

OFFICE OF THE CITY ENGINEER

ACTING CITY ENGINEER  
WENDY S. McBRIDE, PE

CITY OF TUSCALOOSA

WATER DISTRIBUTION ENGINEER  
KIMBERLY A. MICHAEL, PE

LAND SURVEYOR  
JEFFREY N. THOMPSON, PLS

WASTEWATER ENGINEER

2201 UNIVERSITY BLVD (35401)  
POST OFFICE BOX 2089 (35403)

TRANSPORTATION ENGINEER  
WENDY S. McBRIDE, PE

TUSCALOOSA, AL  
PHONE NO. (205) 248-5380  
FAX NO. (205)248-5798

STORM DRAINAGE ENGINEER  
JOSHUA D. YATES, CFM

www.tuscaloosa.com



WALTER MADDOX  
Mayor

M-E-M-O-R-A-N-D-U-M *WJM*

May 26, 2016

TO: Tom Bobbitt, OCA  
Philip O'Leary, PDS

RE: A Portion of a 10 Foot Alley Abutting Lots 1-6, Resurvey of Lots 471-474 Original City Survey (A16-0406)

I am attaching copies of the Declaration of Vacation and comments received on the proposed vacation of the above referenced project. The Office of the City Engineer has no objections to the proposed vacation.

Please place this on the agenda for the next meeting.

CITY COUNCIL						
Phyllis W. Odum <i>District 1</i>	Harrison Taylor <i>President Pro-Tem District 2</i>	Cynthia Lee Almond <i>District 3</i>	Matthew Calderone <i>District 4</i>	Kip Tyner <i>District 5</i>	Eddie Pugh <i>District 6</i>	Sonya McKinstry <i>District 7</i>

