

February 28, 2024

To Whom it may concern,

Re: Vacate Drainage & Utility Easement

PUBLIC HEARING NOTICE: The Morgan County Commission has set a public hearing for March 26, 2024 at 9:00 A.M. in the Commission Boardroom on the 5th floor of the Morgan County Courthouse concerning the vacation of a portions of the Drainage & Utility Easements between Tracts 1 & 4 and between Tracts 2 & 3 as recorded on the Borden Subdivision plat in the Morgan County Probate Office Plat Book 2023 at Page 22, Morgan County, AL. A sketch of the areas to be vacated is attached and is available on Morgan County's website at <https://morgancounty-al.gov/departments-services/engineers-office/>

Any citizen or utility alleging to be affected by the aforesaid vacation may submit a written objection to the Commission, via the County Engineer, and/or may be present at the public hearing to voice their concerns. Written comments must be received at the following address no later than 4:00 p.m., March 25, 2024:

Greg J. Bodley
Morgan County Engineer
580 Shull Road N.E.
Hartselle, Alabama, 35640.

This action, if approved, will divest the aforesaid Drainage & Utility Easement from public use. If additional information is needed, please contact the Morgan County Engineering Department at 256.773.5297

Sincerely,

Greg J. Bodley
Morgan County Engineer

Enclosure

RESOLUTION 24-183

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby accept a petition to vacate from the adjoining property owners, to vacate portions of the Drainage & Utility Easements between Tracts 1 & 4 and between Tracts 2 & 3 as recorded on the Borden Subdivision plat, District 4, in the Morgan County Probate Office Plat Book 2023 at Page 22, Morgan County, AL, and set a public hearing to be held during the work session of the regularly scheduled Commission Meeting at 9:00 a.m., on March 26, 2024, this the 27th day of February 2024.

COUNTY OF MORGAN
STATE OF ALABAMA

PETITION TO VACATE

KNOW ALL MEN BE THESE PRESENTS, that Edgar F. Borden and Danny Lee Napper, being the owners of all lands abutting that portion of the easement/right-of-way/roadway hereinafter described, do hereby petition the Morgan County Commission, the governing body of Morgan County, being a subdivision of the State of Alabama, to declare vacated and divested out of the public that portion of said easement/right-of-way/roadway described as follows:

A 10' wide Utility & Drainage Easement, being 5' on either side of the following described centerline:

Beginning at the Southeast corner of Tract 2 of Borden Subdivision, as recorded in Plat Book 2023 Page 22 as recorded in the Office of the Judge of Probate, Morgan County, Alabama;

Thence from the Point of Beginning, North 01° 20' 11" East a distance of 366.68' to an iron pin set, said iron pin being the end of the aforementioned Utility & Drainage Easement.

IN WITNESS WHEREOF, the said undersigned have hereunto set their hands and seals, on the date as shown.



Edgar F. Borden _____ Date 2-5-24


Danny Lee Napper _____ Date 2-5-24

STATE OF ALABAMA
COUNTY OF MORGAN

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that EDGAR F. BORDEN, whose name(s) are signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being informed of the contents of said instrument, they executed the same voluntarily on the day same bears date.

GIVEN under my hand and seal on this the 5 day of February, 2024

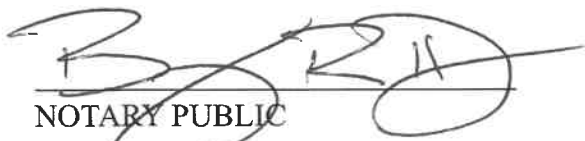

NOTARY PUBLIC
My commission expires: 5-18-24



STATE OF Alabama
COUNTY OF Marshall

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that DANNY LEE NAPPER, whose name(s) are signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being informed of the contents of said instrument, they executed the same voluntarily on the day same bears date.

GIVEN under my hand and seal on this the 5 day of February, 2024


NOTARY PUBLIC
My commission expires: _____



COUNTY OF MORGAN
STATE OF ALABAMA

PETITION TO VACATE

KNOW ALL MEN BE THESE PRESENTS, that Edgar F. Borden, Brandon P. Erickson, and Rilee E. Erickson, being the owners of all lands abutting that portion of the easement/right-of-way/roadway hereinafter described, do hereby petition the Morgan County Commission, the governing body of Morgan County, being a subdivision of the State of Alabama, to declare vacated and divested out of the public that portion of said easement/right-of-way/roadway described as follows:

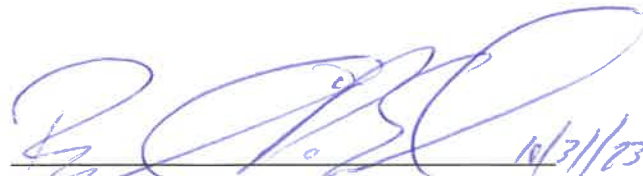
A 10' wide Utility & Drainage Easement, being 5' on either side of the following described centerline:


Beginning at the Southeast corner of Tract 1 of Borden Subdivision, as recorded in Plat Book 2023 Page 22 as recorded in the Office of the Judge of Probate, Morgan County, Alabama;

Thence from the Point of Beginning, North 03° 59' 25" East a distance of 598.43' to an iron pin set, said iron pin being the end of the aforementioned Utility & Drainage Easement.

IN WITNESS WHEREOF, the said undersigned have hereunto set their hands and seals, on the date as shown.


Edgar F. Borden Date 10/31/23


Brandon P. Erickson Date 10/31/23


Rilee E. Erickson Date 10/31/23

STATE OF ALABAMA
COUNTY OF MORGAN

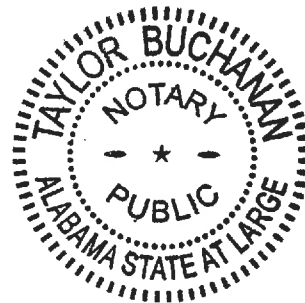
I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that EDGAR F. BORDEN, whose name(s) are signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being informed of the contents of said instrument, they executed the same voluntarily on the day same bears date.

GIVEN under my hand and seal on this the 31 day of October, 2023.



NOTARY PUBLIC

My commission expires: ~~10/31/2023~~ 11/03/2026



STATE OF ALABAMA
COUNTY OF MORGAN

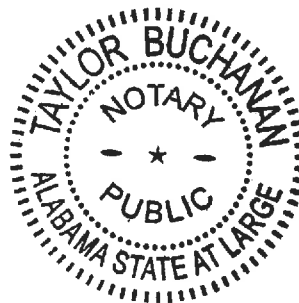
I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that BRANDON P. ERICKSON, whose name(s) are signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being informed of the contents of said instrument, they executed the same voluntarily on the day same bears date.

GIVEN under my hand and seal on this the 31 day of October, 2023.



NOTARY PUBLIC

My commission expires: 11/03/2026



STATE OF ALABAMA

COUNTY OF MORGAN

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that RILEE E. ERICKSON, whose name(s) are signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being informed of the contents of said instrument, they executed the same voluntarily on the day same bears date.

GIVEN under my hand and seal on this the 31 day of October, 2023

Taylor Buchanan

NOTARY PUBLIC

My commission expires: 11/03/2026

