



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 9/25/2025

File ID: TMP-6005

Department: Legal

Subject:

Type of Action: Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement, Lot 1, Schrimsher-Willowbrook Subdivision, at Grove at Indian Creek.

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: Lot 1, Schrimsher-Willowbrook Subdivision, at Grove at Indian Creek.

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

Additional Comments:

Lot 1, Schrimsher-Willowbrook Subdivision, at Grove at Indian Creek site, extension of New Life Circle, off Jeff Road.

ORDINANCE NO. 25-_____

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 **Indian Creek Housing, 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 FOR VACATION OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS; that, in consideration of One and No/100 Dollars (\$1.00) and good and other valuable consideration to the undersigned Grantor in hand paid by the Grantee herein, the receipt and sufficiency of which are hereby acknowledged, **CITY OF HUNTSVILLE**, a municipal corporation in the State of Alabama (herein referred to as "Grantor"), does hereby remise, release, quitclaim and convey unto **INDIAN CREEK HOUSING, LLC**, an Alabama limited liability company (herein referred to as "Grantee"), its successors and assigns, all its right, title and interest in and to the real estate situated in the County of Madison and the State of Alabama, more particularly described on Exhibit "A" and graphically depicted on Exhibit "B".

TO HAVE AND TO HOLD, the aforegranted premises, together with all improvements, easements and appurtenances thereunto pertaining, to the said Grantee, its successors and assigns, FOREVER.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officers this 25th day of September, 2025.

CITY OF HUNTSVILLE,
an Alabama municipal corporation

By: _____
Tommy Battle
Its 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 Shaundrika Edwards, whose names as Mayor and City Clerk, respectively of City of Huntsville, an Alabama municipal corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said municipal corporation on the day the same bears date.

Given under my hand this the 25th day of September, 2025.

(SEAL)

Notary Public
My commission expires: _____

This instrument was prepared by:
William I. Eskridge, Esq.
Rushton, Stakely, Johnston & Garrett, P.A.
Post Office Box 270
Montgomery, Alabama 36101-0270
(334) 206-3100
RSJ&G File No. 6851-7

Exhibit "A"