**LOCATION:** A portion of a 10' Alley Abutting Lots 1-6, Resurvey of Lots 471-474  
Original City Survey (A16-0406)

**AGENCIES CONTACTED**

**WATER DISTRIBUTION** Ok  
\_\_\_\_\_  
\_\_\_\_\_

**SANITARY SEWER** Ok  
\_\_\_\_\_  
\_\_\_\_\_

**TRAFFIC ENGINEER** Ok  
\_\_\_\_\_  
\_\_\_\_\_

**STORM DRAINAGE** Ok  
\_\_\_\_\_  
\_\_\_\_\_

**TDOT DIRECTOR** Ok  
\_\_\_\_\_  
\_\_\_\_\_

**ALABAMA POWER** Please See Attached.  
\_\_\_\_\_  
\_\_\_\_\_

**ALAGASCO** Alagasco has no known utilites.  
\_\_\_\_\_  
\_\_\_\_\_

**TELEPHONE (AT & T)** AT & T does have facilities within the City ROW that need to remain.  
\_\_\_\_\_  
\_\_\_\_\_

**CABLE TV** No Comments  
\_\_\_\_\_  
\_\_\_\_\_

The above has been reviewed by the Director of the Office of  
the City Engineer

*WMBride*

Wendy McBride, PE - Acting City Engineer

**Missy White**

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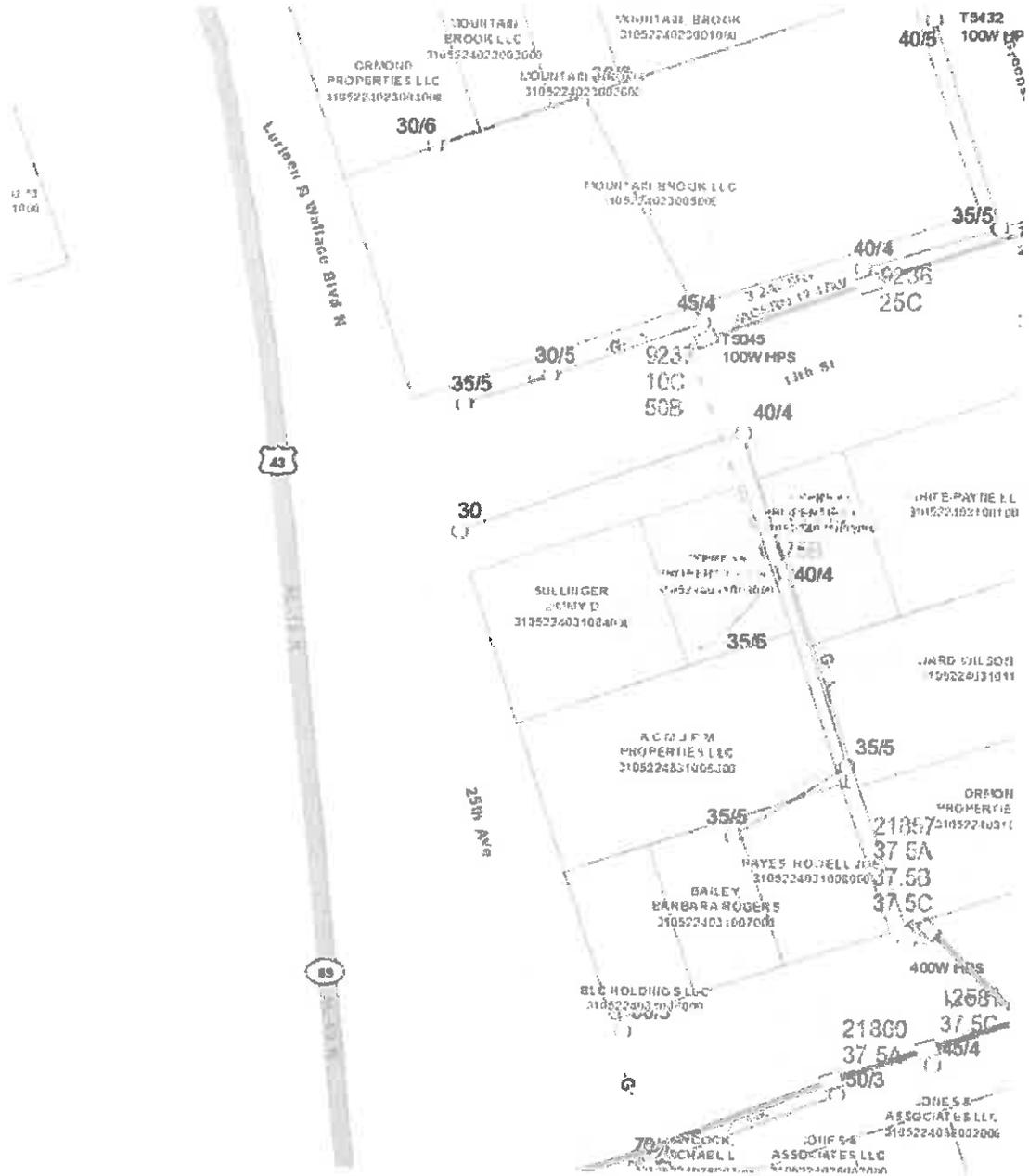
**From:** Durham, Carlette L <CLDURHAM@southernco.com>  
**Sent:** Tuesday, May 24, 2016 9:26 AM  
**To:** Missy White  
**Cc:** Durham, Carlette L  
**Subject:** CITY OF TUSCALOOSA | Street Vacation Request (Cypress Properties LLC)  
**Attachments:** Sscanner16051212510.pdf

Missy,

**RE: A Portion of a 10' Alley Abutting Lots 1 – 6, Resurvey of Lots 471 – 474 Original City Survey (A16-0406)**

Alabama Power Company (the "Company") hereby consents to the requested street vacation provided that the resolution and any conveyance, release or vacation documents shall comply with Ala. Code § 23-4-2 (1975), reserve unto said Company the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred, including an easement area of no less than fifteen (15) feet on all sides of overhead electric facilities, plus anchors, and five (5) feet on all sides of underground electric facilities, and all other rights, title and interests held by the Company with respect to the area to be vacated under any statute or other law or under any other conveyance or agreement, whether recorded or unrecorded, including without limitation all the rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment and facilities now or hereafter located within or adjacent to the area to be vacated; and the right of ingress and egress to and from said lines, equipment and facilities; and the right to cut and/or trim trees or limbs which, in the sole opinion of said Company, would interfere with said lines, equipment and facilities; and the right to prohibit use of the area vacated in a manner which violates the National Electric Safety Code.

