



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 11/16/2023

File ID: TMP-3630

Department: Planning

Subject:

Type of Action: Approval/Action

Resolution to set a public hearing on the vacation of a right-of-way located at 2100 1st Street, Lowe Corporation Addition, and the introduction of a Resolution consenting to, and the introduction of an Ordinance vacating the right-of-way pertaining to the same. (Home Space Builders) (Set December 21, 2023, Regular Council Meeting)

Resolution No.
Resolution No.
Ordinance No.

Does this item need to be published? Choose an item.

If yes, please list preferred date(s) of publication: Nov. 22, Nov. 29, Dec. 6, Dec. 13

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:

Address: 2100 1st Street, Huntsville, AL

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

RESOLUTION NO. 23-_____

BE IT RESOLVED by the City Council of the City of Huntsville, within the State of Alabama, as follows:

1. That **Home Space Builders, LLC**, is the sole landowner abutting the property hereinafter described, submitted an application for the vacation of Right-of-way and Utility and Drainage Easement being and lying in Madison County, and being more particularly described as follows (the "Right-of-way" or the "Property"):

SEE EXHIBIT "A" - "DECLARATION FOR VACATION OF RIGHT-OF-WAY AND UTILITY AND DRAINAGE EASEMENT"

SEE EXHIBIT "B" - "PETITION FOR APPROVAL OF AN ASSENT TO VACATION OF RIGHT OF WAY AND UTILITY AND DRAINAGE EASEMENT"

SEE EXHIBIT "C"- "PUBLIC HEARING NOTICE"

2. That a public hearing shall be held for purpose of allowing public comments on the proposed vacation of said Right-of-way and Utility and Drainage Easement at Huntsville City Hall in the Council Chamber, located at 308 Fountain Circle, Huntsville, Alabama 35801, at 5:30 p.m. on Thursday, December 21, 2023; and

3. That notice of the vacation of the Right-of-way and Utility and Drainage Easement has been or shall be provided to all adjacent landowners and any known entities with facilities or equipment lying in said Right-of-way in accordance with Section 23-4-1 *et seq.* of the Code of Alabama, 1975, as amended; and

4. That the City Clerk is hereby ordered to have public hearing notice contained in Exhibit "C" attached hereto ("Public Notice"), immediately published in *The Speakin' Out News* for four consecutive weeks, with said notice to run beginning on November 22, November 29, December 6, and December 13, 2023.

5. It is hereby ordered that copies of the Public Notice shall be posted on bulletin boards located in the Madison County Courthouse and Huntsville City Hall.

ADOPTED this the 16th day of November, 2023.

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

APPROVED this the 16th day of November, 2023.

Mayor of the City of
Huntsville, Alabama

STATE OF ALABAMA)

COUNTY OF MADISON)

DECLARATION OF VACATION OF RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS: That the undersigned **HOME SPACE BUILDERS, LLC**, an Alabama limited liability company ("**Owner**") desiring to vacate that certain right-of-way hereinafter described, says as follows:

1. That Owner is the owner of all land abutting the hereinafter described right-of-way.
2. That convenient and reasonable means of ingress and egress are available to the owners of the surrounding property.
3. That said right-of-way, hereinafter described, is situated within the corporate limits of the City of Huntsville, Alabama, and was heretofore dedicated to said City.
4. That Owner, by this instrument, declares its intent to vacate the said right-of-way, hereinafter described.
5. That it may be necessary for said City to retain an easement for utilities and drainage over the real estate described below.

NOW, THEREFORE, the undersigned, as owner of all property abutting the said right-of-way hereinafter described, does hereby petition and urge that the City Council of the City of Huntsville, Alabama, adopt by resolution hereby declaring said right-of-way vacated and assenting to the vacation of the following described right-of-way, being described, as follows:

See Exhibit A and Exhibit B attached hereto.

(SIGNATURE PAGES TO FOLLOW)

IN WITNESS WHEREOF, the undersigned Owner of all property abutting said right-of-way hereinabove described has caused this instrument to be executed on this the 20th day of October, 2023.

HOME SPACE BUILDERS, LLC, an Alabama limited liability company

By: 
ANGELAMOKHTARI
Its: Managing Member

STATE OF ALABAMA)

COUNTY OF MADISON)

I, the undersigned Notary Public in and for said County and State, hereby certify that **ANGELA MOKHTARI**, whose name as Managing member of **HOME SPACE BUILDERS, LLC, an Alabama limited liability company**, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, she, as such managing member and with full authority, executed the same for and as the act of **HOME SPACE BUILDERS, LLC**, as of the day the same bears date.