SANITARY SEWER EASEMENT TO BE VACATED

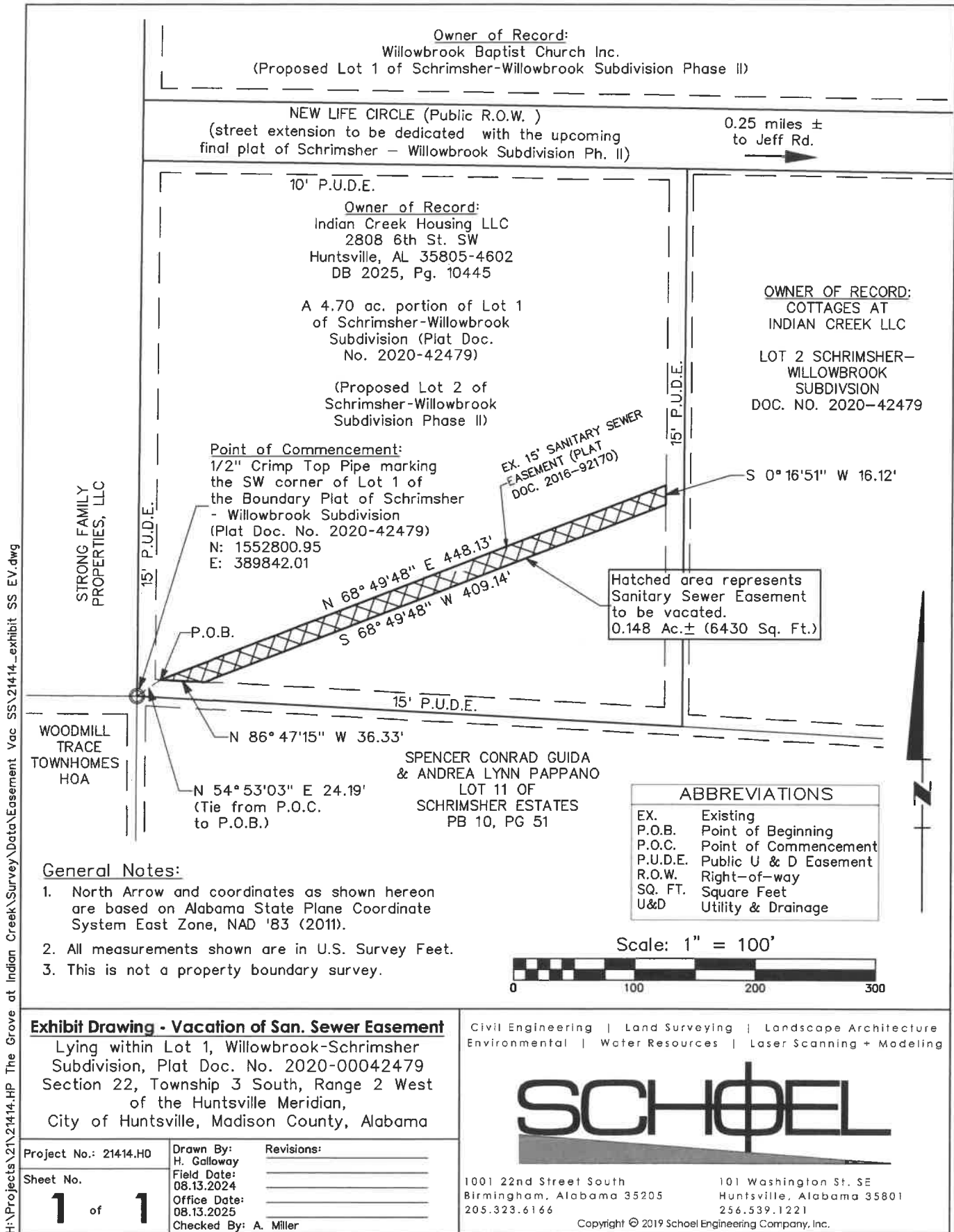
A parcel of land situated in the Northeast Quarter of Section 22, Township 3 South, Range 2 West of the Huntsville Meridian, Madison County, Alabama {Bearings and distances are referenced to the Alabama State Plane Coordinate System, East Zone, NAD '83 (2011)} and lying within Lot 1 of the Boundary Plat of Schrimsher-Willowbrook Subdivision as recorded in Document No. 2020-00042479 in the Office of the Judge of Probate, Madison County, Alabama, and further described as lying within that certain 4.70 acre parcel of land deeded to INDIAN CREEK HOUSING LLC, an Alabama limited liability company as recorded in Deed Book 2025, Pages 10445-10448 in said Probate Office, and being a portion of a 15-foot wide Sanitary Sewer Easement established by the final plat of "Schrimsher Estates Lot 10 Resubdivision A Resubdivision of Lots 9 and 10 of Schrimsher Estates as Recorded in Plat Book 10, page 51, and Other Unplatted Lands" as recorded in Document No. 20160224000092170 in said Probate Office and being more particularly described as follows:

Commencing at a 1/2-inch crimp top pipe marking the southwest corner of Lot 1 of the said Boundary Plat of Schrimsher-Willowbrook Subdivision, and having Alabama State Plane Coordinates of North: 1552800.95, East: 389842.01; thence run North 54 degrees 53 minutes 03 seconds East, 24.19 feet to the Point of Beginning;

Thence, from the Point of Beginning, run North 68 degrees 49 minutes 48 seconds East, 448.13 feet to a point; thence run South 00 degrees 16 minutes 51 seconds West, 16.12 feet to a point; thence run South 68 degrees 49 minutes 48 seconds West, 409.14 feet to a point; thence run North 86 degrees 47 minutes 15 seconds West, 36.33 feet back to the Point of Beginning;

Said parcel contains 0.148 acres (6430 square feet) more or less.

Exhibit "B"



ADOPTED this the 25th day of September, 2025.

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

APPROVED this the 25th day of September, 2025.

Mayor of the City of
Huntsville, Alabama