



July 21, 2025

**To: City of Tuscaloosa Planning and Zoning Commission
City of Tuscaloosa City Council**

**Re: Part 12 foot alley abutting Lots 8-19 Block 2
Warrior Heights Subdivision
OCA-25-0890**

Attached are copies of the Declaration of Vacation and comments received on the proposed vacation of the above referenced project. Please review all comments received by my office from surrounding utility companies as well as pertinent city departments.

Pursuant to section 21-181 of the City of Tuscaloosa Code of Ordinances, the Office of the City Engineer is providing submitted written comments and objections for your consideration.

A handwritten signature in blue ink that reads 'M. Gardiner'.

**Michael Gardiner, PE/PLS
City Engineer**

**Cc. Tom Bobitt, Deputy City Attorney
Zach Ponds, Associate Director of Planning**



2201 University Blvd.
Tuscaloosa, AL 35401

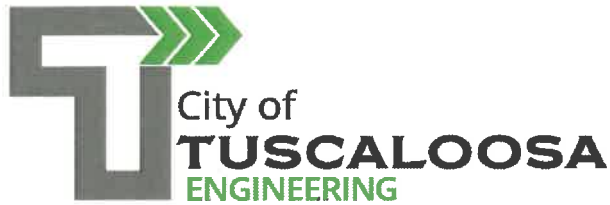


205-248-5380



@TuscaloosaCity

www.tuscaloosa.com



LOCATION:

AGENCIES CONTACTED

Environmental Services Department (ESD)	No issue with this request.
Tuscaloosa Police Department (TPD)	No comment received.
Tuscaloosa Fire & Rescue Service (TFRS)	No comment.
Planning and Urban Development (UD)	No issues from Planning. / B&I >> OK
Office of the City Engineer (OCE)	OCE okay with vacation request.
ALABAMA POWER	See attached for a no objections letter for the 6th Ave NE alley vacation.
AT&T	AT&T has no major conflicts with this work. There are service drops going through the area but they would only serve the surrounding properties.
COMCAST	Should be no conflicts unless APCO moves their pole line..
SPIRE	No comment received.

Pursuant to section 21-182 of the code of ordinances the office of the city engineer is providing any written comments and objections for consideration.

July 2, 2025

Cliff Anderson
City Engineer
City of Tuscaloosa
2201 University Blvd.
Tuscaloosa, AL 35401

Proposed vacation of public right of way, as shown in *DECLARATION OF VACATION OF AN ALLEY* dated July 1, 2025, and shown on Exhibit "A" attached hereto and made a part hereof.

Dear Mr. Anderson:

Pursuant to Code of Alabama, Title 23-4-2, Alabama Power Company (the "Company") hereby consents to the requested vacation provided that the resolution and any conveyance, release or vacation documents shall 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 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.

The total right of way for APC is 30 feet total, 15 feet on both sides of center line, plus anchors, for any overhead lines, and 10 feet total, 5 feet on both sides of center line, for any underground facilities that may be in place, within this easement area.

Should the need arise for the company to extend additional facilities from any existing lines, Alabama Power Company will acquire the necessary rights of way from the owner of record date.

I trust this letter is sufficient for your needs but if not, please call me at (205)226-1959.

Sincerely,



Jeff Callicott
Corporate Real Estate

This instrument prepared by:
NAME: James Duncan, Jr., PE/PLS
Duncan Coker Associates, P.C.
ADDRESS: 201 Towncenter Boulevard
Tuscaloosa, AL 35406

SOURCE OF TITLE: DEED BOOK 1121 PAGE 660
DEED BOOK 2017 PAGE 12581
DEED BOOK 1181 PAGE 236
DEED BOOK 2017 PAGE 9824
DEED BOOK 1197 PAGE 46
DEED BOOK 1122 PAGE 494
DEED BOOK 1997 PAGE 6570

STATE OF ALABAMA)
)
TUSCALOOSA COUNTY)

DECLARATION OF VACATION OF AN ALLEY

KNOW ALL MEN BY THESE PRESENTS, that Gordon Miller, Jr., a married man, is the owner of all the land abutting an alley, which is hereinafter more particularly described, and which alley said owner desires to vacate as provided in Ala. Code §23-4-20 (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 §23-4-20 (1975), the undersigned owner does hereby declare the following described alley located in the City of Tuscaloosa, Tuscaloosa County, Alabama, to be vacated:

Property Description

Proposed Alley Vacation

Part of Warrior Heights, Block 2

Plat Book 3 Page 10

Tuscaloosa County, Alabama

A 12' wide public alley portion within Block 2 of Warrior Heights, as recorded in Plat Book 3 at Page 10 in the Probate Records of Tuscaloosa County, Alabama, said alley portion being more particularly described as follows:

