



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 7/13/2023

**File ID:** TMP-3113

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of a portion of a Utility and Drainage Easement between Lots 2 and 3, Bob Wallace Industrial Park. (Safe Mini Storage)

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:** Lots 2 & 3, Bob Wallace Industrial Park

**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 utility and drainage easements; that the applicant has represented to the City of Huntsville that **Safe Mini Storage at Bob Wallace, 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:

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(Space Above Line for Use by Recording Office)

**THIS INSTRUMENT PREPARED BY:**

Paul B. Seeley  
LANIER FORD SHAVER & PAYNE P.C.  
2101 West Clinton Ave., Ste. 102  
Huntsville, Alabama 35805  
(256) 535-1100

**QUITCLAIM DEED**

THIS QUITCLAIM DEED made and entered into on this 13 day of July, 2023 by and between **CITY OF HUNTSVILLE**, an Alabama municipal company, ("Grantor") and **SAFE MINI STORAGE AT BOB WALLACE, LLC**, an Alabama limited liability company ("Grantee").

**WITNESSETH:**

THAT FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash and other good and valuable consideration, this day in hand paid to the Grantor by the Grantee, the receipt and sufficiency of all of which is hereby expressly acknowledged by the Grantor, the Grantor has this day remised, released, quitclaimed, conveyed and confirmed and does, by these presents, remise, release, quitclaim, convey and confirm, 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 LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A", AND  
GRAPHICAL DEPICTION ATTACHED HERETO AS EXHIBIT "B".

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

Pursuant to and in accordance with Section 40-22-1 of the Code of Alabama (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Address:	308 Fountain Circle, PO Box 308, Huntsville, Alabama 35801
Grantee's Address:	2101 West Clinton Avenue, Ste. 200, Huntsville, Alabama 35805
Property Address:	Lot 3: 0 Bob Wallace Avenue, Huntsville, Alabama 35801 Lot 2: 0 10 <sup>th</sup> Avenue, SW, Huntsville, Alabama 35801
Tax Parcel ID No.	Lot 3: 17-01-11-2-001-001.000 – PPIN #163095 Lot 2: 17-01-02-3-006-001.001
Purchase Price:	N/A

[signature page to follow]

**IN WITNESS WHEREOF**, Grantor has caused this quitclaim to be signed on its behalf by its Mayor and attested by its Clerk-Treasurer, this the 13th day of July, 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 the above 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 conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they, as such officers and with full authority, executed the same voluntarily for and as the act of said municipal corporation.

Given under my hand this the 13 day of July, 2023.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

[Notarial Seal]  
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THIS INFORMATION WAS PREPARED SOLELY FROM INFORMATION PROVIDED TO THE PREPARER OF THIS INSTRUMENT WHO CONDUCTED NO TITLE EXAMINATION AND ISSUED NO TITLE OPINION OR TITLE INSURANCE.

S:\Cjohnson\yam\FORMS\Vacation Docs\Easement Quitclaim Vacation Deed (from City of Huntsville) v3.docx

Exhibit "A"

