

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 utility and drainage easements; that the applicants have represented to the City of Huntsville that **MLH Redstone OP, LLP, Fuquay Commons, LLLP, and Huntsville SJ, LLC**, are the owners 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 MLH Redstone OP, LLLP, Fuquay Commons, LLLP, And Huntsville SJ, 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:

EASEMENT TO VACATE

COMMENCING AT AN IRON PIN FOUND AT THE SOUTHEAST CORNER OF LOT 3 OF THE FINAL PLAT OF WARE PARK SUBDIVISION PHASE 4, A RESUBDIVISION OF LOT 2 OF WARE PARK, PHASE 3, A RESUBDIVISION OF LOT 1 AND LOT 4 OF WARE PARK PHASE 2, AND A RESUBDIVISION OF TRACT 2 OF WARE PARK SUBDIVISION AS RECORDED IN DOCUMENT NO. 20170324000162390 IN THE OFFICE OF THE JUDGE OF PROBATE FOR MADISON COUNTY, ALABAMA; THENCE FROM SAID IRON PIN RUN NORTH 05°02'59" EAST AT A DISTANCE OF 13.84 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE FROM THE POINT OF BEGINNING RUN NORTH 63°30'49" WEST AT A DISTANCE OF 766.08 FEET TO A POINT; THENCE RUN NORTH 44°12'48" WEST AT A DISTANCE OF 194.48 FEET TO A POINT; THENCE RUN SOUTH 36°22'45" WEST AT A DISTANCE OF 96.28 FEET TO A POINT; THENCE RUN SOUTH 02°13'51" WEST AT A DISTANCE OF 128.43 FEET TO A POINT; THENCE RUN SOUTH 88°10'59" EAST AT A DISTANCE OF 162.13 FEET TO A POINT; THENCE RUN SOUTH 63°30'49" EAST AT A DISTANCE OF 797.49 FEET TO A POINT; THENCE RUN NORTH 05°02'59" EAST AT A DISTANCE OF 85.95 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 2.07 ACRES, MORE OR LESS.

SAID EASEMENT BEING ORIGINALLY SET FORTH AND SHOWN IN DOC #20080829000561370.

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 10th day of March, 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 10th day of March, 2022.

Notary Public

THIS INSTRUMENT PREPARED BY:

Morell Engineering
711 East Hobbs Street
Athens, AL 35611

Ordinance No. 22-_____ **(Cont.)**

ADOPTED this the 10th day of March, 2022.

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

APPROVED this the 10th day of March, 2022.

Mayor of the City of
Huntsville, Alabama