



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 2/13/2025

**File ID:** TMP-5161

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement in The Meadows at Hampton Cove Phase 1 and Retreat at Goose Creek, 1951 Old Highway 431, Owens Cross Roads. (Forestar)

Ordinance No.

**Finance Information:**

**Account Number:** NA

**City Cost Amount:** NA

**Total Cost:** NA

**Special Circumstances:**

**Grant Funded:** NA

**Grant Title - CFDA or granting Agency:** NA

**Resolution #:** NA

**Location: (list below)**

**Address:** 1951 Old Highway 431, Owens Cross Roads

**District:** District 1  District 2  District 3  District 4  District 5

**Additional Comments:**

**ORDINANCE NO. 25-\_\_\_\_\_**

**BE IT ORDAINED** by the City Council of the City of Huntsville, Alabama, as follows:

**Section 1.** The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting the vacation of a utility and drainage easement; that the applicant has represented to the City of Huntsville that **Forestar (USA) Real Estate Group, Inc.**, is the owner of the property across which said easement lies; that said easement, or the portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

**Section 2.** Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA )  
COUNTY OF MADISON )

**QUITCLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **FORESTAR (USA) REAL ESTATE GROUP INC.**, a Delaware corporation, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

**SEE EXHIBITS A and B ATTACHED HERETO.**

**TO HAVE AND TO HOLD** unto the said grantee, its successors and assigns forever.

**IN WITNESS WHEREOF**, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its City Clerk, this the 13th day of February, 2025.

**CITY OF HUNTSVILLE, ALABAMA,**  
a municipal corporation

By: \_\_\_\_\_  
Tommy Battle, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Shaundrika Edwards  
City Clerk

STATE OF ALABAMA )  
COUNTY OF MADISON )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Shaundrika Edwards, whose names as Mayor and City Clerk, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 13th day of February, 2025.

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT PREPARED BY:  
2 The Point, Inc.  
8624 Memorial Parkway SW  
Huntsville, AL 35802  
256.539.9426

EXHIBIT A

STATE OF ALABAMA )  
MADISON COUNTY )

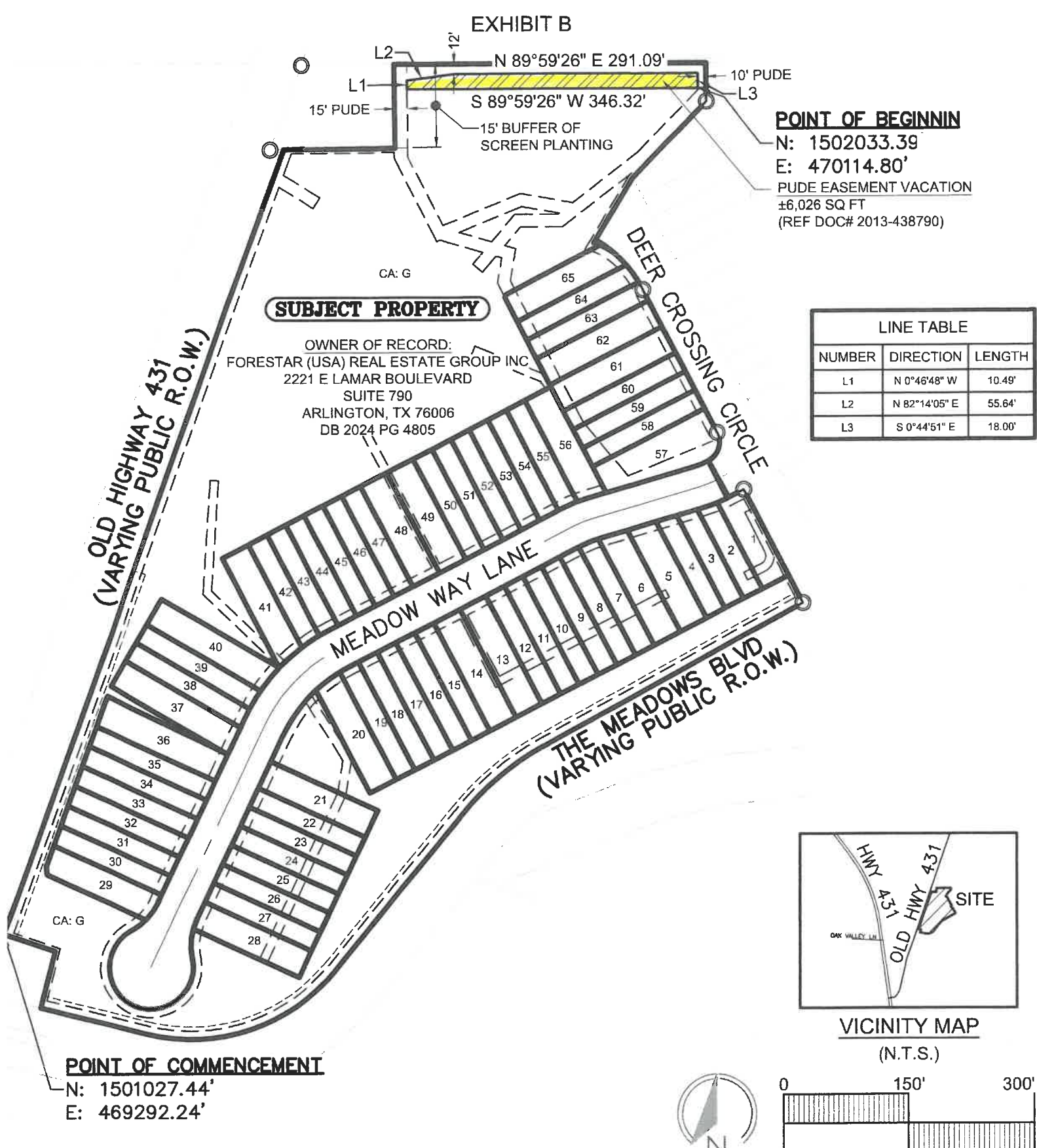
PUBLIC UTILITY AND DRAINAGE EASEMENT VACATION (PUDE, VARYING WIDTH)

