



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 12/15/2022

File ID: TMP-2381

Department: City Attorney

Subject:

Type of Action: Approval/Action

Ordinance authorizing the vacation of Utility and Drainage Easements, Lot 1 Hollywood Sixteen Theatre Subdivision.

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:

Address: Hollywood Sixteen Theatre property.

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

Additional Comments:

This item will have to be published after its approval by City Council.

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 a utility and drainage easement; that the applicant has represented to the City of Huntsville that **ANA Hollywood, 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 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 **ANA HOLLYWOOD, LLC**, an Alabama 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:

Being a tract of land situated in Section 12, Township 4 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama and being a portion of Lot 2 according to the plat of Hollywood Sixteen Theatre as recorded in Plat Book 30, Page 10 in the Office of Judge of Probate of Madison County and being more particularly described as follows:

Commence at a 5/8 inch rebar being at the west right-of-way line of U.S. Highway NO. 231 and the easterly most corner of said Lot 1; thence N23°22'47"W along the west right-of-way line of U.S. Highway NO. 231 a distance of 482.10 feet; thence S66°20'28"W (leaving said right-of-way line) a distance of 10.00 feet to the Point of Beginning of the herein described tract; thence S23°22'41"E a distance of 5.00 feet; thence S66°20'28"W a distance of 111.37 feet; thence S23°20'49"E a distance of 131.45 feet; thence N66°19'08"E a distance of 111.44 feet; thence S23°22'41"E a distance of 5.00 feet; thence S66°19'08"W a distance of 116.44 feet; thence N23°20'49"W a distance of 141.45 feet; thence N66°20'28"E a distance of 116.37 feet to the Point of Beginning.

Containing 1,821 square feet or 0.042 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 15th day of December, 2022.

CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
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 City Clerk-Treasurer, 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 15th day of December, 2022.

Notary Public

THIS INSTRUMENT PREPARED BY:
Halliburton Surveying & Mapping, LLC
PO 18652, Huntsville, AL 35804

Ordinance No. 22-_____ (Cont.)

ADOPTED this the 15th day of December, 2022.

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

APPROVED this the 15th day of December, 2022.

Mayor of the City of
Huntsville, Alabama