



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

---

**Meeting Type:** City Council Regular Meeting **Meeting Date:** 3/23/2023

**File ID:** TMP-2740

---

**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easements, Lots 1 & 2, Lily Smith Reece Subdivision, Phase 4, 6210 Mastin Lake Road. (Laksmhi Property)

**Type of Document:** 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:** 6210 Mastin Lake Road

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

**Additional Comments:**

**ORDINANCE NO. 23-\_\_\_\_\_**

**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 easements; that the applicant has represented to the City of Huntsville that **Laksmhi Property, 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 LAKSMHI PROPERTY, LLC., 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:

TRACT 1

A 10 FOOT WIDE STRIP OF BEING 5 FEET TAKEN EVENLY OFF OF EACH SIDE OF THE HEREIN DESCRIBED CENTERLINE:

COMMENCING AT A CAPPED IRON PIN STAMPED "LUKER", BEING THE SOUTHWEST CORNER OF LOT TWO OF THE LILLY SMITH REECE SUBDIVISION PHASE 5, AS RECORDED IN PLAT BOOK 2023 PAGES 71-72 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA; THENCE RUN SOUTH 89°23'51" EAST AT A DISTANCE OF 141.80 FEET TO A FOUND CAPPED IRON PIN STAMPED "MORELL CA-742-LS"; THENCE RUN NORTH 01°06'28" EAST AT A DISTANCE OF 20.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE;

THENCE FROM THE POINT OF BEGINNING RUN NORTH 01°06'28" EAST AT A DISTANCE OF 1109.87 FEET TO THE POINT OF TERMINUS OF THE HEREIN DESCRIBED CENTERLINE;

SAID STRIP OF LAND CONTAINS 0.25 ACRES, MORE OR LESS.

TRACT 2

A 10 FOOT WIDE STRIP OF LAND BEING DESCRIBED AS 5 FEET TAKEN EVENLY OFF OF EACH SIDE OF THE HEREIN DESCRIBED CENTERLINE:

COMMENCING AT A CAPPED IRON PIN STAMPED "LUKER", BEING THE SOUTHWEST CORNER OF LOT TWO OF THE LILLY SMITH REECE SUBDIVISION PHASE 5, AS RECORDED IN PLAT BOOK 2023 PAGES 71-72 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA; THENCE RUN SOUTH 89°23'51" EAST AT A DISTANCE OF 141.80 FEET TO A POINT; THENCE RUN SOUTH 89°24'11" EAST AT A DISTANCE OF 128.26 FEET TO A POINT; THENCE RUN NORTH 01°06'09" EAST AT A DISTANCE OF 10.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE;

THENCE FROM THE POINT OF BEGINNING RUN NORTH 01°06'09" EAST AT A DISTANCE OF 490.01 FEET TO A POINT; THENCE RUN SOUTH 89°23'46" EAST AT A DISTANCE OF 364.31 FEET TO A POINT; THENCE RUN SOUTH 23°35'23" EAST AT A DISTANCE OF 135.21 FEET TO A POINT; THENCE RUN SOUTH 40°21'26" EAST AT A DISTANCE OF 36.83 FEET TO THE POINT OF TERMINUS OF THE HEREIN DESCRIBED CENTERLINE;

SAID STRIP OF LAND CONTAINS 0.24 ACRES, MORE OR LESS.

**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 Clerk-Treasurer, this the 23rd day of March, 2023.

**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 S. 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 23rd day of March, 2023.

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

THIS INSTRUMENT PREPARED BY:

***Morell Engineering, Inc.***  
***711 East Hobbs Street***  
***Athens, Alabama 35611***

**Ordinance No. 23-\_\_\_\_\_ (Cont.)**

**ADOPTED** this the 23rd day of March, 2023.

---

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

**APPROVED** this the 23rd day of March, 2023.

---

Mayor of the City of  
Huntsville, Alabama