NOTE: APC does have existing facilities located in this alleyway serving existing customers as shown on the map below. APC will need to maintain right-of-way.



**From:** Missy White [mailto:mwhite@tuscaloosa.com]  
**Sent:** Thursday, May 12, 2016 1:46 PM  
**To:** Wendy McBride; Kimberly Michael; Selvin Greene; Josh D. Yates; Tera Tubbs; Thomas Bobitt; Durham, Carlette L.; john.price@alagasco.com; RL4533@att.com; daniel\_holt@cable.comcast.com  
**Subject:** Vacation

This instrument prepared by:	
NAME: Thomas D. Bobitt, II	
Sr. Associate City Attorney	
ADDRESS: P.O. Box 2089	
Tuscaloosa, Alabama 35403	
SOURCE OF TITLE: DEED	
BOOK: 2012	PAGE: 5252
BOOK: 2013	PAGE: 17741

STATE OF ALABAMA    )  
   )  
 TUSCALOOSA COUNTY )

DECLARATION OF VACATION OF A ALLEY

KNOW ALL MEN BY THESE PRESENTS, that Cypress Properties, LLC is the owner of all the land abutting an alley, which is hereinafter more particularly described, and which street said owner desires to vacate as provided in Ala. Code §23-4-2 (1975). The vacation of said alley as hereinafter described will not deprive other property owners of reasonable means of ingress and egress to and from their property nor will it adversely affect the interest of the general public in any way.

NOW, THEREFORE, pursuant to the provisions of Ala. Code §23-4-2 (1975), the undersigned owner does hereby declare the following described alley located in the City of Tuscaloosa, Tuscaloosa County, Alabama, to be vacated abutting the following property to wit:

A portion of a 10 Foot Alley abutting Lots 1 and 6 of the Resurvey of Lots 471 through 474 of the Original City Survey, a map or plat of which is recorded in Plat Book 3 at Page 76 in the Probate Office of Tuscaloosa County, Alabama being 88 feet in length.

See Exhibit "A" attached hereto and made a part hereof

The said alley to be vacated is within the limits of the City of Tuscaloosa and assent to the vacation of said street will be obtained from the City Council, a copy of which, certified by the City Clerk, will be attached hereto and will be filed and recorded with this written Declaration of Vacation and will be made a part hereof.

IN WITNESS WHEREOF, the said Cypress Properties, LLC by and through its manager has set his hand and seal hereto this 10<sup>th</sup> day of May, 2016.

CYPRESS PROPERTIES, LLC

  
 \_\_\_\_\_  
 Wendall Barton, Manager

STATE OF ALABAMA    )

TUSCALOOSA COUNTY   )

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Wendall Barton, whose name as manager of Cypress Properties, LLC, 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 within instrument, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 10<sup>th</sup> day of May, 2016.

