



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 12/19/2024

**File ID:** TMP-4952

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of Utility and Drainage Easements, at Stadium Commons Land Condominium, 1<sup>st</sup> Amendment, 3312 South Memoria Parkway.

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:** Stadium Commons Land Condominium, 1<sup>st</sup> Amendment, 3312 South Memoria Parkway.

**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 **Parkway Vesta, 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:

**This Instrument Prepared By:**

Allison Cain, Esq.  
Butler Snow LLP  
200 West Side Sq., Suite 100  
Huntsville, AL 35801  
(256) 936-5650

**Send Tax Notice To:**

Parkway Vesta, LLC  
1518 Petersburg Dr. SE  
Huntsville, Alabama 35802

**STATE OF ALABAMA        )**

**COUNTY OF MADISON     )**

**QUITCLAIM DEED**  
**FOR VACATION OF EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of the sum of Ten Dollars and No/100 (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **THE CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation ("Grantor"), hereby remises, releases, and quitclaims **PARKWAY VESTA, LLC**, an Alabama limited liability company (the "Grantee"), a portion of a twenty-foot (20') easement for utility and drainage, a five-foot (5') easement for utility and drainage; and a portion of a five-foot (5') easement for utility and drainage. All easements referenced are over and under real property situated in Madison County, Alabama, to-wit:

**See Exhibit "A" attached hereto and incorporated by reference.**

**THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH INFORMATION SUPPLIED TO THE PREPARER. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED BY EITHER GRANTOR OR GRANTEES, AND NONE WAS CONDUCTED AND/OR RENDERED.**

Pursuant to the provisions of Ala. Code §40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Address:	P.O. Box 308, Huntsville, AL 35804
Grantee's Address:	1518 Petersburg Dr. SE, Huntsville, AL 35802
Property Address:	N/A
Purchase Price:	N/A – Vacation of Easements

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

*[Signature Page Follows.]*

**IN WITNESS WHEREOF**, Grantor has caused this Quitclaim Deed to be signed on its behalf by its Mayor and attested by its City Clerk \_\_\_\_\_, this the \_\_\_\_ day of \_\_\_\_\_, 2024.

**CITY OF HUNTSVILLE, ALABAMA**, a  
municipal corporation

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

ATTEST:

By: \_\_\_\_\_  
Shaundrika Edwards, City Clerk

## Exhibit "A"

### Easement 1

A portion of an existing 20-foot utility and drainage easement recorded in Plat Book 30, Page 10 and situated in Units E, F, and B of Stadium Commons Land Condominium 1st Amendment (Plat Book 2024 Page 84) and in Section 13, Township 4 South, Range 1 West, of the Huntsville Meridian, Madison County, Alabama, {BEARINGS AND DISTANCES referenced to the Alabama State Plane Coordinate System, East Zone, NAD83(2011)} and being more particularly described as follows:

Commencing at the northwest corner of said Unit E on the east margin of an unnamed city drive; thence run South 89 degrees 07 minutes 31 seconds East 115.54 feet along the north line of said Section 13 to a point on the north line of said existing 20-foot utility and drainage easement and the Point of Beginning; thence run South 89 degrees 07 minutes 31 seconds East 561.86 feet along the north line of said 20-foot utility and drainage easement; thence run South 00 degrees 52 minutes 29 seconds West 20.00 feet to the south line of said existing 20-foot utility and drainage easement; thence run North 89 degrees 07 minutes 31 seconds West 552.87 feet along the south line of said existing 20-foot utility and drainage easement to the west line of an existing 5-foot utility and drainage easement as recorded in Plat Book 30, Page 10; thence run North 23 degrees 18 minutes 49 seconds West 21.92 feet along the west line of said 5-foot utility and drainage easement back to the Point of Beginning.

Said easement contains 0.256 acres (11,147 square feet) more or less.