Legal Descriptions

**EASEMENT VACATION – LOT 3, BOB WALLACE INDUSTRIAL PARK PHASE 3**

ALL THAT PART OF LOT 3 OF BOB WALLACE INDUSTRIAL PARK, PHASE 3, A RESUBDIVISION OF LOT 3 OF A RESUBDIVISION OF LOT 2 OF BOB WALLACE INDUSTRIAL PARK PHASE TWO, (PLAT BOOK 30, PAGE 29) AND OF LOT 2 OF A RESUBDIVISION OF LOT 1 AND 2 OF A RESUBDIVISION OF LOT 1 OF BOB WALLACE INDUSTRIAL PARK PHASE TWO, (PLAT BOOK 42, PAGE 9) AS RECORDED IN PLAT BOOK 43, PAGE 20 AND OF LOT 3A AND 3B OF A RESUBDIVISION OF LOT 3 OF A RESUBDIVISION OF LOTS 1 AND 2 OF A RESUBDIVISION OF LOT 1 OF BOB WALLACE BUSINESS PARK AS RECORDED IN PLAT BOOK 45, PAGES 37, SAID SUBDIVISION RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA IN DOCUMENT NUMBER 2020-00037785, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A 1/2 INCH REBAR FOUND AT THE NORTHWEST CORNER OF SAID LOT 3, THENCE SOUTH 01 DEGREES 24 MINUTES 46 SECONDS WEST AND ALONG THE WEST BOUNDARY OF SAID LOT 3, 5.00 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE FROM THE POINT OF BEGINNING, SOUTH 88 DEGREES 02 MINUTES 20 SECONDS EAST; 5.00 FEET TO A POINT;  
THENCE SOUTH 01 DEGREES 24 MINUTES 46 SECONDS WEST, 225.70 FEET TO A POINT;  
THENCE NORTH 88 DEGREES 12 MINUTES 32 SECONDS WEST, 5.00 FEET TO A POINT ON THE WEST BOUNDARY OF SAID LOT 3;  
THENCE NORTH 01 DEGREES 24 MINUTES 46 SECONDS EAST AND ALONG THE SAID WEST BOUNDARY, 225.72 FEET TO THE POINT OF BEGINNING AND CONTAINING 1128.5 SQUARE FEET, MORE OR LESS.

**AND:**

**EASEMENT VACATION – LOT 2, A RESUBDIVISION OF LOT 2  
OF BOB WALLACE INDUSTRIAL PARK PHASE TWO AND  
OF LOT 2 OF A RESUBDIVISION OF LOTS 1 AND 2 OF  
A RESUBDIVISION OF LOT 1, BOB WALLACE INDUSTRIAL PARK PHASE TWO**

ALL THAT PART OF LOT 2 OF A RESUBDIVISION OF LOT 2 OF BOB WALLACE INDUSTRIAL PARK PHASE TWO, (PLAT BOOK 39, PAGE 29) AND OF LOT 2 OF A RESUBDIVISION OF LOTS 1 AND 2 OF A RESUBDIVISION OF LOT 1 OF BOB WALLACE INDUSTRIAL PARK PHASE TWO (PLAT BOOK 42, PAGE 9), AS RECORDED IN PLAT BOOK 43, PAGE 20 AND F LOTS 3A AND 3B OF A RESUBDIVISION OF LOT 3 OF A RESUBDIVISION OF LOTS 1 AND 2 OF A RESUBDIVISION OF LOT 1 OF BOB WALLACE BUSINESS PARK AS RECORDED IN PLAT BOOK 45, PAGE 37, SAID SUBDIVISION RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA IN DOCUMENT NUMBER 20050429000271500, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2, SAID POINT BEGIN LOCATED ON THE SOUTH RIGHT-OF-WAY OF TENTH AVENUE; THENCE SOUTH 01 DEGREES 25 MINUTES 33 SECONDS WEST AND ALONG THE EAST BOUNDARY OF SAID LOT 2, 489.50 FEET TO A 1/2 INCH REBAR FOUND; THENCE SOUTH 01 DEGREES 24 MINUTES 46 SECONDS WEST AND CONTINUING ALONG THE SAID EAST BOUNDARY OF LOT 2, 5.00 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

