

COUNTY OF BALDWIN:

STATE OF ALABAMA:

**RESOLUTION NO. 2016-066**

**RESOLUTION OF THE COUNTY COMMISSION OF  
BALDWIN COUNTY, ALABAMA  
FOR THE VACATION OF A PORTION OF AN UNOPENED 30' RIGHT OF WAY  
SOUTH OF U.S. HIGHWAY 98**

**RECITALS:**

1. **Nathan J. Isbell, Ogburn Family Limited Partnership II, Rosemary H. Ogburn Family Limited Partnership and Michael Vo** (Collectively the "Petitioners") are the owners and holder of interest of the lands abutting a portion of an unopened 30' right of way south of U.S. Highway 98 more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 29, Township 7 South, Range 3 East, Baldwin County, Alabama; thence run southerly along the east line of said quarter a distance of 50 feet, more or less, to the south right of way line of U S Highway 98 for a point of beginning; thence continue southerly along said quarter a distance of 2,128 feet, more or less, to a point; thence run westerly a distance of 30 feet, more or less, to a point; thence run northerly a distance of 2,128 feet, more or less, to the south right of way line of U S Highway 98; thence run easterly along south right of way line for a distance of 30 feet, more or less, to the point of beginning.

2. The **Petitioners** have filed a **Petition** with the **County Commission of Baldwin County, Alabama** (the "**County Commission**") requesting that the **County Commission** adopt a resolution to vacate a portion of an unopened 30' right of way described in **Paragraph 1.** of this **Resolution**.
3. The **Petitioners**, pursuant to **Section 23-4-2, et. seq., Code of Alabama 1975** desire to vacate a portion of an unopened 30' right of way described in **Paragraph 1.** of this **Resolution**, and, pursuant to applicable law, destroy the force and effect of the dedication of a portion of an unopened 30' right of way described in **Paragraph 1.** of this **Resolution**, and to divest all public rights, including any and all rights which may have been acquired by prescription in and to a portion of an unopened 30' right of way described in **Paragraph 1.** of this **Resolution**.
4. The property described in **Paragraph 1.** of this **Resolution** is located within **Baldwin County, Alabama** and is not located within the municipal limits of any municipality.
5. It is in the interest of the public that a portion of an unopened 30' right of way described in **Paragraph 1.** of this **Resolution** be closed and vacated.

6. The vacation of the portion of an unopened 30' right of way described in **Paragraph 1.** of this **Resolution** shall not deprive other property owners of such rights as they may have to convenient and reasonable means of ingress and egress to and from their property.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF BALDWIN COUNTY, ALABAMA,** that the **County Commission** does assent to the vacation of a portion of an unopened 30' right of way described in **Paragraph 1.** of this **Resolution**, and the portion of an unopened 30' right of way described in **Paragraph 1.** of this **Resolution** is vacated and annulled and all public rights and easements therein divested of the lands described as a portion of an unopened 30' right of way described in **Paragraph 1.** of this **Resolution.**

The foregoing resolution was adopted and approved on the 17<sup>th</sup> day of May 2016, by the Baldwin County Commission.

Approved:

  
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J. TUCKER DORSEY, CHAIRMAN  
BALDWIN COUNTY COMMISSION

Attest:

  
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RONALD J. CINK, COUNTY ADMINISTRATOR  
BALDWIN COUNTY COMMISSION

