

COUNTY OF BALDWIN

STATE OF ALABAMA

RESOLUTION NO. 2024-152

RESOLUTION OF THE COUNTY COMMISSION OF  
BALDWIN COUNTY, ALABAMA  
FOR THE VACATION OF A 40 FOOT UNOPENED, UNIMPROVED RIGHT-OF-WAY  
KNOWN AS LINCOLN STREET

R E C I T A L S:

1. David Peleschak, Nicholas W. Manning, Maria Manning, Mickey D. Ezell, Betsy L. Dozier, Stephen Joseph Soto De Mayor, Phyllis Pace, Carole Jane Allen Austinson as the Personal Representative for the Estate of William Reid Allen, Jr., deceased, are the owners and holders of interest of the lands abutting a 40' unopened, unimproved right of way known as Lincoln Street, more particularly described as follows:

Beginning at the Northwest corner of Lot 137 of Oak River View Subdivision, as recorded in Map Book 1, page 40 aka Slide 20-B, Probate Records of Baldwin County, Alabama; thence northwesterly approximately 40 feet to a point at the southwest corner of Lot 139 also being the north right of way of Lincoln Street; thence Northeasterly approximately 947 feet to a point; thence southeasterly approximately 40 feet to the Northeast corner of Lot 133; thence southwesterly along the south right of way of Lincoln Street approximately 947 feet to the point of beginning and lying in Thomas Johnson Grant Section 37, Township 8 South, Range 4 East, Baldwin County, Alabama.

2. Janice L. Childress is the owner of the land at the terminus of the above described Right of Way. Together, she and David Peleschak, Nicholas W. Manning, Maria Manning, Mickey D. Ezell, Betsy L. Dozier, Stephen Joseph Soto De Mayor, Phyllis Pace, Carole Jane Allen Austinson as the Personal Representative for the Estate of William Reid Allen, Jr., deceased, are referred to herein as "**Petitioners**".
3. 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 the Right of Way.
4. 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.
5. The Right of Way is located within **Baldwin County, Alabama** and is not located within the municipal limits of any municipality.
6. It is in the interest of the public that the Right of Way be closed and vacated.

7. 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 \_\_\_\_\_ 2024, by the Baldwin County Commission.

**Approved:**

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BILLIE JO UNDERWOOD, CHAIRMAN  
BALDWIN COUNTY COMMISSION

**Attest:**

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ROGER H. RENDLEMAN, COUNTY ADMINISTRATOR  
BALDWIN COUNTY COMMISSION