### Easement 2

A portion of an existing 5-foot utility and drainage easement recorded in Plat Book 30, Page 10 and situated in Unit F of Stadium Commons Land Condominium 1st Amendment (Plat Book 2024 Page 84) and in Section 12, Township 4 South, Range 1 West, of the Huntsville Meridian, Madison County, Alabama, {BEARINGS AND DISTANCES referenced to the Alabama State Plane Coordinate System, East Zone, NAD83(2011)} and being more particularly described as follows:

Beginning at the southwest corner of Unit H of said Stadium Commons Land Condominium on the south line of said existing 5-foot utility and drainage easement; thence run South 66 degrees 20 minutes 15 seconds West 49.86 feet along the south line of said existing 5-foot utility and drainage easement to the west line of said existing 5-foot utility and drainage easement; thence run North 23 degrees 39 minutes 45 seconds West 5.00 feet along the west line of said existing 5-foot utility and drainage easement to the north line of said existing 5-foot utility and drainage easement; thence run North 66 degrees 20 minutes 15 seconds East 51.93 feet along the north line of said existing 5-foot utility and drainage easement to the west line of said Unit H; thence run South 01 degree 13 minutes 52 seconds East 5.41 feet along the west line of said Unit H back to the Point of Beginning.

Said easement contains 0.006 acres (255 square feet) more or less.

Easement 3

A portion of a 5-foot utility and drainage easement situated in Unit A of Stadium Commons Land Condominium 1st Amendment (Plat Book 2024 Page 84) and in Section 12, Township 4 South, Range 1 West, of the Huntsville Meridian, Madison County, Alabama, {BEARINGS AND/OR DISTANCES referenced to the Alabama State Plane Coordinate System, East Zone, NAD83(2011)} and being more particularly described as follows:

Commencing at the northwest corner of said Unit A; thence run South 09 degrees 52 minutes 37 seconds East 44.08 feet to the east line of an existing 5-foot utility and drainage easement as recorded in Plat Book 30, Page 10 and the Point of Beginning;

Thence run South 09 degrees 20 minutes 20 seconds West 291.22 feet along the east line of said 5-foot utility and drainage easement; thence run North 80 degrees 39 minutes 40 seconds West 1.50 feet; thence run North 09 degrees 20 minutes 20 seconds East 291.22 feet; thence run South 80 degrees 39 minutes 40 seconds East 1.50 feet back to the Point of Beginning.

Said easement contains 0.010 acres (437 square feet) more or less.

Scale: 1" = 100'  
Graphic Scale



Owner: City of Huntsville

**UNNAMED CITY DRIVE**  
(NO PUBLIC R.O.W. AT TIME OF SURVEY)

PROPOSED BUILDING D  
PROPOSED BUILDING C

Easement 3  
0.010 ac.±  
437 sq. ft.

5' Ex. U&D Esm't  
PB 30 PG 10

Exception 10  
5' Ex. U&D Esm't  
PB 30 PG 10

**UNIT A**

5' Ex. U&D Esm't  
PB 30 PG 10

PROPOSED BUILDING B

STADIUM COMMONS LAND CONDOMINIUM  
1ST AMENDMENT  
(PLAT BOOK 2024, PAGE 84)

PROPOSED BUILDING A

PROPOSED BUILDING H

**UNIT G**

PROPOSED HOTEL

**UNIT H**

5' Ex. U&D Esm't PB 30 PG 10

PROPOSED BUILDING G

Easement 2  
0.006 ac.±  
255 sq. ft.

60' U&D ESM'T-  
PB 24, PG 19

Easement 1  
0.256 ac.±  
11,147 sq. ft.

