



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 2/8/2024

File ID: TMP-3826

Department: Legal

Subject:

Type of Action: Approval/Action

Ordinance authorizing the vacation of Utility and Drainage Easements, 1658 Zierdt Road, Cambridge Subdivision Phase 4.

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: 1658 Zierdt Road, Cambridge Subdivision Phase 4

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

Additional Comments:

ORDINANCE NO. 24-_____

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 easements; that the applicant has represented to the City of Huntsville that **Titanite Zierdt Owner, LLC**, is the owner of the property across which said easements lie; that said easements, or the portions being vacated, are not presently used and are 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 easements 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 **TITANITE ZIERDT OWNER, LLC**, a Delaware limited liability company, 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 8th day of February, 2024.

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 8th day of February, 2024.

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)

10' PUBLIC UTILITY AND DRAINAGE EASEMENT #1 TO BE VACATED

A PARCEL OF LAND BEING A PORTION OF TRACT A1 OF THE FINAL PLAT OF "CAMBRIDGE SUBDIVISION, PHASE 4" AS RECORDED IN PLAT BOOK 2022 PAGE 87, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA AND ALSO BEING LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 2 WEST OF MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2 INCH CAPPED IRON PIN (GMC) MARKING THE SOUTHERNMOST CORNER OF TRACT A1 OF SAID CAMBRIDGE SUBDIVISION, PHASE 4 (PB 2022 PG 87) AND LYING ON THE NORTH RIGHT-OF-WAY MARGIN OF ZIERDT ROAD (PUBLIC R.O.W.), THENCE, ALONG SAID MARGIN, NORTH 52 DEGREES 45 MINUTES 47 SECONDS EAST, 815.34 FEET TO A 5/8 INCH CAPPED IRON PIN (2 THE POINT CA 00122 LS); THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 7974.10 FEET, AN ARC LENGTH OF 361.67 FEET, A CHORD BEARING OF NORTH 51 DEGREES 28 MINUTES 05 SECONDS EAST, 361.64 FEET TO A 5/8 INCH CAPPED IRON PIN (2 THE POINT CA 00122 LS); THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 817.91 FEET, AN ARC LENGTH OF 485.34 FEET, A CHORD BEARING OF NORTH 33 DEGREES 10 MINUTES 16 SECONDS EAST, 478.25 FEET TO A 5/8 INCH CAPPED IRON PIN (2 THE POINT CA 00122 LS); THENCE, LEAVING SAID MARGIN, SOUTH 89 DEGREES 06 MINUTES 10 SECONDS WEST, 15.71 FEET TO A 1/2 INCH CAPPED IRON PIN (GMC) AND POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,503,602.22', EAST: 389,923.61';

THENCE, FROM THE POINT OF BEGINNING, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 802.92 FEET, AN ARC LENGTH OF 10.44 FEET, A CHORD BEARING OF SOUTH 16 DEGREES 52 MINUTES 25 SECONDS WEST, 10.44 FEET TO A POINT; THENCE NORTH 89 DEGREES 53 MINUTES 27 SECONDS WEST, 571.38 FEET TO A POINT; THENCE NORTH 01 DEGREE 37 MINUTES 14 SECONDS EAST, 10.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 53 MINUTES 27 SECONDS EAST, 574.13 FEET TO THE POINT OF BEGINNING. CONTAINING 0.13 ACRES (5,728 SQUARE FEET), MORE OR LESS.

STATE OF ALABAMA)
MADISON COUNTY)

10' PUBLIC UTILITY AND DRAINAGE EASEMENT #2 TO BE VACATED

A PARCEL OF LAND BEING A PORTION OF TRACT A1 OF THE FINAL PLAT OF "CAMBRIDGE SUBDIVISION, PHASE 4" AS RECORDED IN PLAT BOOK 2022 PAGE 87, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA AND ALSO BEING LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 2 WEST OF MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2 INCH CAPPED IRON PIN (GMC) MARKING THE SOUTHERNMOST CORNER OF TRACT A1 OF SAID CAMBRIDGE SUBDIVISION, PHASE 4 (PB 2022 PG 87) AND LYING ON THE NORTH RIGHT-OF-WAY MARGIN OF ZIERDT ROAD (PUBLIC R.O.W.), THENCE, LEAVING SAID MARGIN, NORTH 01 DEGREE 54 MINUTES 18 SECONDS EAST, 472.99 FEET TO A 1/2 INCH CAPPED IRON PIN (GMC); THENCE NORTH 01 DEGREE 54 MINUTES 18 SECONDS EAST, 160.45 FEET TO A 5/8 INCH CAPPED IRON PIN (2 THE POINT CA 00122 LS); THENCE NORTH 10 DEGREES 06 MINUTES 28 SECONDS EAST, 175.53 FEET TO A 5/8 INCH CAPPED IRON PIN (SMITH); THENCE SOUTH 89 DEGREES 53 MINUTES 02 SECONDS EAST, 264.75 FEET TO A 5/8 INCH IRON PIN; THENCE NORTH 01 DEGREE 49 MINUTES 53 SECONDS EAST, 315.15 FEET TO A 5/8 INCH CAPPED IRON PIN (SMITH); THENCE SOUTH 89 DEGREES 53 MINUTES 27 SECONDS EAST, 59.31 FEET TO THE POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,503,603.84', EAST: 389,131.61';

