

**ORDINANCE NO. 22-\_\_\_\_\_**

**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 utility and drainage easement; that the applicants have represented to the City of Huntsville that **Starbelt, LLC**, 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:

**This Instrument Prepared By:**

Matthew Grill, Esq.  
Maynard, Cooper & Gale, P.C.  
1901 Sixth Avenue North, Suite 1700  
Birmingham, Alabama 35203  
(205) 254-1222

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STATE OF ALABAMA

COUNTY OF MADISON

**VACATION OF EASEMENTS**

KNOW ALL MEN BY THESE PRESENTS that THE CITY OF HUNTSVILLE, ALABAMA, a municipal corporation, hereinafter referred to as Grantor, for and in consideration of the sum of One Dollar and No/100s (\$1.00) and other good and valuable consideration hereby acknowledged to have been paid to Grantor by STARBELT LLC, a Delaware limited liability company, hereinafter referred to as Grantee, does hereby REMISE, RELEASE, QUITCLAIM and CONVEY unto Grantee, its successors and assigns, all of Grantor's right, title and interest in and to those certain easements located on certain real property in Madison County, Alabama, as more particularly shown and described on Exhibit A attached hereto and incorporated herein by reference.

TOGETHER WITH ALL AND SINGULAR the rights, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns, forever.

**[signature page to follow]**

**IN WITNESS WHEREOF**, Grantor has caused this Vacation of Easement to be signed on its behalf by its Mayor and attested by its Clerk-Treasurer, this 13 day of January, 2022.

THE CITY OF HUNTSVILLE, ALABAMA

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

ATTEST:

\_\_\_\_\_  
Kenneth Benion, Clerk-Treasurer

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 Kenneth Benion, whose names as Mayor and Clerk-Treasurer, respectively, of the CITY OF HUNTSVILLE, ALABAMA, a municipal corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they, as such officers and with full authority, executed the same for and as the act of said City of Huntsville, a municipal corporation, as of the day the same bears date.

Given under my hand and official seal this the 13 day of January, 2022.

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

Exhibit "A"  
(Easements To Be Vacated)

Easement One:

A PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG THE NORTH AND PORTIONS OF THE WEST LINE OF LOT 1 OF NORTH HUNTSVILLE INDUSTRIAL PARK-PHASE 8 A RESUBDIVISION OF TRACT 1 NORTH HUNTSVILLE INDUSTRIAL PARK-PHASE 7 AS RECORDED IN INSTRUMENT NUMBER 2018-00033449 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND FURTHER DESCRIBED AS LYING IN THE EAST HALF OF SECTION 21 AND THE WEST HALF OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR STAMPED "WILBANKS 10099" BEING THE SOUTHWEST CORNER OF LOT 1 OF NORTH HUNTSVILLE INDUSTRIAL PARK, PHASE 13 AS RECORDED IN INSTRUMENT NUMBER 2019-083482 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, THENCE, ALONG THE NORTH LINE OF SAID LOT 1 OF NORTH HUNTSVILLE INDUSTRIAL PARK-PHASE 8, SOUTH 89 DEGREES 34 MINUTES 08 SECONDS EAST, 1162.84 FEET TO A STONE BEING THE WEST QUARTER CORNER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA; THENCE, CONTINUING ALONG SAID NORTH LINE, SOUTH 89 DEGREES 29 MINUTES 41 SECONDS EAST, 913.49 FEET TO THE WEST LINE OF A 25 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT; THENCE, LEAVING SAID NORTH LINE AND ALONG SAID WEST LINE, SOUTH 0 DEGREES 18 MINUTES 31 SECONDS EAST, 25.00 FEET; THENCE, LEAVING SAID WEST LINE, NORTH 89 DEGREES 29 MINUTES 41 SECONDS WEST, 913.85 FEET; THENCE NORTH 89 DEGREES 34 MINUTES 08 SECONDS WEST, 1162.92 FEET; THENCE NORTH 88 DEGREES 59 MINUTES 06 SECONDS WEST, 533.29 FEET; THENCE SOUTH 0 DEGREES 02 MINUTES 32 SECONDS WEST, 858.91 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 28 SECONDS WEST, 13.69 FEET TO THE WEST LINE OF SAID LOT 1 OF NORTH HUNTSVILLE INDUSTRIAL PARK-PHASE 8; THENCE, ALONG SAID WEST LINE OF LOT 1, NORTH 0 DEGREES 48 MINUTES 04 SECOND WEST, 551.46 FEET TO A STONE PILE; THENCE, CONTINUING ALONG SAID WEST LINE, NORTH 0 DEGREES 30 MINUTES 27 SECONDS WEST, 332.95 FEET TO A 1/2 INCH REBAR STAMPED "WILBANKS 10099" BEING THE NORTHWEST CORNER OF SAID LOT 1 OF NORTH HUNTSVILLE INDUSTRIAL PARK-PHASE 8; THENCE, LEAVING SAID WEST LINE AND ALONG THE NORTH LINE OF SAID LOT 1 OF NORTH HUNTSVILLE INDUSTRIAL PARK-PHASE 8, SOUTH 88 DEGREES 59 MINUTES 06 SECONDS EAST, 558.59 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.90 ACRES, MORE OR LESS.