A PARCEL OF LAND BEING LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 2 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF COMMON AREA G OF "RETREAT AT GOOSE CREEK PHASE 3" AS RECORDED IN PLAT BOOK 2025 PAGE \_\_\_\_\_, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, ALSO BEING THE NORTHWEST CORNER OF COMMON AREA "1" OF SAID "THE MEADOWS AT HAMPTON COVE PHASE 1" (DOC# 2014-210710) AND ALSO LYING ON THE EAST RIGHT-OF-WAY MARGIN OF OLD HIGHWAY 431 (PUBLIC RIGHT-OF-WAY); THENCE, LEAVING SAID MARGIN, SOUTH 70 DEGREES 43 MINUTES 18 SECONDS EAST, 63.75 FEET TO A POINT; THENCE SOUTH 14 DEGREES 01 MINUTE 37 SECONDS WEST, 69.80 FEET TO A POINT MARKING THE SOUTHEAST CORNER OF SAID COMMON AREA "1" (DOC# 2014-210710) AND LYING ON THE NORTH RIGHT-OF-WAY MARGIN OF THE MEADOWS BOULEVARD (VARYING PUBLIC RIGHT-OF-WAY); THENCE, ALONG SAID MARGIN, SOUTH 75 DEGREES 58 MINUTES 23 SECONDS EAST, 130.27 FEET TO A POINT; THENCE, ALONG SAID MARGIN, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 218.00 FEET, AN ARC LENGTH OF 248.34 FEET, A CHORD BEARING AND DISTANCE OF NORTH 71 DEGREES 23 MINUTES 31 SECONDS EAST, 235.13 FEET TO A POINT; THENCE, ALONG SAID MARGIN, NORTH 38 DEGREES 45 MINUTES 24 SECONDS EAST, 163.49 FEET TO A POINT BEING THE NORTHEAST CORNER OF SAID LOT 1A (DOC# 2014-210710); THENCE, ALONG SAID MARGIN, NORTH 38 DEGREES 45 MINUTES 24 SECONDS EAST, 74.09 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, AN ARC LENGTH OF 128.49 FEET, A CHORD BEARING AND DISTANCE OF NORTH 49 DEGREES 54 MINUTES 41 SECONDS EAST, 127.68 FEET TO A POINT; THENCE NORTH 61 DEGREES 03 MINUTES 58 SECONDS EAST, 351.94 FEET TO A 1/2 INCH CAPPED IRON PIN (CAMPBELL); THENCE, LEAVING SAID MARGIN, NORTH 27 DEGREES 18 MINUTES 07 SECONDS WEST, 152.39 FEET TO A 1/2 INCH IRON PIN LYING ON THE SOUTH RIGHT-OF-WAY MARGIN OF MEADOW WAY LANE (50 FOOT PUBLIC RIGHT-OF-WAY); THENCE, ALONG SAID MARGIN, SOUTH 62 DEGREES 32 MINUTES 33 SECONDS WEST, 20.00 FEET TO A POINT; THENCE, LEAVING SAID SOUTH MARGIN AND ALONG THE WEST RIGHT-OF-WAY MARGIN OF SAID MEADOW WAY LANE, NORTH 29 DEGREES 23 MINUTES 40 SECONDS WEST, 50.03 FEET TO A POINT; THENCE, LEAVING SAID WEST MARGIN AND ALONG THE NORTH RIGHT-OF-WAY MARGIN OF SAID MEADOW WAY LANE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 24.81 FEET, AN ARC LENGTH OF 39.00 FEET, A CHORD BEARING AND DISTANCE OF NORTH 17 DEGREES 29 MINUTES 29 SECONDS EAST, 35.11 FEET TO A 1/2 INCH CAPPED IRON PIN (CAMPBELL) LYING ON THE WEST RIGHT-OF-WAY MARGIN OF DEER CROSSING CIRCLE (50 FOOT PUBLIC RIGHT-OF-WAY); THENCE, LEAVING SAID MEADOW WAY LANE MARGIN AND ALONG SAID WEST MARGIN OF SAID DEER CROSSING CIRCLE, NORTH 27 DEGREES 22 MINUTES 37 SECONDS WEST, 191.80 FEET TO A 1/2 INCH CAPPED IRON PIN (CAMPBELL); THENCE, ALONG SAID MARGIN, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 149.00 FEET, AN ARC LENGTH OF 83.03 FEET, A CHORD BEARING AND DISTANCE OF NORTH 43 DEGREES 15 MINUTES 27 SECONDS WEST, 81.96 FEET TO A POINT; THENCE, ALONG SAID MARGIN, NORTH 30 DEGREES 59 MINUTES 11 SECONDS EAST, 85.25 FEET TO A POINT; THENCE, LEAVING SAID MARGIN, NORTH 43 DEGREES 59 MINUTES 25 SECONDS EAST, 126.70 FEET TO A 1/2 INCH CAPPED IRON PIN (CAMPBELL); THENCE NORTH 00 DEGREES 44 MINUTES 51 SECONDS WEST, 15.98 FEET TO A POINT; THENCE SOUTH 89 DEGREES 59 MINUTES 26 SECONDS WEST, 10.00 FEET TO THE POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,502,033.39', EAST: 470,114.80';

