

COUNTY OF BALDWIN

STATE OF ALABAMA

RESOLUTION NO. 2023-096

RESOLUTION OF THE COUNTY COMMISSION OF
BALDWIN COUNTY, ALABAMA
FOR THE VACATION OF A PORTION OF 40' BAYVIEW DRIVE RIGHT OF WAY

R E C I T A L S:

1. William R. Ross, Mary Ross, Dale Delarber, Christine Delarber, William Forehand, Margi Forehand, Marvin Bledsoe and Linda Bledsoe ("**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 that certain 40' Bayview Drive right of way, more particularly described as follows:

Commence at a (CA 1165) #4 rebar being the Southwest corner of Lot 3 of Hoover Subdivision as recorded in the Office of the Judge of Probate of Baldwin County, Alabama in Slide 120-A, being the Point of Beginning ; thence along the current North right of way of Bayview Drive N 81°42'37" E a distance of 97.21 feet to a (CA 1165) #4 rebar, being the Southeast corner of Lot 3 of the aforementioned Hoover Subdivision; thence S 00°00'43" E a distance of 40.42 feet to a ¾" crimp lying on the current South right of way of Bayview Drive and being the Northeast corner of Lot 35 of the aforementioned Hoover Subdivision; thence along said South right of way S 81°34'20" a distance of 98.69 feet to the Northwest corner of Lot 34 of the aforementioned Hoover Subdivision; thence N 01°59'08" E a distance of 40.89 feet to the Point of Beginning.

2. William R. Ross and Mary Ross are the owners of the land abutting the above described Right of Way. Dale Delarber and Christine Delarber are the owners of the land immediately East of William and Mary Ross and at the terminus of said right of way. William Forehand, Margi Forehand, Marvin Bledsoe, and Linda Bledsoe are the owners of the land immediately West of William and Mary Ross and abutting a portion of Bayview Drive that is not subject to the said petition or this resolution.
3. The **Petitioners**, pursuant to **Section 23-4-2, et. seq., Code of Alabama 1975**, desire to destroy the force and effect of the dedication of the Right of Way and divest all public rights, including any and all rights which may have been acquired by prescription in and to the Right of Way.
4. The Right of Way 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 the Right of Way be closed and vacated.

6. The vacation of the Right of Way does 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 the Right of Way described in **Paragraph 1** of this **Resolution** and, as such, the Right of Way is hereby vacated and annulled and all public rights and easements therein are divested.

The foregoing resolution was adopted and approved on the 16th day of May 2023, by the Baldwin County Commission.

Approved:

CHARLES F. GRUBER, CHAIRMAN
BALDWIN COUNTY COMMISSION

Attest:

ROGER H. RENDLEMAN, COUNTY ADMINISTRATOR
BALDWIN COUNTY COMMISSION