Given under my hand and official seal this 20th day of October, 2023.

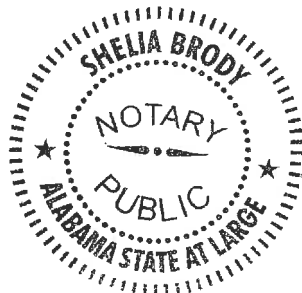


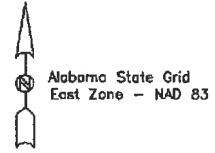
EXHIBIT "A"

(Legal Description of Right of Way)

All that part of the Northeast Quarter of the Southwest Quarter of Section 2, Township 4 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama. Particularly described as beginning at the Northeast corner of Lot 6, Block 66 according to the record plat of the Lowe Corporation Addition as recorded in Plat Book 1, Page 166 in the Office of the Judge of Probate, Madison County, Alabama; said point being a 1/2 inch rebar set at the intersection on the West right of way margin of First Street with the South right of way margin of Seventh Avenue;

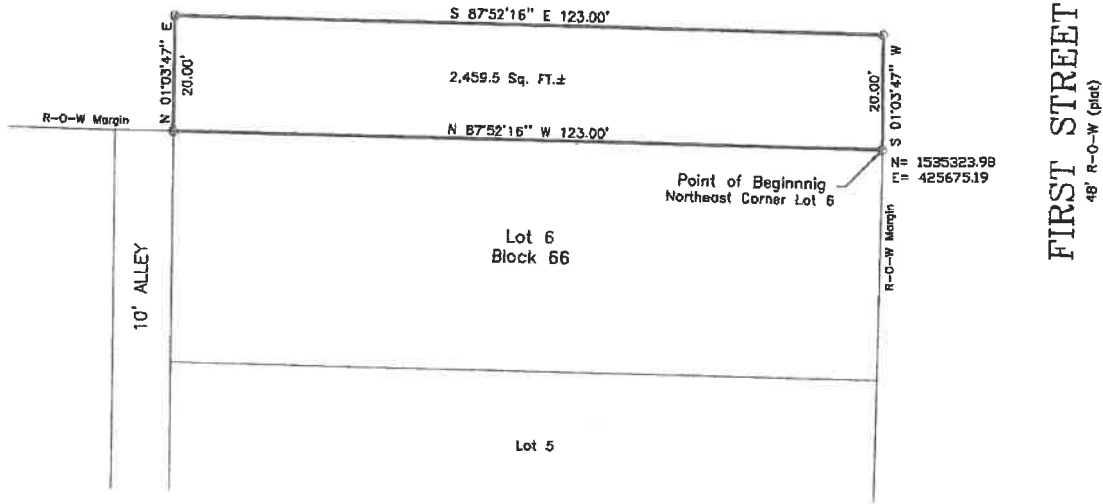
Thence from the Point of Beginning and along the North boundary line of said Lot 6, Block 66, North 87 degrees 52 minutes 16 seconds West 123.00 feet to a 1/2 inch rebar set; Thence North 01 degree 03 minutes 47 seconds East 20.00 feet to a 1/2 Inch rebar set; Thence South 87 degrees 52 minutes 16 seconds East 123.00 feet to a 1/2 Inch rebar set on the West right of way margin of said First Street; Thence along said margin, South 01 degree 03 minutes 47 seconds West 20.00 feet to the Point of Beginning and containing 2,459.5 square feet, more or less.

EXHIBIT "B"



SEVENTH AVENUE

100' R-O-W (plat)



STATE OF ALABAMA)
COUNTY OF MADISON)

I, JAMES L. McELROY, JR., A REGISTERED LAND SURVEYOR WITH THE FIRM OF McELROY LAND SURVEYING COMPANY, INC., HEREBY CERTIFY TO Home Space Builders, LLC, THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE FOREGOING IS A TRUE AND CORRECT MAP OR PLAT OF A TRACT OF LAND LYING IN MADISON COUNTY, ALABAMA; THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYS IN THE STATE OF ALABAMA.