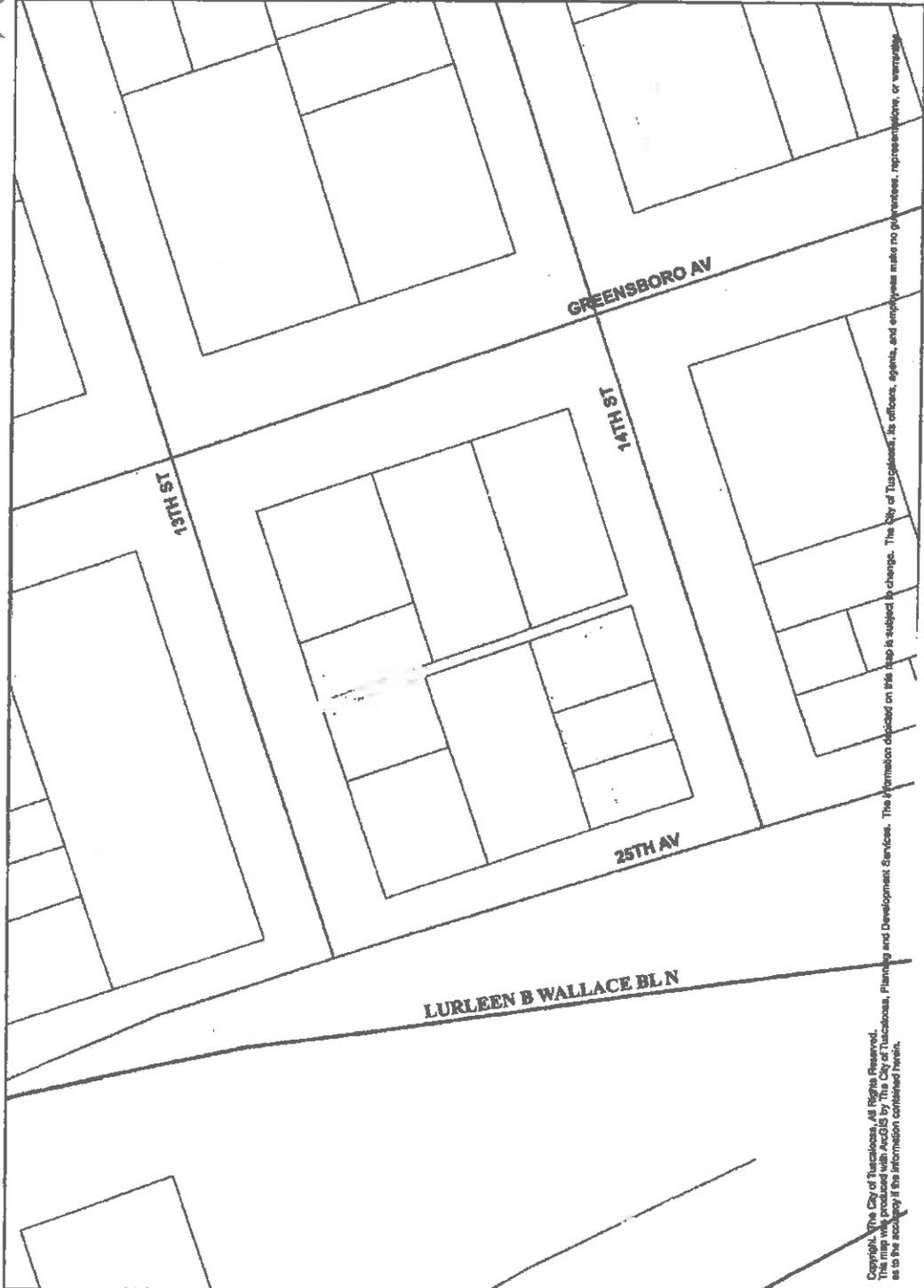
  
\_\_\_\_\_  
James L. Duncan, Jr.