**UNIT F**

PROPOSED JEWEL BOX

COMMON ELEMENT EGRESS

**S. MEMORIAL PKWY / U.S. HWY. 231**  
(200' PUBLIC R.O.W. / ALDOT PROJ. F-286(8))

## STADIUM COMMONS EASEMENT VACATION - EXHIBIT -

DATE: OCTOBER 25, 2024  
DRAWN BY: BTP  
PROJ. NO.: 22358.H0

SEC. 12 & 13, T-4-S, R-1-W  
CITY OF HUNTSVILLE  
MADISON CO., AL



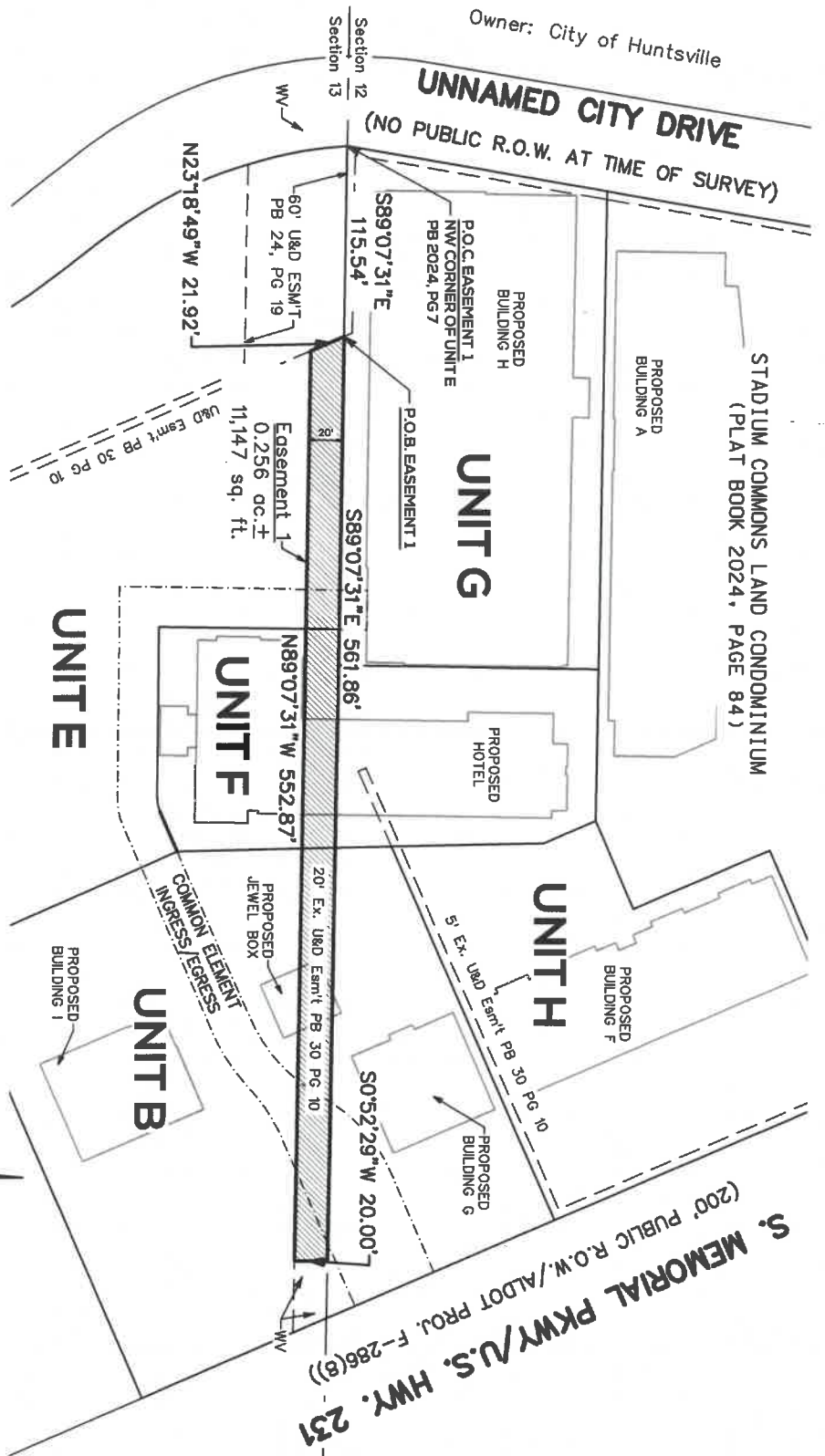
**BIRMINGHAM**  
1001 22nd Street South  
Birmingham, Alabama 35205  
205.323.8168