All that part of the Northeast Quarter of the Southwest Quarter of Section 2, Township 4 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama. Particularly described as beginning at the Northeast corner of Lot 5, Block 66 according to the record plat of the Lowe Corporation Addition as recorded in Plat Book 1, Page 166 in the Office of the Judge of Probate, Madison County, Alabama; said point being a 1/2 inch rebar set at the intersection on the West right of way margin of First Street with the South right of way margin of Seventh Avenue;

Thence from the Point of Beginning and along the North boundary line of said Lot 5, Block 66, North 87 degrees 52 minutes 16 seconds West 123.00 feet to a 1/2 inch rebar set; Thence North 01 degree 03 minutes 47 seconds East 20.00 feet to a 1/2 inch rebar set; Thence South 87 degrees 52 minutes 16 seconds East 123.00 feet to a 1/2 inch rebar set on the West right of way margin of said First Street; Thence along said margin, South 01 degree 03 minutes 47 seconds West 20.00 feet to the Point of Beginning and containing 2,459.5 square feet, more or less.

ACCORDING TO THIS SURVEY, UNDER MY DIRECT SUPERVISION THIS THE 23rd DAY OF AUGUST, 2023.

J. McElroy, Jr.
JAMES L. McELROY, JR.
AL LLS NO. 15920

| GENERAL LEGEND | |
|---|----------|
| PROPERTY CORNER FOUND (AS NOTED) | ● |
| CAPPED REBAR, SET - SIZE 1/2" STAMPED "McELROY 15920" | ○ |
| CONCRETE MONUMENT, FOUND | ■ |
| CONCRETE MONUMENT, SET | □ |
| ACCORDING TO RECORD | (R) |
| ACCORDING TO SURVEY MEASUREMENT | (S) |
| UTILITY & DRAINAGE EASEMENT | U. & D. |
| FINISHED FLOOR ELEVATION | F.F.E. |
| MINIMUM BUILDING LINE | M.B.L. |
| RIGHT OF WAY | R.O.W. |
| AIR CONDITIONER PAD | A/C |
| FENCE | -x-x- |
| NOT TO SCALE | + |
| UTILITY POLE | ○ |
| SUBDIVISION BOUNDARY | E/D BDRY |
| CENTERLINE | C |
| PROPERTY LINE | R |
| OVERHEAD WIRE | OHW |
| MARKERY NAIL | BNH |
| POINT OF CURVATURE | P.C. |
| POINT OF BEGINNING | P.O.B. |

McELROY
LAND SURVEYING CO., INC.
4012 TRIANA BLVD. S.W.
HUNTSVILLE, ALABAMA 35805
PHONE: (256) 881-4004 jmcclroy@hiwaay.net

A PART OF THE NE 1/4 OF THE SW 1/4
SECTION 2; TOWNSHIP 4 SOUTH; RANGE 1 WEST
LOWE CORPORATION ADDITION
P.B. 1 PG. 166

HUNTSVILLE --- MADISON COUNTY --- ALABAMA

NOTES:
1. NORTH IS REFERENCED TO ALABAMA STATE GRID, EAST ZONE, NAD 83.
2. WHEN APPLICABLE, ONLY SURFACE INDICATIONS OF STORM AND SANITARY SEWER STRUCTURES AND OTHER UTILITIES HAVE BEEN SHOWN ON THIS SURVEY. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE SUB-SURFACE STRUCTURES OR EAVE OVERHANDS, EXCEPT AS SHOWN.
3. NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY NOR PROVIDED TO THE FIRM OF McELROY LAND SURVEYING COMPANY, INC. FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF THE SUBJECT PROPERTY.

NOT VALID UNLESS STAMPED IN RED INK

| | |
|---|------------------------|
| BOUNDARY SURVEY FOR: Home Space Builders | DRAWN BY: J.L.M. |
| SCALE: 1" = 20' | APPROVED BY: J.L.M. |
| DATE: 08-23-23 | REVISED: |
| FIELD WORK COMPLETED: 08-22-23 | DRAWING NUMBER: 23-244 |

STATE OF ALABAMA)

COUNTY OF MADISON)

**PETITION FOR APPROVAL OF AN ASSENT TO
VACATION OF RIGHT OF WAY**

THIS PETITION FOR APPROVAL OF AND ASSENT TO VACATION OF RIGHT OF WAY (the "Petition") is made as of this 20th day of October, 2023, by HOME SPACE BUILDERS, LLC, an Alabama limited liability company (the "Owner") to the City of Huntsville, Alabama, a municipal corporation within the State of Alabama (the "City").

