

PETITION TO THE COUNTY COMMISSION
OF BALDWIN COUNTY, ALABAMA
FOR ASSENT TO VACATION OF PORTION OF
AVENUE A, AVENUE B, AVENUE C, AVENUE D, AVENUE E
AND ALL OF HIGHLAND WAY, FORT MORGAN, BALDWIN COUNTY, ALABAMA

STATE OF ALABAMA

COUNTY OF BALDWIN

COMES NOW the undersigned, being the owner of property which abuts that portion of Avenue A, Avenue B, Avenue C, Avenue D and Avenue E and all of Highland Way, Fort Morgan, Alabama (hereinafter the "Petitioner"), to respectfully request the County Commission of Baldwin County, Alabama (the "County Commission"), to adopt the attached resolution in order to vacate a portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way, Fort Morgan, Alabama described in this Petition. In support of this Petition, your Petitioner(s) shows as follows:

1. The Petitioner(s) owns property which abuts or touches that portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described as follows:

See Exhibit A attached hereto and made a part hereof

2. The Petitioner(s), pursuant to Ala. Code 1975, Section 23-4-20, desire to vacate that portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described in paragraph 1 of this Petition, and, pursuant to applicable law, destroy the force and effect of the prescriptive rights which may have accrued to Baldwin County on that portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described in paragraph 1 of this Petition and to divest all public rights, including any and all rights which may have been acquired by prescription in and to that portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described in paragraph 1 of this Petition.

3. The property described as that portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described in paragraph 1 of this Petition is located in Baldwin County, Alabama and is not located within the municipal limits of any municipality.

4. That portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described in paragraph 1 of this Petition is of no use to the public as a street.

5. That portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described in paragraph 1 of this Petition will not be maintained by Baldwin County, Alabama and will be maintained by the Owners.

6. It is in the interest of the public that the portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described in paragraph 1 of this Petition be closed and

vacated.

7. The vacation of that portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described in paragraph 1 of this Petition 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, the Petitioner(s), constituting the owner(s) of property which abuts or touches that portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described in paragraph 1 of this Petition, being desirous that that portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described in paragraph 1 of this Petition be vacated and annulled pursuant to the provisions and requirements of Ala. Code 1975, Section 23-4-20, do, by execution of this Petition respectfully request the County Commission of the County of Baldwin, Alabama, to consent to the vacation of that portion of Avenue A, Avenue B, Avenue C, Avenue D, Avenue E and all of Highland Way described in paragraph 1 of this Petition.

RESPECTFULLY SUBMITTED on this the 28th day of August, 2019.

[EXECUTION BEGINS ON FOLLOWING PAGE]

FEE SIMPLE OWNER:

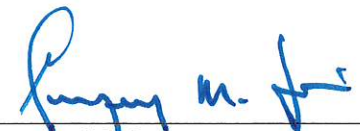
**Avenue A, Block 2 and 3, Gulf Highlands
Avenue A, Block 4, Gulf Highlands
Avenue B, Block 2 and 3, Gulf Highlands
Avenue B, Block 4, Gulf Highlands
Avenue C, Block 2 and 3, Gulf Highlands
Avenue C, Block 4, Gulf Highlands
Avenue D, Block 2 and 3, Gulf Highlands
Avenue D, Block 4, Gulf Highlands
Avenue E, Block 2 and 3, Gulf Highlands
Avenue E, Block 2 and 3, Gulf Highlands
Avenue E, Block 4, Gulf Highlands
Highland Way**

THE STATE OF ALABAMA DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES,
STATE PARKS DIVISION

RECOMMENDED:

By: 
Patricia McCurdy
Director State Lands Division

By: 
Christopher M. Blankenship
Commissioner

By: 
Gregory M. Lein
Director State Parks Division

STATE OF ALABAMA)

COUNTY OF

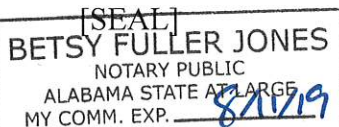
Montgomery

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Christopher M. Blankenship, whose name as Commissioner of The State of Alabama Department of Conservation and Natural Resources, State Parks Division, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal, this 18 day of June, 2019.