**HUNTSVILLE**  
161 Westminster Street SE  
Huntsville, Alabama 35891  
256.539.1221

**TUSCALOOSA**  
5630 Westmonte Road, Ste 202  
Northport, Alabama 35473  
205.323.8168

SCHOOEL.COM

- NOTES:
1. North arrow and bearings are based on NAD83, Alabama State Plane Coordinate System, East Zone.
  2. Owner of Record: PARKWAY VESTA LLC & GREEN MOUNTAIN PROPERTIES LLC  
1518 PETERSBURG DR SE, HUNTSVILLE, AL 35802  
(PB 2024 PG 7)



Scale: 1" = 100'  
Graphic Scale

## STADIUM COMMONS EASEMENT VACATION - EXHIBIT -

DATE: OCTOBER 25, 2024  
DRAWN BY: BTP  
PROJ. NO.: 22358.H0

SEC. 12 & 13, T-4-S, R-1-W  
CITY OF HUNTSVILLE  
MADISON CO., AL



BIRMINGHAM  
1001 22nd Street South  
Birmingham, Alabama 35205  
205.923.6166

HUNTSVILLE  
101 Washington Street SE  
Huntsville, Alabama 35891  
256.639.1221

TUSCALOOSA  
3690 Watermelon Road, Ste 202  
Northport, Alabama 35473  
205.923.6166

SCHOEL.COM



STADIUM COMMONS LAND CONDOMINIUM  
(PLAT BOOK 2024, PAGE 84)

UNIT G

PROPOSED  
HOTEL

UNIT H

PROPOSED  
BUILDING F

PROPOSED  
BUILDING C

UNIT F

UNIT B

Easement 2  
0.006 ac. ±  
255 sq. ft.  
N23°39'45"W 5.00'  
N66°20'15"E 51.93'  
S113°52"E 5.41'  
S66°20'15"W 49.86'  
POB EASEMENT 2  
SW CORNER OF UNIT H  
PB 2024, PG 7

20' Ex. U&D Esm't PB 30 PG 10

5' Ex. U&D Esm't PB 30 PG 10

PROPOSED  
JEWEL BOX

COMMON ELEMENT  
INGRESS/EGRESS

NOTES:

1. North arrow and bearings are based on NAD83, Alabama State Plane Coordinate System, East Zone.
2. Owner of Record:  
PARKWAY VESTA LLC &  
GREEN MOUNTAIN PROPERTIES LLC  
1518 PETERSBURG DR SE, HUNTSVILLE, AL 35802  
(PB 2024 PG 7)

Scale: 1" = 60'  
Graphic Scale



STADIUM COMMONS  
EASEMENT VACATION  
- EXHIBIT -

DATE: OCTOBER 25, 2024  
DRAWN BY: BTP  
PROJ. NO.: 22358.H0

SEC. 12 & 13, T-4-S, R-1-W  
CITY OF HUNTSVILLE  
MADISON CO., AL



BIRMINGHAM  
1001 22nd Street South  
Birmingham, Alabama 35205  
205.939.8166

HUNTSVILLE  
101 Washington Street SE  
Huntsville, Alabama 35801  
256.939.1221

TUSCALOOSA  
3600 Watermelon Road, Ste 202  
Northport, Alabama 35473  
205.329.8166

SCHOEL.COM

(DB 170 PG 920)

P.O.C. EASEMENT 3  
NW CORNER OF UNIT A  
PB 2024, PG 84

S80°39'40"E  
1.50'

S9°52'37"E 44.08'

5' Ex. U&D Esm't  
PB 30 PG 10

Easement 3  
0.010 ac.±  
437 sq. ft.