WITNESSETH:

WHEREAS, Owner is the owner of all of the real property located at 2100 1st Street, Huntsville, Alabama 35805, which right-of way is more particularly described on Exhibit A, attached hereto, and as graphically depicted on Exhibit B, attached hereto (the "Right of Way"), which is situated and lying and being within the corporate limits of the City:

WHEREAS, the Owner desires to vacate the Right of Way;

WHEREAS, adequate, convenient and reasonable means of ingress are available to Owner and other owners of real properties within the general vicinity of the Right of Way by virtue of remaining streets and alleys within the City;

WHEREAS, heretofore, the Right of Way was acquired by, and dedicated to, the City and public by virtue of prescription, public user or otherwise; and

WHEREAS, Owner has executed a Declaration of Vacation of even date herewith vacating the Right of Way subject to approval of and assent to, and vacation by, the City Council to the City.

NOW, THEREFORE, pursuant to Sections 23-4-2, 23-4-5, 23-4-20, and 35-2-54 of the Alabama Code of 1975, and other applicable law, all as last amended, Owner, as the owner of all real property abutting the Right of Way, does hereby petition the City Council of the City for approval of and assent to vacation of the Right of Way.

As grounds for the relief sought, Owner petitions, represents and shows unto the City Council of the City as follows:

1. That the Right of Way is more particularly described on , attached hereto.
2. That, to the best of Owner's actual knowledge:
 - a. There are no other owners of lots or parcels of land abutting the Right of Way which will be cut off from access thereby over some other reasonable and convenient way;
 - b. It is in the interest of the public that the Right of Way be vacated;
 - c. The Right of Way is no longer needed for public or municipal purposes;
 - d. The retention of the Right of Way will not benefit the City or the public;
 - e. Vacation of the Right of Way will not deprive other property owners of such right as they may have to adequate, convenient, and reasonable means of ingress and egress to and from their respective real properties, which such right is afforded by remaining streets and alleys within the City, and
 - f. No owner of real property served by the Right of Way objects to the vacation of the same.

WHEREFORE, the premises considered, Owner respectfully petitions and requests that the City Council of the City give such notices, set and conduct public hearings, adopt such resolutions and ordinances, and take such other actions, all as are necessary to approve and assent to vacation of, and to vacate, the Right of Way, as required by applicable law.

(SIGNATURE PAGES TO FOLLOW)

IN WITNESS WHEREOF, the undersigned Owner of all property abutting said right-of-way hereinabove described has caused this instrument to be executed on this the 20th day of October, 2023.

HOME SPACE BUILDERS, LLC, an Alabama limited liability company

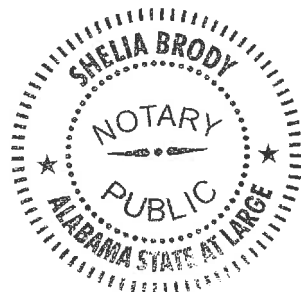
By: _____
ANGELA MOKHTARI
Its: **Managing Member**

STATE OF ALABAMA)

COUNTY OF MADISON)

I, the undersigned Notary Public in and for said County and State, hereby certify that **ANGELA MOKHTARI**, whose name as Managing member of **HOME SPACE BUILDERS, LLC, an Alabama limited liability company**, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, she, as such managing member and with full authority, executed the same for and as the act of **HOME SPACE BUILDERS, LLC**, as of the day the same bears date.

Given under my hand and official seal this 20th day of October, 2023.



(Public Hearing Notice to be Published)

In accordance with Section 23-4-1 et seq. of the Code of Alabama, 1975, as amended, you are hereby notified of a public hearing to be held at Huntsville City Hall in the Council Chamber, located at 308 Fountain Circle, Huntsville, Alabama 35801, at 5:30 p.m. on Thursday, December 21, 2023.