As a POINT OF BEGINNING, start at the Northwest corner of Lot 14 Block 2 of said Warrior Heights, said point also lying on the Eastern margin of 6th Avenue NE and the Southern margin of a 12' wide public alley; thence run in a Northeasterly direction and along the Southern margin

of the aforementioned public alley and along the Northern boundary of said Lot 14 and a projection thereof for a distance of 180.00' to the Northeast corner of Lot 19 Block 2 of said Warrior Heights; thence run in a Northerly direction and along a projection of the Eastern boundary of said Lot 19 to a point on the Northern margin of said alley, said point also being the Southeast corner of Lot 8 Block 2 of said Warrior Heights; thence run in a Southwesterly direction and along the Northern margin of said alley, and along the Southern boundary of said Lot 8 and a projection thereof for a distance of 180.00' to the Southwest corner of Lot 13 Block 2 of said Warrior Heights, said point lying on the Eastern margin of 6th Avenue NE; thence run in a Southerly direction and along a projection of the Western boundary of said Lot 13 to the POINT OF BEGINNING of the alley portion herein described. Said alley portion containing 0.05 acres, more or less.

The said alley to be vacated is within the limits of the City of Tuscaloosa and assent to the vacation of said alley 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 Gordon Miller, Jr. has set their hands and seals hereto this 18 day of JUNE, 2025



Gordon Miller, Jr.

STATE OF ALABAMA)
COUNTY OF TUSCALOOSA)

I, Victoria S. Pendley, a Notary Public in and for said State at Large, hereby certify that Gordon Miller, Jr. is signed to the foregoing document, and,

- ☒ Who is known to me, or
☐ Whose identity I proved on the basis of _____, or
☐ Whose identity I proved on the oath/affirmation of _____, a creditable witness to the signer of the above document

and that being informed of the contents of the document, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 18th day of June, 2025

Victoria S. Pendley
Notary Public.

My Commission Expires:

Oct. 28, 2026

EXHIBIT " "

Property Description
Proposed Alley Vacation
Part of Warrior Heights, Block 2
Plat Book 3 Page 10
Tuscaloosa County, Alabama

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As a POINT OF BEGINNING, start at the Northwest corner of Lot 14 Block 2 of said Warrior Heights, said point also lying on the Eastern margin of 6th Avenue NE and the Southern margin of a 12' wide public alley; thence run in a Northeasterly direction and along the Southern margin of the aforementioned public alley and along the Northern boundary of said Lot 14 and a projection thereof for a distance of 180.00' to the Northeast corner of Lot 19 Block 2 of said Warrior Heights; thence run in a Northerly direction and along a projection of the Eastern boundary of said Lot 19 to a point on the Northern margin of said alley, said point also being the Southeast corner of Lot 8 Block 2 of said Warrior Heights; thence run in a Southwesterly direction and along the Northern margin of said alley, and along the Southern boundary of said Lot 8 and a projection thereof for a distance of 180.00' to the Southwest corner of Lot 13 Block 2 of said Warrior Heights, said point lying on the Eastern margin of 6th Avenue NE; thence run in a Southerly direction and along a projection of the Western boundary of said Lot 13 to the POINT OF BEGINNING of the alley portion herein described. Said alley portion containing 0.05 acres, more or less.

TO WHOM IT MAY CONCERN:

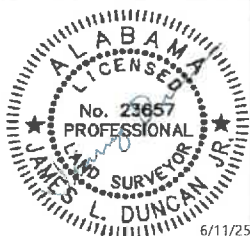
I, James L. Duncan, Jr., a Licensed Professional Land Surveyor in the State of Alabama of the firm of Duncan Coker Associates, P.C., Tuscaloosa, Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Witness my hand this the 11th day of June, 2025.



James L. Duncan, Jr., PE/PLS
Licensed Professional Land Surveyor
Alabama License No. 23657

This survey has been prepared without the benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.



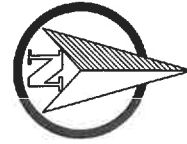
DC
DUNCAN COKER
ASSOCIATES

CIVIL ENGINEERING • SURVEYING • PLANNING
201 TOWNCENTER BOULEVARD
TUSCALOOSA, AL 35406
205-561-0808
WWW.DUNCANCOKER.COM

SHEET TITLE
"6th AVENUE NE SITE"
WARRIOR HEIGHTS SUBDIVISION
PLAT BOOK 3, PAGE 10
TUSCALOOSA COUNTY, ALABAMA

NO.	DATE	DESCRIPTION
DATE: 6-11-25	CHECKED BY: R W M	DRAWN BY: W T B
FILENAME: Nixon-Alley Vacate	PROJECT NUMBER: 25-103	Sh. No. C1.0