THENCE, FROM THE POINT OF BEGINNING, SOUTH 89 DEGREES 53 MINUTES 27 SECONDS EAST, 202.86 FEET TO A POINT; THENCE SOUTH 01 DEGREE 37 MINUTES 14 SECONDS WEST, 10.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 53 MINUTES 27 SECONDS WEST, 202.58 FEET TO A POINT; THENCE NORTH 00 DEGREES 01 MINUTE 35 SECONDS WEST, 10.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.05 ACRES (2,027 SQUARE FEET), MORE OR LESS.

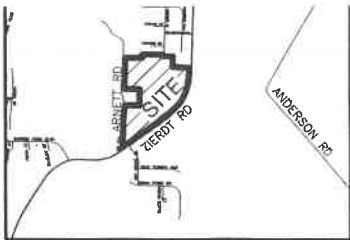
STATE OF ALABAMA)
MADISON COUNTY)

10' PUBLIC UTILITY AND DRAINAGE EASEMENT #3 TO BE VACATED

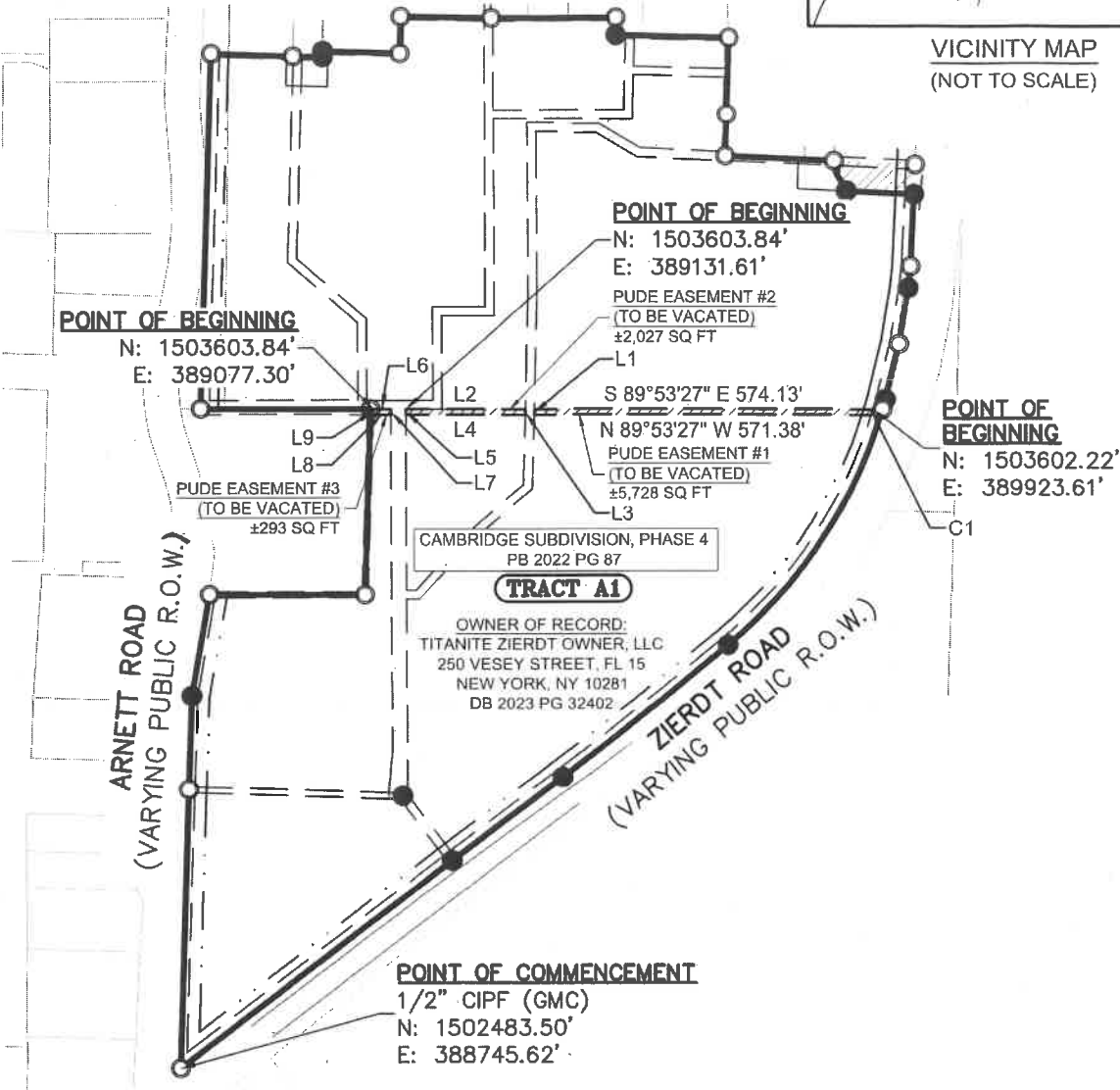
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COMMENCING AT A 1/2 INCH CAPPED IRON PIN (GMC) MARKING THE SOUTHERNMOST CORNER OF TRACT A1 OF SAID CAMBRIDGE SUBDIVISION, PHASE 4 (PB 2022 PG 87) AND LYING ON THE NORTH RIGHT-OF-WAY MARGIN OF ZIERDT ROAD (PUBLIC R.O.W.), THENCE, LEAVING SAID MARGIN, NORTH 01 DEGREE 54 MINUTES 18 SECONDS EAST, 472.99 FEET TO A 1/2 INCH CAPPED IRON PIN (GMC); THENCE NORTH 01 DEGREE 54 MINUTES 18 SECONDS EAST, 160.45 FEET TO A 5/8 INCH CAPPED IRON PIN (2 THE POINT CA 00122 LS); THENCE NORTH 10 DEGREES 06 MINUTES 28 SECONDS EAST, 175.53 FEET TO A 5/8 INCH CAPPED IRON PIN (SMITH); THENCE SOUTH 89 DEGREES 53 MINUTES 02 SECONDS EAST, 264.75 FEET TO A 5/8 INCH IRON PIN; THENCE NORTH 01 DEGREE 49 MINUTES 53 SECONDS EAST, 315.15 FEET TO A 5/8 INCH CAPPED IRON PIN (SMITH); THENCE SOUTH 89 DEGREES 53 MINUTES 27 SECONDS EAST, 5.00 FEET TO THE POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,503,603.84', EAST: 389,077.30';

