



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 5/8/2025

**File ID:** TMP-5446

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement in Seminole Park at Indiana Avenue  
(Introduced April 10, 2025, Regular Council Meeting)

Ordinance No. 25-270

**Finance Information:**

**Account Number:** N/A

**City Cost Amount:** N/A

**Total Cost:** N/A

**Special Circumstances:**

**Grant Funded:** N/A

**Grant Title - CFDA or granting Agency:** N/A

**Resolution #:** N/A

**Location: (list below)**

**Address:**

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

**Additional Comments:**

**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 certain right-of-way; that the applicant has represented to the City of Huntsville that **Huntsville Housing Authority**, is the owner of the property across which said right-of-way lies; that said right-of-way, or the portions 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 right-of-way 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 HUNTSVILLE HOUSING AUTHORITY, an Alabama public corporation, 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:

SEE EXHIBIT "A" attached hereto and incorporated herein and,  
as depicted in EXHIBIT "B" attached hereto.

SUBJECT TO AND FURTHER RESERVING UNTO GRANTOR a public utility and drainage easement over, across, upon, and under a portion of the above-described property as further described in Exhibit "A."

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 City Clerk, this the 8th day of May, 2025.

CITY OF HUNTSVILLE, an Alabama  
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 said 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, an Alabama 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 date.

GIVEN under my hand and official seal this the 8th day of May,  
2025.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**THIS INSTRUMENT PREPARED BY:**

Katherine Amos Beasley  
Lanier Ford Shaver & Payne, PC  
Attorney for Grantor  
2101 W. Clinton Ave, Ste. 102  
Huntsville, Alabama 35805  
256-535-1100

**EXHIBIT "A"**

**(Legal Description of Portion of Right of Way to be Vacated – portion of Indiana Street)**

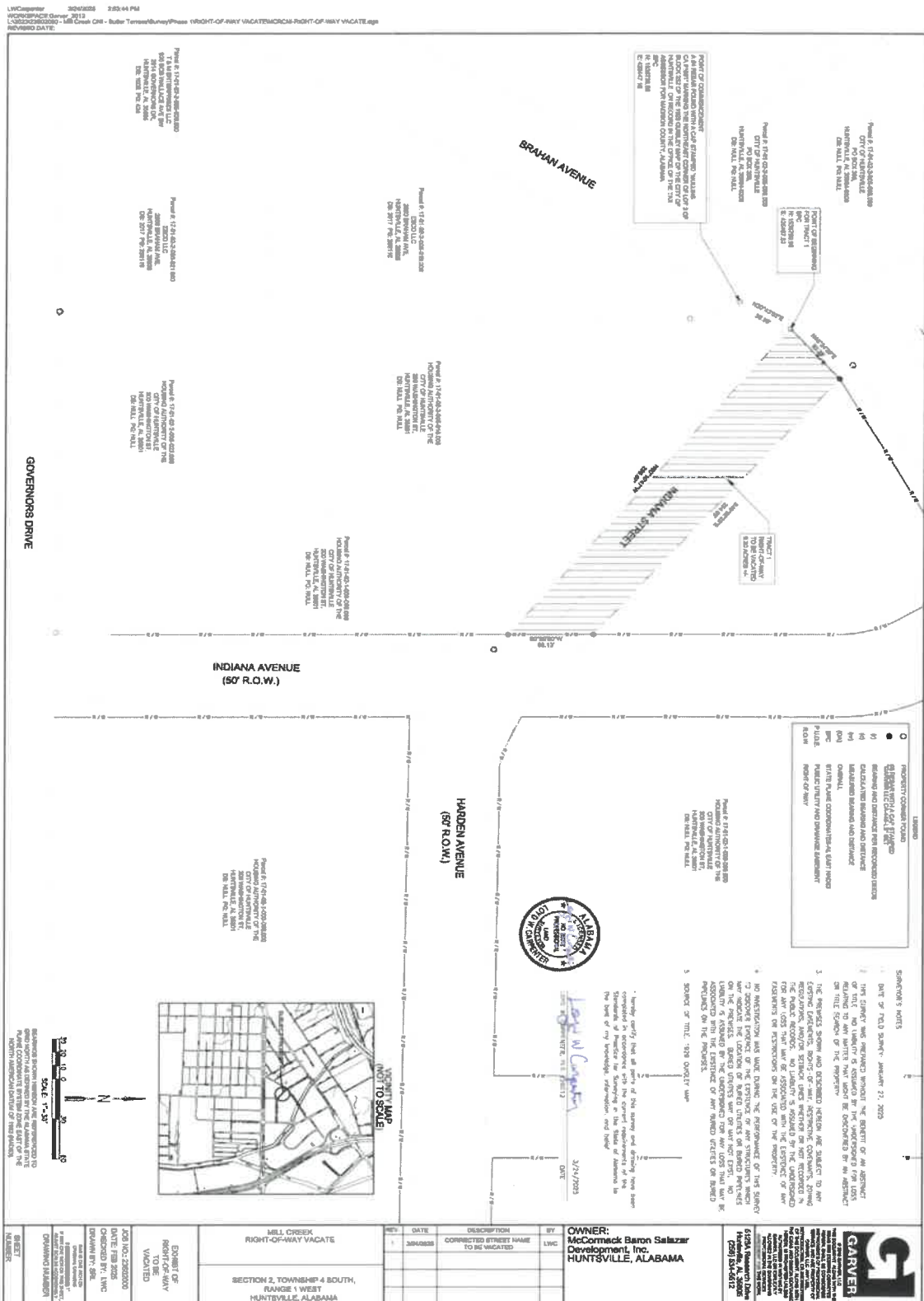
A tract of land lying and being in Section 2, Township 4 South, Range 1 West of the Huntsville Meridian and being more particularly described as follows:

Commencing at a #4 rebar found with a cap stamped "MULLINS CA #1001" marking the northeast corner of Lot 3, Block 252 according to the 1929 Quigley Map of the City of Huntsville of record in the Office of the Tax Assessor for Madison County, Alabama, said point marking the easterly right-of-way of Brahan Avenue; thence along said right-of-way North 30 Degrees 43 Minutes 02 Seconds East a distance of 39.98 feet to a #5 rebar found marking the southerly right-of-way of Indiana Street, said point being the Point of Beginning of the herein described tract having established grid coordinates of N: 1536760.96, E: 425467.52, of the Alabama State Plane Coordinate System Zone West of NAD83;

Thence leaving said rights-of-way North 48 Degrees 24 Minutes 25 Seconds East a distance of 50.28 feet a #5 rebar with a cap stamped "GARVER LLC CA-445-LS" (typical) set marking the northerly right-of-way of Indiana Street; thence along said right-of-way South 49 Degrees 02 Minutes 25 Seconds East a distance of 254.99 feet to a #5 rebar set; thence leaving said right-of-way South 0 Degrees 00 Minutes 00 Seconds West a distance of 58.13 feet to a #5 rebar set marking the southerly right-of-way of Indiana Street; thence along said right-of-way North 50 Degrees 10 Minutes 47 Seconds West a distance of 299.67 feet to the POINT OF BEGINNING.

The above-described parcel contains 0.30 acres (13047.13 sq. ft.), more or less and is subject to any existing easements and rights-of-way whether or not recorded in the public records.

**(Depiction of Right of Way to be Vacated – portion of Indiana Street)**



**Ordinance No. 25-**\_\_\_\_\_ (Cont.)

**ADOPTED** this the 8th day of May, 2025.

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

**APPROVED** this the 8th day of May, 2025.

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Mayor of the City of  
Huntsville, Alabama