The purpose of the hearing is to receive public comments on an application submitted by the City of Huntsville for the vacation of Right-of-way and Utility and Drainage Easement which runs along 2100 First Street which is more particularly described as follows:

STATE OF ALABAMA
MADISON COUNTY

Legal Description of Right-of-Way and Utility and Drainage Easement

Right-of-Way Easement:

All that part of the Northeast Quarter of the southwest Quarter of Section 2, Township 4 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama. Particularly described as beginning at the Northeast corner of Lot 6, Block 66, according to the record plat of the Lowe Corporation Addition as recorded in Plat Book 1, Page 166 in the Office of the Judge of Probate, Madison County, Alabama; said point being a ½ inch rebar set at the intersection on the West right of way margin of First Street with the South right of way margin of Seventh Avenue;

Thence from the Point of Beginning and along the North boundary line of said Lot 6, Block 66, North 87 degrees 52 minutes 16 seconds West 123.00 feet to a ½ inch rebar set; Thence North 01 degree 03 minutes 47 seconds East 20.00 feet to a ½ inch rebar set; Thence South 87 degrees 52 minutes 16 seconds East 123.00 feet to a ½ inch rebar set on the West right of way margin of said First Street; Thence along said margin, South 01 degree 03 minutes 47 seconds West 20.00 feet to the Point of Beginning and containing 2,459.5 square feet, more or less.

This notice is being sent by United States mail at least 30 days prior to the scheduled hearing to all abutting owners, if any, and to all entities know to have facilities or equipment within the public Right-of-way or Utility and Drainage Easement of the street to be vacated, as their names and addresses appear on roll in the Madison County Revenue Commissioner's office or Madison County Tax Assessor's office, and shall be posted at the Madison County Courthouse and at Huntsville City Hall. Any citizen alleging to be affected by the proposed vacation may submit a written objection to the City Council or may request an opportunity to be heard at the public hearing held as required by law, any such objection or request may be directed to: Attn: Thomas Nunez, City Planning Department, 308 Fountain Circle, 2nd Floor, Huntsville, Alabama 35801 or thomas.nunez@huntsvilleal.gov.

RESOLUTION NO. 23-_____

BE IT RESOLVED by the City Council of the City of Huntsville, within the State of Alabama, as follows:

1. That the Home Space Builders, LLC, is the sole landowner abutting the property hereinafter described, made application for the vacation of that certain Right-of-way more particularly described as follows (the "Right-of-way" or the "Property"):

See Exhibit "A" attached hereto and incorporated herein.

2. That notice of the vacation of the Right-of-way has been given as required by Section 23-4-1 *et seq.* of the Code of Alabama, 1975, as amended, and a public hearing held for purposes of allowing public comments on the proposed vacation before the City Council.

3. That after vacation of the designated portion of Right-of-way and all public rights therein, convenient and reasonable means of ingress and egress to and from the respective property will be afforded to all property owners owning property in or near the Right-of-way by the remaining streets, avenues, and highways.

4. That in the judgment and opinion of the City Council of the City of Huntsville that it is in the public interest and necessary and expedient that the City vacate the designated portion of Right-of-way and that the vacation of the designated portion of Right-of-way is in the best interests of the citizens of the City in that same will contribute to the health and general welfare of the citizens of the City of Huntsville, Alabama.

5. That the filing of the resolution with the Judge of Probate of Madison County, Alabama, shall operate as a declaration of the City's vacation of that portion of the Right-of-way as described herein and shall divest all public rights and liabilities, including any rights which may have been acquired by prescription, in that part of the Right-of-way. Title and all public rights shall vest in the abutting landowner, Home Space Builders, LLC.

6. That notice of this resolution shall be published in *The Speakin' Out News* no later than fourteen (14) days from the date hereof.

NOW THEREFORE, be it resolved by the City Council of the City of Huntsville that they do hereby assent to the said vacation of the herein described portion of Right-of-way and that the above described Property be and the same is hereby vacated and annulled and all public rights therein divested of the Property.

ADOPTED this the 21st day of December, 2023.

President of the City Council
City of Huntsville, Alabama

APPROVED this the 21st day of December, 2023.

TOMMY BATTLE
Mayor of the City of Huntsville, Alabama

EXHIBIT A

Legal Description of Right-of-Way and Utility and Drainage Easement

STATE OF ALABAMA
MADISON COUNTY

Legal Description of Right-of-Way and Utility and Drainage Easement

Right-of-Way Easement:

All that part of the Northeast Quarter of the southwest Quarter of Section 2, Township 4 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama. Particularly described as beginning at the Northeast corner of Lot 6, Block 66, according to the record plat of the Lowe Corporation Addition as recorded in Plat Book 1, Page 166 in the Office of the Judge of Probate, Madison County, Alabama; said point being a ½ inch rebar set at the intersection on the West right of way margin of First Street with the South right of way margin of Seventh Avenue;

Thence from the Point of Beginning and along the North boundary line of said Lot 6, Block 66, North 87 degrees 52 minutes 16 seconds West 123.00 feet to a ½ inch rebar set; Thence North 01 degree 03 minutes 47 seconds East 20.00 feet to a ½ inch rebar set; Thence South 87 degrees 52 minutes 16 seconds East 123.00 feet to a ½ inch rebar set on the West right of way margin of said First Street; Thence along said margin, South 01 degree 03 minutes 47 seconds West 20.00 feet to the Point of Beginning and containing 2,459.5 square feet, more or less.