M.C.E. 10-30-17

# EXHIBIT "A"



1 inch = 100 feet



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V-02-16



1 inch = 200 feet

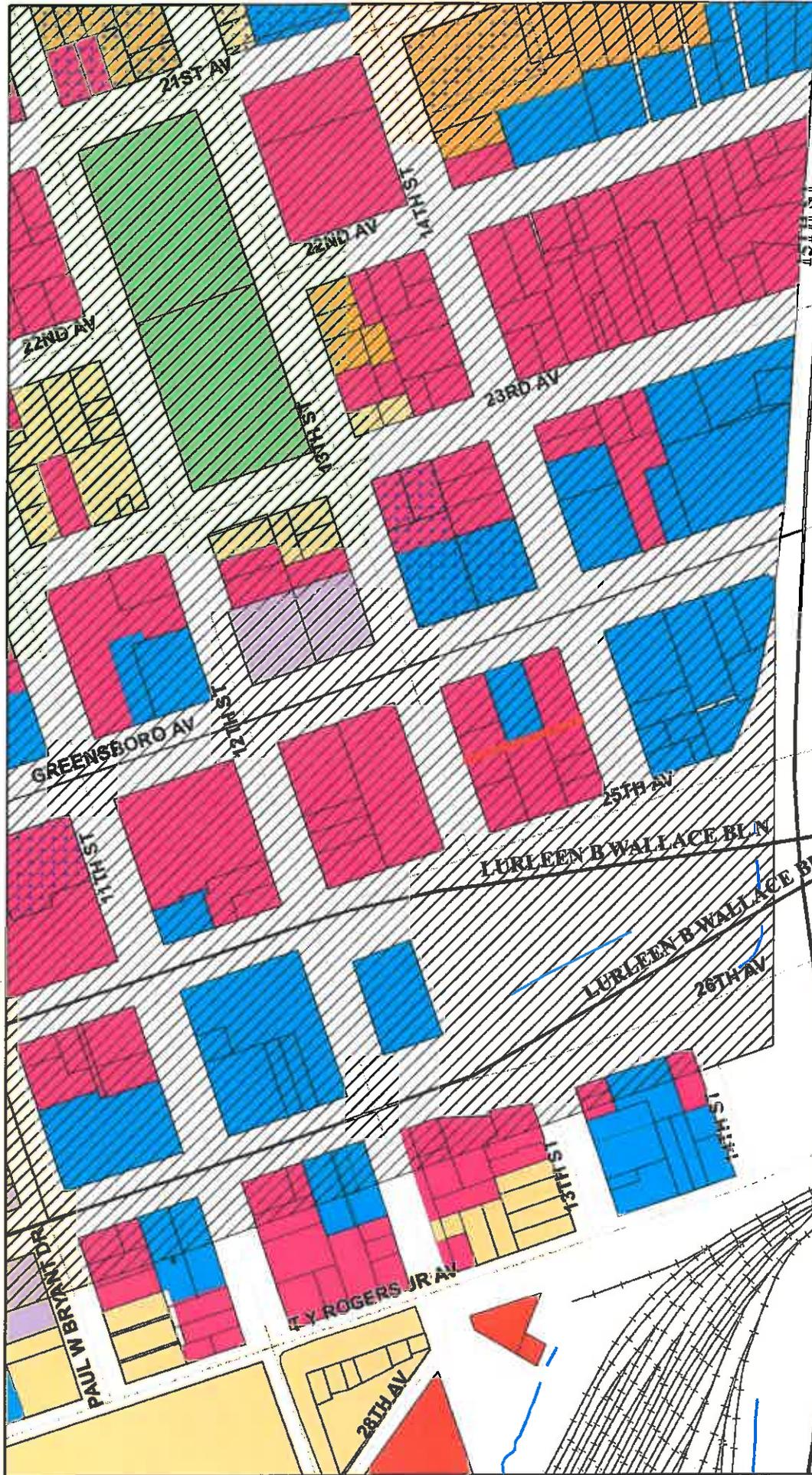


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V-02-16

1 inch = 300 feet



	<b>ZONE</b>		<b>I</b>		<b>BGO</b>		<b>I Historic</b>
	<b>Downtown-Riverfront OD</b>		<b>RMF-1</b>		<b>BN University</b>		<b>RD</b>
	<b>Estate Lot Conservation OD</b>		<b>RMF-2</b>		<b>BN Historic</b>		<b>RD Historic</b>
	<b>Parking Limited Overlay</b>		<b>RMF-2 Historic</b>		<b>BN Historic</b>		
	<b>R-1</b>		<b>RMF-2 University</b>		<b>BN Historic</b>		
			<b>RMF-2U Buffer</b>		<b>BN University</b>		
			<b>R-3 Historic</b>		<b>BN University</b>		
			<b>R-4</b>		<b>BN University</b>		
			<b>R-4 Buffer</b>		<b>BN University</b>		
			<b>R-4 Historic</b>		<b>BN University</b>		
			<b>R-4S</b>		<b>BN University</b>		
			<b>R-1 Historic</b>		<b>BN University</b>		
			<b>R-2</b>		<b>BN University</b>		
			<b>R-2 Historic</b>		<b>BN University</b>		
			<b>R-3</b>		<b>BN University</b>		
			<b>R-3 Buffer</b>		<b>BN University</b>		
			<b>RM-3</b>		<b>BN University</b>		
			<b>RM-4</b>		<b>BN University</b>		
			<b>RMH</b>		<b>BN University</b>		
			<b>MX-3</b>		<b>BN University</b>		
			<b>MX-6</b>		<b>BN University</b>		
			<b>BN Historic</b>		<b>BN University</b>		
			<b>BNS</b>		<b>BN University</b>		
			<b>BC Historic</b>		<b>BN University</b>		
			<b>BH</b>		<b>BN University</b>		
			<b>BN Buffer</b>		<b>BN University</b>		
			<b>BN Historic</b>		<b>BN University</b>		
			<b>BC</b>		<b>BN University</b>		
			<b>ML</b>		<b>BN University</b>		
			<b>MG</b>		<b>BN University</b>		
			<b>MH</b>		<b>BN University</b>		