THENCE, FROM THE POINT OF BEGINNING, SOUTH 89 DEGREES 59 MINUTES 26 SECONDS WEST, 346.32 FEET TO A POINT; THENCE NORTH 00 DEGREES 46 MINUTES 48 SECONDS WEST, 10.49 FEET TO A POINT; THENCE NORTH 82 DEGREES 14 MINUTES 05 SECONDS EAST, 55.64 FEET TO A POINT; THENCE NORTH 89 DEGREES 59 MINUTES 26 SECONDS EAST, 291.09 FEET TO A POINT; THENCE SOUTH 00 DEGREES 44 MINUTES 51 SECONDS EAST, 18.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.14 ACRES (6,026 SQUARE FEET), MORE OR LESS.

**EXHIBIT B**

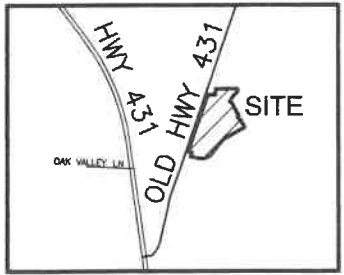


**POINT OF BEGINNING**  
 N: 1502033.39  
 E: 470114.80'  
 PUDE EASEMENT VACATION  
 ±6,026 SQ FT  
 (REF DOC# 2013-438790)

**SUBJECT PROPERTY**

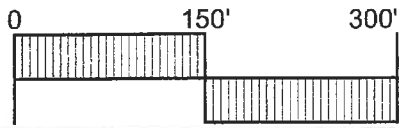
OWNER OF RECORD:  
 FORESTAR (USA) REAL ESTATE GROUP INC  
 2221 E LAMAR BOULEVARD  
 SUITE 790  
 ARLINGTON, TX 76006  
 DB 2024 PG 4805

LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	N 0°46'48" W	10.49'
L2	N 82°14'05" E	55.64'
L3	S 0°44'51" E	18.00'



**VICINITY MAP**  
(N.T.S.)

**POINT OF COMMENCEMENT**  
 N: 1501027.44'  
 E: 469292.24'



DRAWN BY: JCB  
 FIELD CREW: BJ  
 FIELD DATE: 11.21.24  
 OFFICE DATE: 12.17.24  
 CHECKED BY: ASM  
 SHEET: 1 OF 1  
 JOB NO: 22.002

EASEMENT VACATION EXHIBIT  
**THE RETREAT AT  
 GOOSE CREEK PHASE 3**  
 PLAT BOOK 2025 PAGE \_\_\_\_\_  
 CITY OF HUNTSVILLE, ALABAMA  
 SECTION 6, TOWNSHIP 5 SOUTH, RANGE 2 EAST



**Ordinance No. 25-**\_\_\_\_\_ (Cont.)

**ADOPTED** this the 13th day of February, 2025.

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President of the City Council  
of the City of Huntsville, Alabama

**APPROVED** this the 13th day of February, 2025.

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Mayor of the City of  
Huntsville, Alabama