

COUNTY OF BALDWIN

STATE OF ALABAMA

RESOLUTION NO. 2021-048

**RESOLUTION OF THE COUNTY COMMISSION OF
BALDWIN COUNTY, ALABAMA
FOR THE VACATION OF A PORTION OF A 60 FOOT UNOPENED, UNIMPROVED
RIGHT OF WAY OFF KOIER ROAD**

R E C I T A L S:

1. Koier Family, LLC ("**Petitioner**") is the owner and holder of interest of the lands abutting a 60' unopened, unimproved right of way off Koier Road, more particularly described as follows:

Commencing at the southeast corner of the Southeast Quarter of the Northeast Quarter of Section 3, Township 6 South, Range 5 East; thence run westerly 60', more or less, to the point of beginning of the right of way herein to be vacated; thence run southwesterly and parallel to Koier Road a distance of 150', more or less, to a point on the south right of way line; thence run westerly along the south right of way line a distance 1130', more or less, to the west right of way line; thence run northwesterly a distance of 60', more or less, to the north right of way line; thence run easterly along the north right of way line a distance of 1265', more or less, to the point of beginning.

Meaning and intending to describe right of way lying in the Southeast Quarter of the Northeast Quarter and Northeast Quarter of the Southeast Quarter. Also intending to describe portion of right of way deeded to Baldwin County in Real Property Book 576, page 1695 and Real Property Book 758, page 1146, recorded in Baldwin County Probate, Baldwin County, Alabama. (hereafter referred to as the "Right of Way")

2. The **Petitioner** has filed a **Petition** with the **County Commission of Baldwin County, Alabama** (the "**County Commission**") requesting that the **County Commission** adopt a resolution to vacate the Right of Way.
3. The **Petitioner**, pursuant to **Section 23-4-2, et. seq., Code of Alabama 1975**, desires 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 _____ day of _____ 2021, by the Baldwin County Commission.

Approved:

JOE DAVIS, III, CHAIRMAN
BALDWIN COUNTY COMMISSION

Attest:

WAYNE DYESS, COUNTY ADMINISTRATOR
BALDWIN COUNTY COMMISSION