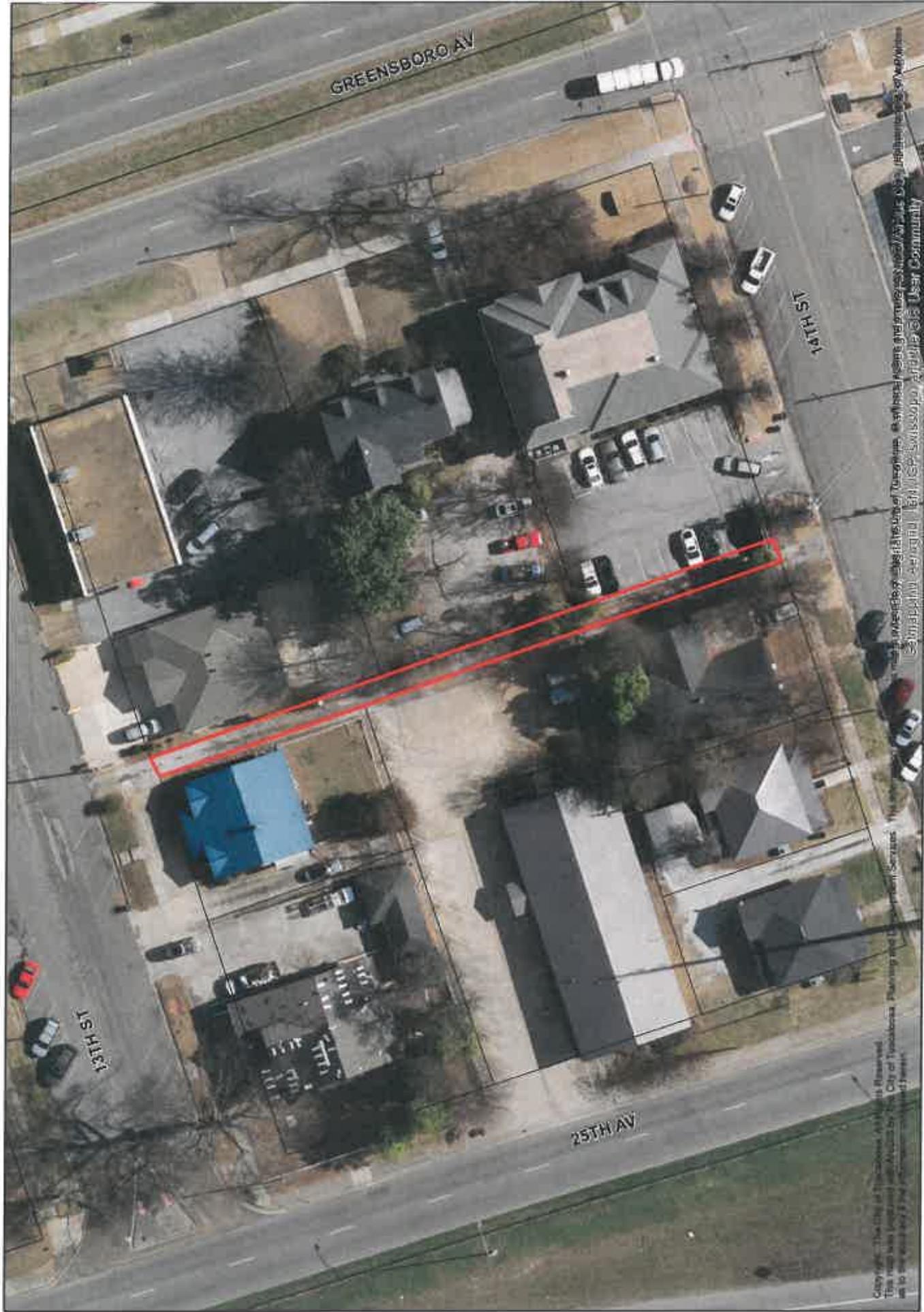
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V-02-16



1 inch = 50 feet



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