Owner: City of Huntsville

**UNNAMED CITY DRIVE**

(NO PUBLIC R.O.W. AT TIME OF SURVEY)

N09°20'20"E 291.22'  
S09°20'20"W 291.22'

PROPOSED  
BUILDING D

STADIUM COMMONS LAND CONDOMINIUM  
(PLAT BOOK 2024, PAGE 84)

# UNIT A

## NOTES:

1. North arrow and bearings are based on NAD83, Alabama State Plane Coordinate System, East Zone.

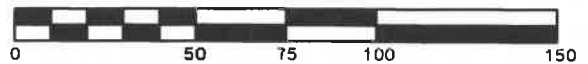
2. Owner of Record: PARKWAY VESTA LLC  
1518 PETERSBURG DR SE,  
HUNTSVILLE, AL 35802  
(PB 2024 PG 7)

N80°39'40"W  
1.50'

5' Ex. U&D Esm't  
PB 30 PG 10

PROPOSED  
BUILDING B

Scale: 1" = 50'  
Graphic Scale



## STADIUM COMMONS EASEMENT VACATION - EXHIBIT -

DATE: OCTOBER 25, 2024  
DRAWN BY: BTP  
PROJ. NO.: 22358.H0

SEC. 12 & 13, T-4-S, R-1-W  
CITY OF HUNTSVILLE  
MADISON CO., AL



BIRMINGHAM  
1001 22nd Street South  
Birmingham, Alabama 35209  
205.323.6166

HUNTSVILLE  
101 Washington Street SE  
Huntsville, Alabama 35891  
256.539.1221

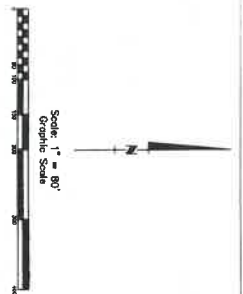
TUSCALOOSA  
3600 Watermelon Road, Ste 202  
Northport, Alabama 34773  
205.323.6166

SCHOEEL.COM

CLIMATE TABLE				
NO.	RANKS	CHORD DIR.	CHORD	DELTA
C1	42.00	S 78° 25' 05" W	12.84	12.87
C2	125.00	S 58° 45' 12" W	41.89	42.09
C3	101.00	S 55° 46' 23" E	35.44	35.31
C4	99.00	N 47° 53' 27" E	63.34	64.48
C5	101.00	N 47° 47' 36" E	64.32	65.46
C6	200.00	N 78° 25' 05" E	8.35	8.41

**LEGEND**

o = SET 5/B\* REBAR (SCHOEL CA#003)  
UNLESS OTHERWISE NOTED  
ESM'T= EASEMENT



Book 2024

[illegible]

I, Benjamin L. Proctor, a Registered Professional Land Surveyor in the State of Oregon, hereby certify that the foregoing is a true and correct copy of the information made known to me by the person or persons named above, under my supervision or control, and derived from sources which have been ascertained and verified by me to be reliable and correct, and that the same complies in accordance with the current requirements of the Standards of Practice for Land Surveyors as promulgated by the Board of Professional Land Surveyors of the State of Oregon, and that the same is the best of my knowledge, information, and belief.

I further certify that, to the best of my knowledge, information, and belief, the information contained in the foregoing is true and correct, and that I am not aware of any circumstances which might tend to impeach the veracity or the reliability of the foregoing information, except as herein specifically stated.