Betsy Fuller Jones
Notary Public

My Commission Expires: 8-11-19



STATE OF ALABAMA)

COUNTY OF

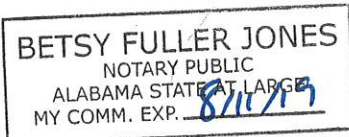
Montgomery
Hank Baskin

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Patricia McCurdy, whose name as Director State Lands Division of The State of Alabama Department of Conservation and Natural Resources, State Parks Division is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal, this 18 day of June, 2019.

Betsy Fuller Jones
Notary Public

My Commission Expires: 8/11/19



STATE OF ALABAMA)

COUNTY OF Montgomery)

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Gregory M. Lein, whose name as Director State Parks Division of The State of Alabama Department of Conservation and Natural Resources, State Parks Division is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal, this 18 day of June, 2019.

[SEAL]

BETSY FULLER JONES
NOTARY PUBLIC
ALABAMA STATE AT LARGE
MY COMM. EXP. 8-11-19

Betsy Fuller Jones
Notary Public

My Commission Expires: 8-11-19

Exhibit A
TRACT DESCRIPTION

DESCRIPTION OF STREETS TO BE VACATED

AVENUE "A", BLOCK 2 & 3

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2, GULF HIGHLANDS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 78-B IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°37'24" WEST A DISTANCE OF 1220.00 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 10, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN NORTH 00°22'36" EAST A DISTANCE OF 30.00 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 20, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN SOUTH 89°37'24" EAST A DISTANCE OF 1220.00 FEET TO A POINT AT THE SOUTHEAST CORNER OF LOT 11, BLOCK 2 OF SAID SUBDIVISION; THENCE RUN SOUTH 00°22'36" WEST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 0.84 ACRES, MORE OR LESS.

AVENUE "A", BLOCK 4

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 4, GULF HIGHLANDS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 78-B IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°37'24" WEST A DISTANCE OF 611.83 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 10, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN NORTH 00°12'57" EAST A DISTANCE OF 30.00 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 20, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN SOUTH 89°37'24" EAST A DISTANCE OF 611.92 FEET TO A POINT AT THE SOUTHEAST CORNER OF LOT 11, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN SOUTH 00°22'36" WEST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 0.42 ACRES, MORE OR LESS.

AVENUE "B", BLOCK 2 & 3

BEGINNING AT THE NORTHEAST CORNER OF LOT 21, BLOCK 2, GULF HIGHLANDS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 78-B IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°37'24" WEST A DISTANCE OF 1220.08 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 30, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN NORTH 00°22'36" EAST A DISTANCE OF 30.00 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 40, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN SOUTH 89°37'24" EAST A DISTANCE OF 1220.00 FEET TO A POINT AT THE SOUTHEAST CORNER OF LOT 31, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN SOUTH 00°12'57" WEST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 0.84 ACRES, MORE OR LESS.

AVENUE "B", BLOCK 4

BEGINNING AT THE NORTHEAST CORNER OF LOT 21, BLOCK 4, GULF HIGHLANDS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 78-B IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°37'24" WEST A DISTANCE OF 612.48 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 30, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN NORTH 00°12'57" EAST A DISTANCE OF 30.00 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 40, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN SOUTH 89°37'24" EAST A DISTANCE OF 612.56 FEET TO A POINT AT THE SOUTHEAST CORNER OF LOT 31, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN SOUTH 00°22'36" WEST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 0.42 ACRES, MORE OR LESS.

AVENUE "C", BLOCK 2 & 3

BEGINNING AT THE NORTHEAST CORNER OF LOT 42, BLOCK 2, GULF HIGHLANDS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 78-B IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°37'24" WEST A DISTANCE OF 1159.00 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 50, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN NORTH 00°22'36" EAST A DISTANCE OF 30.00 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 60, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN SOUTH 89°37'26" EAST A DISTANCE OF 1159.06 FEET TO A 3/4" CRIMPED TOP IRON PIPE AT THE SOUTHEAST CORNER OF LOT 52, BLOCK 2 OF SAID SUBDIVISION; THENCE RUN SOUTH 00°29'39" WEST A DISTANCE OF 30.01 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 0.80 ACRES, MORE OR LESS.