THENCE, FROM THE POINT OF BEGINNING, SOUTH 89 DEGREES 53 MINUTES 27 SECONDS EAST, 29.31 FEET TO A POINT; THENCE SOUTH 00 DEGREES 01 MINUTE 35 SECONDS EAST, 10.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 53 MINUTES 27 SECONDS WEST, 29.63 FEET TO A POINT; THENCE NORTH 01 DEGREE 49 MINUTES 53 SECONDS EAST, 10.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.01 ACRES (293 SQUARE FEET), MORE OR LESS.

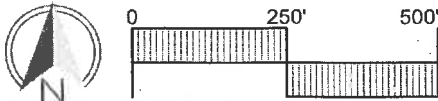


VICINITY MAP
(NOT TO SCALE)



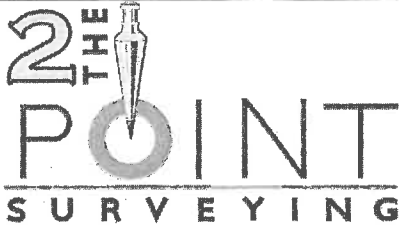
LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	N 1°37'14" E	10.00'
L2	S 89°53'27" E	202.86'
L3	S 1°37'14" W	10.00'
L4	N 89°53'27" W	202.58'
L5	N 0°01'35" W	10.00'
L6	S 89°53'27" E	29.31'
L7	S 0°01'35" E	10.00'
L8	N 89°53'27" W	29.63'
L9	N 1°49'53" E	10.00'

CURVE TABLE					
NUMBER	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD
C1	10.44'	802.92'	0°44'43"	S 16°52'25" W	10.44'



DRAWN BY: JCB
FIELD CREW: BJ
FIELD DATE: 06.27.22
OFFICE DATE: 11.02.23
CHECKED BY: ASM
SHEET: 1 OF 1
JOB NO: 21.158

EASEMENT VACATION EXHIBIT
TRACT A1
CAMBRIDGE SUB, PH 4
CITY OF HUNTSVILLE, ALABAMA
SECTION 3, TOWNSHIP 5 SOUTH, RANGE 2 WEST



Ordinance No. 24-_____ **(Cont.)**

ADOPTED this the 8th day of February, 2024.

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

APPROVED this the 8th day of February, 2024 .

Mayor of the City of
Huntsville, Alabama