SIGNED, AND SEAL, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Benjamin L. Proctor, Registered Professional Land Surveyor  
No. \_\_\_\_\_, State of Oregon License No. 26554

## STADIUM COMMONS LAND CONDOMINIUM 1ST AMENDMENT

SECTIONS 12 & 13, TOWNSHIP 4 SOUTH, RANGE 1 WEST  
CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA



**SCHÖBEL**

<b>BIRMINGHAM</b> 1901 20th Street North Birmingham, Alabama 35203 205.322.6190	<b>HUNTSVILLE</b> 937 Washington Avenue SE Huntsville, Alabama 35891 256.266.2227	<b>TUSCALOOSA</b> 2000 Montgomery Road, Box 201 Montreal, Alabama 36117 205.233.4190
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UNIT 9

A parcel of land situated in Lot 2, R.C. Cobb Highway Station Threety, as recorded in First Book 30, Page 20 and the Southwest Quarter of Section 12, Township 4 South, Range 1 West, of the Hawthorne Meridian, Madison County, Alabama, (REALTORS ANY/ORDINANCES referenced to the Alabama State Plane Coordinate System, East Zone, NAD83(2011)) and being more particularly described as follows:

[illegible][illegible]

Partway (U.S. Highway 251) back to the Point of Beginning

The above described parcel (Unit 6) contains 1,083 acres (47,161 sq ft.) more or less, in total.

more particularly described as follows:

Cannabidiol at a dose of 7 mg/kg did not affect the southeast corner of Unit 1 at the Holopogon-Southern Parkway (US Highway 231), west right-of-way of South Memorial Parkway (US Highway 231), Office Inn North 23 degrees 27 minutes 48 seconds West 92S 06' 00". Being along the west right-of-way of early old South Memorial-Parkway (US Highway 231) to the point of beginning, thence are South 66 degrees 36 minutes 17 seconds East 111.46 feet; thence are S 64.5 degrees 32 minutes 17 seconds East 111.46 feet; thence are S 64.5 degrees 32 minutes to the left bearing a total of 150.0 feet; and then being along a curve to the left having a radius of 48.00 yards, and a central angle of 18 degrees 17 minutes 48 seconds, and a chord having an angle of South 56 degrees 48 minutes 23 seconds West 34.14 feet; thence are along a curve to the right having a radius of 125.00

STATE OF ALABAMA  
COUNTY OF MADISON

UNIT 1

A parcel of land situated in the Hollywood Station Theatre (Plot Book 30 Page 10) and in Section 12 and Section 13, Township 4 South, Range 4 West, of the Hartsfield Meridian, Madison County, Alabama. BEARINGS AND/OR DISTANCES referenced to the Alabama State Plane Coordinate System, East Zone, NAD83(2011) and being more particularly described as follows:

[illegible]

Sold parcel contains 0.936 acres (40,788 square feet) more  
less.

STATE OF ALABAMA  
COUNTY OF MADISON

COMPL

a parcel of land situated in the Hollywood Stream Theatre (Pat. Book 30 Page 101) and in Section 12 and Section 13, Township 6 South, Range 1 West, of the Hummer Mountain, Madison County, Alabama. (BULLINER, LAM/ON DISTANCES referenced to the Alabama State Plane Coordinate System, East Zone, NAD83(2011) and being more particularly described as follows:

[illegible]

Book 2024 Pg 26

# STADIUM COMMONS LAND CONDOMINIUM 1ST AMENDMENT

SECTIONS 12 & 13, TOWNSHIP 4 SOUTH, RANGE 1 WEST  
CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA

CONDOMINIUM  
PLAT

DATE: 00-20-2024  
DRAWN BY: B PROCTOR  
CHECKED BY: H GALLONWA  
FIELD BOOK: #1099J10  
FIELD CREW: LBS  
FILE NAME: 22358\_Corrida



## 4 OF 4

**Ordinance No. 24-**\_\_\_\_\_ (Cont.)

**ADOPTED** this the 19th day of December, 2024.

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

**APPROVED** this the 19th day of December, 2024.

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Mayor of the City of  
Huntsville, Alabama