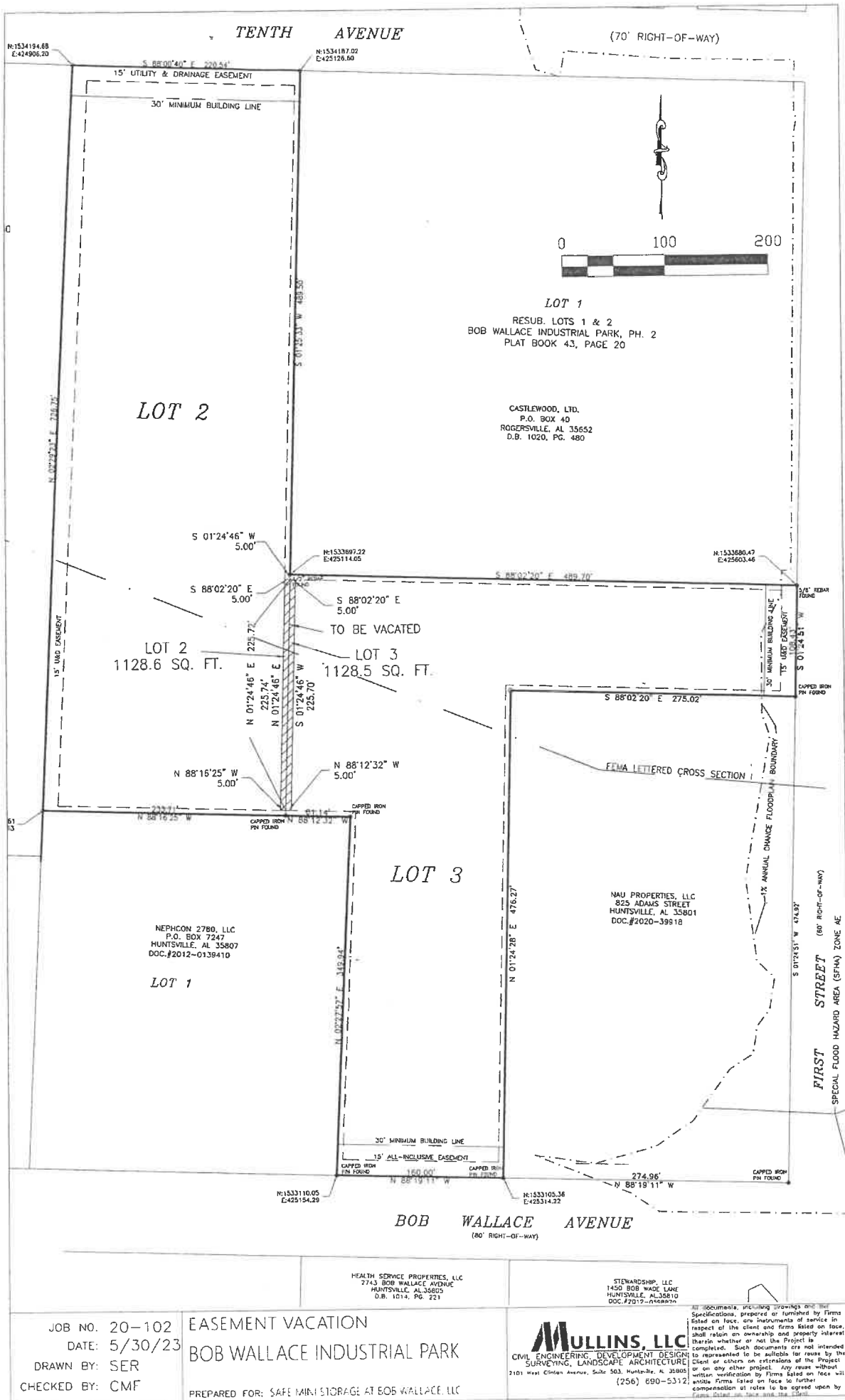
THENCE FROM THE POINT OF BEGINNING, CONTINUE ALONG THE SAID EAST BOUNDARY, SOUTH 01 DEGREES 24 MINUTES 46 SECONDS WEST, 225.72 FEET TO A POINT;  
THENCE NORTH 88 DEGREES 16 MINUTES 25 SECONDS WEST, 5.00 FEET TO A POINT;  
THENCE NORTH 01 DEGREES 24 MINUTES 46 SECONDS EAST 225.74 FEET TO A POINT;  
THENCE SOUTH 88 DEGREES 02 MINUTES 20 SECONDS EAST, 5.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1128.6 SQUARE FEET, MORE OR LESS.

Exhibit "B"

Graphical Depiction

**ATTACHED**

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

**ADOPTED** this the 13th day of July, 2023.

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

**APPROVED** this the 13th day of July, 2023.

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Mayor of the City of  
Huntsville, Alabama