Easement Two:

A PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG THE NORTH PORTION OF TRACT 1 OF NORTH HUNTSVILLE INDUSTRIAL PARK-PHASE 8 A RESUBDIVISION OF TRACT 1 NORTH HUNTSVILLE INDUSTRIAL PARK-PHASE 7 AS RECORDED IN INSTRUMENT NUMBER 2018-00033449 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND FURTHER DESCRIBED AS LYING IN THE EAST HALF OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR STAMPED "WILBANKS 10099" BEING THE NORTHWEST CORNER OF SAID LOT 1, THENCE, ALONG THE WEST LINE OF SAID LOT 1 AND THE EAST LINE OF TRACT 1, SOUTH 00 DEGREES 30 MINUTES 27 SECONDS EAST, 332.95 FEET TO A STONE PILE; THENCE CONTINUING, SOUTH 00 DEGREES 48 MINUTES 04 SECONDS EAST, 551.46 FEET TO A STONE PILE; THENCE, LEAVING SAID WEST LINE OF LOT 1 AND THE EAST LINE OF TRACT 1, SOUTH 89 DEGREES 46 MINUTES 12 SECONDS WEST, 11.31 FEET TO THE WEST LINE OF SAID TRACT 1; THENCE, ALONG THE WEST LINE OF TRACT 1, NORTH 00 DEGREES 02 MINUTES 32 SECONDS EAST, 884.39 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.10 ACRES (4,531 SQUARE FEET), MORE OR LESS.

Easement Three:

A 25 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG THE WEST LINE OF LOT 1 OF NORTH HUNTSVILLE INDUSTRIAL PARK, PHASE 13 AS RECORDED IN INSTRUMENT NUMBER 2019-083482 IN THE OFFICE OF JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, AND FURTHER DESCRIBED AS LYING IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR STAMPED "WILBANKS 10099" BEING THE SOUTHWEST CORNER OF SAID LOT 1, THENCE, ALONG THE WEST LINE OF SAID LOT 1 THE FOLLOWING CALLS:  
NORTH 0 DEGREES 44 MINUTES 59 SECONDS EAST, 813.86 FEET TO A BENT 1/2 INCH REBAR;  
THENCE NORTH 1 DEGREE 22 MINUTES 11 SECONDS EAST, 359.64 FEET TO A 5/8 INCH REBAR;  
THENCE NORTH 0 DEGREES 30 MINUTES 09 SECONDS EAST, 244.26 FEET TO THE SOUTH LINE OF A 25 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT;  
THENCE, LEAVING SAID WEST LINE AND ALONG SAID 25 FOOT EASEMENT, NORTH 62 DEGREES 10 MINUTES 36 SECONDS EAST, 28.40 FEET; THENCE, LEAVING SAID 25 FOOT EASEMENT, SOUTH 0 DEGREES 30 MINUTES 09 SECONDS WEST, 257.92 FEET; THENCE SOUTH 1 DEGREE 22 MINUTES 11 SECONDS WEST, 359.70 FEET; THENCE SOUTH 0 DEGREES 44 MINUTES 59 SECOND WEST, 813.59 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE, ALONG SAID SOUTH LINE, NORTH 89 DEGREES 34 MINUTES 08 SECONDS WEST, 25.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.82 ACRES, MORE OR LESS.

**Ordinance No. 22-**\_\_\_\_\_ **(Cont.)**

**ADOPTED** this the 13th day of January, 2022.

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

**APPROVED** this the 13th day of January, 2022.

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Mayor of the City of  
Huntsville, Alabama