AVENUE "C", BLOCK 4

BEGINNING AT THE NORTHEAST CORNER OF LOT 41, BLOCK 4, GULF HIGHLANDS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 78-B IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°37'24" WEST A DISTANCE OF 613.12 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 50, BLOCK 4 OF SAID

SUBDIVISION; THENCE RUN NORTH 00°12'57" EAST A DISTANCE OF 30.00 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 60, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN SOUTH 89°37'24" EAST A DISTANCE OF 613.21 FEET TO A POINT AT THE SOUTHEAST CORNER OF LOT 51, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN SOUTH 00°22'36" WEST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 0.42 ACRES, MORE OR LESS.

AVENUE "D", BLOCK 2 & 3

BEGINNING AT THE NORTHEAST CORNER OF LOT 63, BLOCK 2, GULF HIGHLANDS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 78-B IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°37'24" WEST A DISTANCE OF 1098.00 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 70, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN NORTH 00°22'36" EAST A DISTANCE OF 30.00 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 80, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN SOUTH 89°37'13" EAST A DISTANCE OF 1098.16 FEET TO A 3/4" CRIMPED TOP IRON PIPE AT THE SOUTHEAST CORNER OF LOT 73, BLOCK 2 OF SAID SUBDIVISION; THENCE RUN SOUTH 00°40'30" WEST A DISTANCE OF 29.94 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 0.76 ACRES, MORE OR LESS.

AVENUE "D", BLOCK 4

BEGINNING AT THE NORTHEAST CORNER OF LOT 61, BLOCK 4, GULF HIGHLANDS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 78-B IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°37'24" WEST A DISTANCE OF 613.77 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 70, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN NORTH 00°12'57" EAST A DISTANCE OF 30.00 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 80, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN SOUTH 89°37'24" EAST A DISTANCE OF 613.85 FEET TO A POINT AT THE SOUTHEAST CORNER OF LOT 71, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN SOUTH 00°22'36" WEST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 0.42 ACRES, MORE OR LESS.

AVENUE "E", BLOCK 2 & 3

BEGINNING AT THE NORTHEAST CORNER OF LOT 81, BLOCK 2, GULF HIGHLANDS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 78-B IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°37'24" WEST A DISTANCE OF 1220.00 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 90, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN NORTH 00°22'36" EAST A DISTANCE OF 30.00 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 100, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN SOUTH 89°37'24" EAST A DISTANCE OF 1220.00 FEET TO A POINT AT THE SOUTHEAST CORNER OF LOT 91, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN SOUTH 00°22'36" WEST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 0.84 ACRES, MORE OR LESS.

AVENUE "E", BLOCK 4

BEGINNING AT THE NORTHEAST CORNER OF LOT 81, BLOCK 4, GULF HIGHLANDS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 78-B IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°37'24" WEST A DISTANCE OF 614.41 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 90, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN NORTH 00°12'57" EAST A DISTANCE OF 30.00 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 100, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN SOUTH 89°37'24" EAST A DISTANCE OF 614.50 FEET TO A POINT AT THE SOUTHEAST CORNER OF LOT 91, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN SOUTH 00°22'36" WEST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 0.42 ACRES, MORE OR LESS.

HIGHLAND WAY

BEGINNING AT A 1/2" IRON REBAR WITH CAP (CA#604) AT THE NORTHWEST CORNER OF LOT 110, BLOCK 3, GULF HIGHLANDS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 78-B IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°22'36" WEST A DISTANCE OF 1497.58 FEET TO A 1/2" IRON REBAR WITH CAP (CA#604) AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 3 OF SAID SUBDIVISION; THENCE RUN NORTH 89°37'24" WEST A DISTANCE OF 100.00 FEET TO A 1/2" IRON REBAR WITH CAP (CA#604) AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN NORTH 00°22'36" EAST A DISTANCE OF 1497.58 FEET TO A 1/2" IRON REBAR WITH CAP (CA#604) AT THE NORTHEAST CORNER OF LOT 101, BLOCK 4 OF SAID SUBDIVISION; THENCE RUN SOUTH 89°37'11" EAST A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 3.44 ACRES, MORE OR LESS.