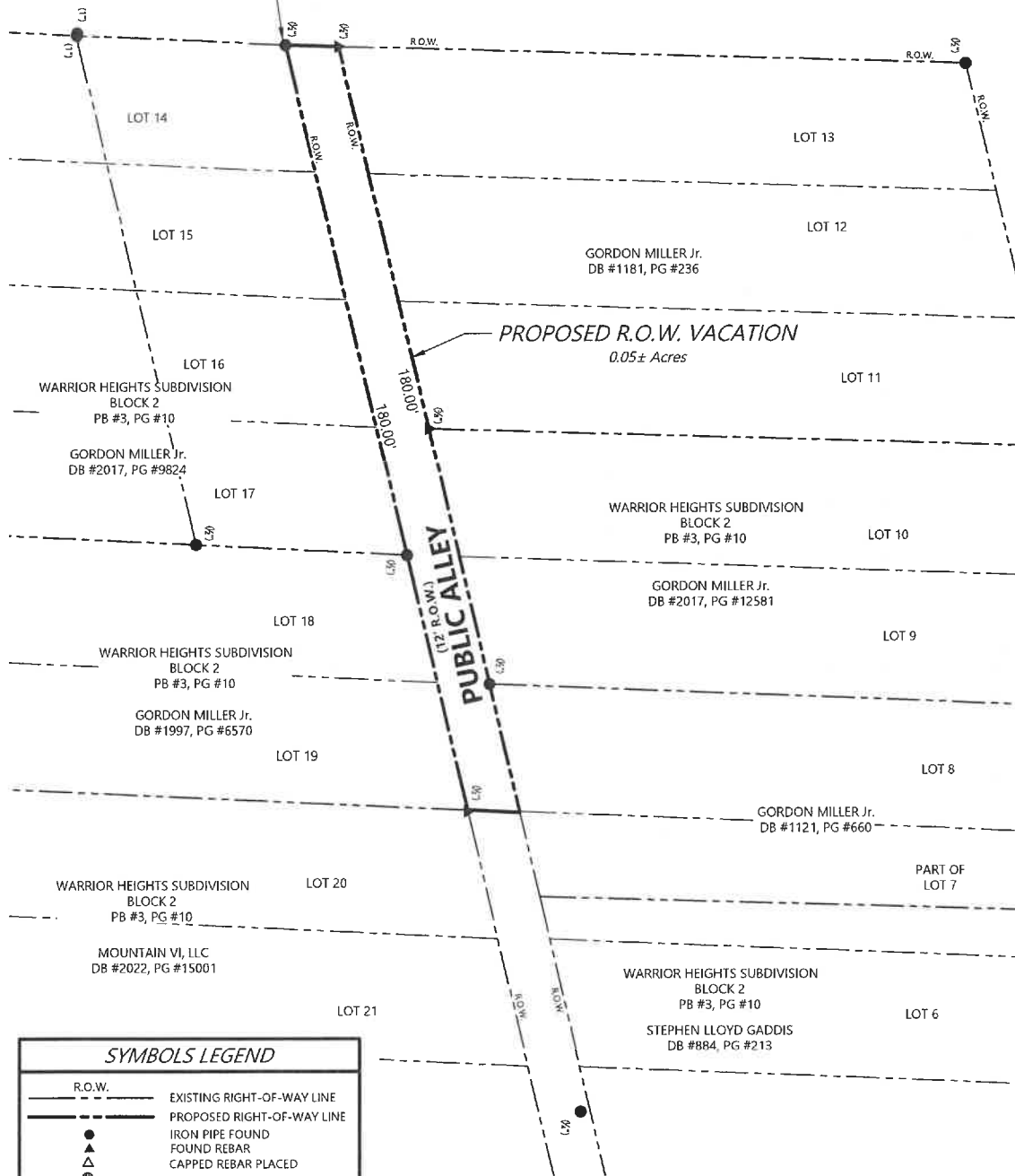
EXHIBIT " "



0' 30' 60'
SCALE (FEET) 1" = 30'

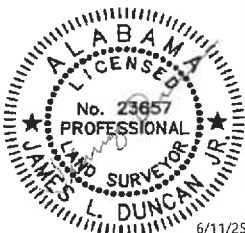
POINT OF BEGINNING
NORTHWEST CORNER OF LOT 14
BLOCK 2
WARRIOR HEIGHTS SUBDIVISION
PB #3, PG #10
TUSCALOOSA COUNTY, ALABAMA

6th AVENUE NE
(VARIABLE R.O.W.)



SYMBOLS LEGEND

— R.O.W. —	EXISTING RIGHT-OF-WAY LINE
— PROPOSED R.O.W. —	PROPOSED RIGHT-OF-WAY LINE
●	IRON PIPE FOUND
▲	FOUND REBAR
⊕	CAPPED REBAR PLACED
⊙	PK NAIL IN PAVEMENT PLACED
PB	PLAT BOOK
DB	DEED BOOK
PG	PAGE
(D)	DEED DIMENSION
(G)	GROUND DIMENSION



6/11/25

DC
DUNCAN & COKER
ASSOCIATES

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TUSCALOOSA, AL 35406
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SHEET TITLE

"6th AVENUE NE SITE"
WARRIOR HEIGHTS SUBDIVISION
PLAT BOOK 3, PAGE 10
TUSCALOOSA COUNTY, ALABAMA

NO.	DATE	DESCRIPTION
DATE: 6-11-25	CHECKED BY: R W M	DRAWN BY: W T B
FILENAME: Nixon-Alley Vacate	PROJECT NUMBER: 25-103	Sh. No. C1.1