30'

This is to state that on the 25th day of May, 2009, I, W.H. Sommerville, Jr., Alabama Registered No. 7526, Selma, Alabama, made an accurate survey which meets the requirements of the Standards Of Practice For Surveying in the State of Alabama to the best of my belief and knowledge of the following described Easement:

LEGAL DESCRIPTION OF SANITARY SEWER EASEMENT TO BE ABANDONED: Commencing at the southwest corner of Lot 5, Block T, REVISION OF LOTS 22, 23 AND 24, OF BLOCK T, SOUTH SECTION, "WOODLAND HEIGHTS SUBDIVISION"; thence run S 89°00' E along the south line of said Lot 5 for 36.5 feet to the Point of Beginning of an easement, being 10 feet in width each side of the following described center line; thence run N 5°07' E for 113.5 feet to the Point of Ending of said Easement.

GIVEN UNDER MY HAND AND SEAL, this the 12th day of June, 2009.

W.H. Sommerville, Jr.
W.H. Sommerville, Jr.
Alabama Registered No. 7526
P.O. Box 934 Selma, Alabama 36702-0934