INTRODUCED

ADOPTED

ORDINANCE NO. _

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 certain right-of-way; that the applicant has represented to the City of Huntsville that **Home Space Builders, LLC**, is the owner of the property across which said rights-of-way lies; that said right-of-way, 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 quitclaim deed vacating the rights-of-way hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA

COUNTY OF MADISON

QUITCLAIM DEED

THIS INDENTURE made and entered into on this the 21st day of December, 2023, by and between THE CITY OF HUNTSVILLE, a municipal corporation organized and existing under the laws of the State of Alabama, as Grantor, and HOME SPACE BUILDERS, LLC, an Alabama limited liability company, as Grantee.

WITNESSETH: That the said Grantor, for and in consideration of the sum of Ten and no/00 (\$10.00) Dollars, and other good and valuable considerations to the Grantor in hand paid by the Grantee, the receipt of which is hereby acknowledged, the Grantor has given, granted, bargained, sold and conveyed and does by these presents give, grant, bargain, sell and convey unto the Grantee, its successors and assigns, the following described property, lying and being in the County of Madison, State of Alabama, to-wit:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

This conveyance transfers the vacated right-of-way into a public utility and drainage easement.

No title search requested; none rendered.

To have and to hold to the said Grantee, its successors and assigns.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals on this the day and year first above written.

THE CITY OF HUNTSVILLE
A municipal corporation

By: _____ (SEAL)
Tommy Battle, Mayor

ATTEST:

SHAUNDRIKA EDWARDS
City Clerk

STATE OF ALABAMA

COUNTY OF MADISON

Before me, the undersigned Notary Public in and for said county and State, personally appeared Tommy Battle and Shaundrika Edwards who are known to me to be the Mayor and the City Clerk respectively of the City of Huntsville, a municipal corporation, and they acknowledged before me on this date that they, being duly informed of the contents of this instrument, executed the same voluntarily and with full authority on behalf of and as the act of the City of Huntsville, a municipal corporation, on the day the same bears date.

GIVEN under my hand and official seal on this the 21st day of December, 2023.

(SEAL)
Notary Public
My commission expires: _____

Prepared by:
Charles L. Brinkley
307 Randolph Avenue
Huntsville, Al. 35801

EXHIBIT "A"

STATE OF ALABAMA)
COUNTY OF MADISON

All that part of the Northeast Quarter of the Southwest Quarter of Section 2, Township 4 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama. Particularly described as beginning at the Northeast corner of Lot 6, Block 66 according to the record plat of the Lowe Corporation Addition as recorded in Plat Book 1, Page 166 in the Office of the Judge of Probate, Madison County, Alabama; said point being a 1/2 inch rebar set at the intersection on the West right of way margin of First Street with the South right of way margin of Seventh Avenue;

Thence from the Point of Beginning and along the North boundary line of said Lot 6, Block 66, North 87 degrees 52 minutes 16 seconds West 123.00 feet to a 1/2 inch rebar set; Thence North 01 degree 03 minutes 47 seconds East 20.00 feet to a 1/2 inch rebar set; Thence South 87 degrees 52 minutes 16 seconds East 123.00 feet to a 1/2 inch rebar set on the West right of way margin of said First Street; Thence along said margin, South 01 degree 03 minutes 47 seconds West 20.00 feet to the Point of Beginning and containing 2,459.5 square feet, more or less.

Grantor's Mailing Address: 320 Fountain Circle, Huntsville, AL 35801

Grantee's Mailing Address: 2911 Thornblade Place, Huntsville, AL 35801

Property Address: 2100 1st Street Huntsville, AL 35805

Date of Transfer: _____

Deed consideration: \$500.00 (Minimum Deed Tax due to vacated right-of-way into a public utility and drainage easement)

ORDINANCE NO. _____ (Cont.)

ADOPTED this the 21st day of December, 2023.

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

APPROVED this the 21st day of December, 2023.

Mayor of the City of Huntsville, Alabama