

COUNTY OF BALDWIN:

STATE OF ALABAMA:

RESOLUTION NO. 2018-084

RESOLUTION OF THE COUNTY COMMISSION OF
BALDWIN COUNTY, ALABAMA
FOR THE VACATION OF A PORTION OF FOX FORD ROAD

R E C I T A L S:

1. **Harold O. Elliott and Judy Elliott** (Collectively the "**Petitioners**") are the owners and holders of interest of the lands abutting Fox Ford Road more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of Section 30, Township 2 South, Range 4 East, thence run westerly a distance of 1520 feet, more or less, to the point of beginning of the right of way herein described; thence run northerly a distance of 30 feet, more or less, to a point on the north right of way line of Fox Ford Road; thence run westerly along the right of way a distance of 603 feet, more or less, to a point; thence run southerly a distance of 60 feet, more or less, to a point on the south right of way line; thence run easterly along the right of way a distance of 603 feet, more or less, to a point; thence run northerly a distance of 30 feet, more or less, to the Point of Beginning of the right of way herein to be vacated. Said right of way lying in the Southwest Quarter of the Southwest Quarter of Section 30, Township 2 South, Range 4 East and the Northwest Quarter of the Northwest Quarter of Section 31, Township 2 South, Range 4 East, Baldwin County, Alabama.

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 Fox Ford Road 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 Fox Ford Road described in **Paragraph 1.** of this **Resolution**, and, pursuant to applicable law, destroy the force and effect of the dedication of a portion of Fox Ford Road 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 Fox Ford Road 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 portion of Fox Ford Road described in **Paragraph 1.** of this **Resolution** be closed and vacated.

6. The vacation of a portion of Fox Ford Road 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, in accordance with **Section 23-4-2, et seq., and Section 23-4-20, et seq., Code of Alabama,** that the **County Commission** does assent to the vacation of a portion of Fox Ford Road described in **Paragraph 1.** of this **Resolution**, and portion of Fox Ford Road described in **Paragraph 1.** of this **Resolution** is vacated and annulled and all public rights and easements therein divested of the lands described as portion of Fox Ford Road described in **Paragraph 1.** of this **Resolution**.

The foregoing resolution was adopted and approved on the _____ day of _____ 2018, by the Baldwin County Commission.

Approved:

FRANK BURT, JR., CHAIRMAN
BALDWIN COUNTY COMMISSION

Attest:

RONALD J. CINK, COUNTY ADMINISTRATOR
BALDWIN COUNTY COMMISSION