

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 **ZP 361 Huntsville Research Park QOZB, 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:

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation, hereinafter referred to as "Grantor", in consideration of the sum of TEN DOLLARS (\$10.00), in hand paid to it by **ZP 361 Huntsville Research Park QOZB, LLC**, a North Carolina Limited Liability Company, hereinafter referred to as "Grantees", and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby REMISE, RELEASE, QUITCLAIM AND CONVEY unto the said Grantee IN FEE SIMPLE, TOGETHER WITH EVERY CONTINGENT REMAINDER AND RIGHT OF REVERSION; 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 1

A 10 FOOT UTILITY AND DRAINAGE EASEMENT SITUATED 5 FEET ALONG EACH SIDE LOT LINE, OF LOTS 2 AND 3 IN THE VINEMONT COMMERCIAL SUBDIVISION, ALL LOCATED WITHIN THE NORTHWEST QUARTER, OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, AS RECORDED IN DOCUMENT NUMBER 20090122000037390 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 5/8" REBAR AT THE NORTHWEST CORNER OF LOT 3 OF SAID VINEMONT COMMERCIAL SUBDIVISION; THENCE RUN NORTH 85 DEGREES 31 MINUTES 01 SECONDS EAST FOR A DISTANCE OF 20.09 FEET TO THE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED 10 FOOT UTILITY AND DRAINAGE EASEMENT;

THENCE RUN FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 03 MINUTES 14 SECONDS EAST FOR A DISTANCE OF 5.02 FEET A POINT ON THE SIDE OF SAID 10 FOOT EASEMENT; THENCE RUN NORTH 85 DEGREES 31 MINUTES 01 SECONDS EAST FOR A DISTANCE OF 428.52 FEET TO A POINT ON A 10 FOOT UTILITY AND DRAINAGE EASEMENT; THENCE RUN SOUTH 04 DEGREES 49 MINUTES 04 SECONDS EAST FOR A DISTANCE OF 5.00 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF SAID LOT 3; THENCE RUN SOUTH 04 DEGREES 28 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 5.00 FEET TO A POINT; THENCE RUN SOUTH 85 DEGREES 31 MINUTES 01 SECONDS WEST FOR A DISTANCE OF 429.52 FEET TO A POINT ON THE EAST BOUNDARY OF A 20 FOOT UTILITY AND DRAINAGE EASEMENT; THENCE RUN NORTH 01 DEGREES 02 MINUTES 09 SECONDS EAST FOR A DISTANCE OF 5.02 FEET TO THE POINT OF BEGINNING.

SAID UTILITY AND DRAINAGE EASEMENT CONTAINING 0.10 ACRES OR (4290 SQ. FT.) MORE OR LESS.

AND ALSO

Easement 2

ALL THAT PART OF THE SW QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RAILROAD SPIKE FOUND AT THE INTERSECTION OF OAKWOOD ROAD AND JOHNS ROAD, SAID SPIKE ALSO BEING THE SW CORNER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 15 MINUTES 23 SECONDS EAST, 1267.40 FEET TO A PK NAIL, SAID POINT BEING THE SW CORNER OF SAID PROPERTY; THENCE ALONG THE WEST LINE NORTH 00 DEGREES 44 MINUTES 36 SECONDS EAST, 548.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING SAID WEST LINE NORTH 83 DEGREES MINUTES 00 SECONDS EAST, 81.60 FEET; THENCE NORTH 89 DEGREES 00 MINUTES 00 SECONDS EAST, 341.07 FEET TO A POINT; THENCE SOUTH 03 DEGREES 22 MINUTES 41 SECONDS EAST, 238.25 FEET; THENCE SOUTH 04 DEGREES 44 MINUTES 42 SECOND EAST, 163.94 FEET TO A POINT ON THE WEST MARGIN OF RIDE OUT ROAD RIGHT-OF-WAY; THENCE ALONG SAID MARGIN NORTH 85 DEGREES 20 MINUTES 33 SECONDS EAST, 20.00 FEET TO A POINT ON A 00 DEGREE 20 MINUTE 50 SECOND CURVE TO THE RIGHT AND WITH TANGENT AT SAID POINT BEING NORTH 04 DEGREES 38 MINUTES 09 SECONDS WEST; THENCE ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 420.91 FEET TO A POINT; THENCE LEAVING SAID MARGIN SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST, 361.26 FEET TO A POINT; THENCE SOUTH 83 DEGREES 30 MINUTES 00 SECONDS WEST 80.02 FEET TO A POINT ON THE WEST PROPERTY LINE; THENCE ALONG SAID WST LINE SOUTH 00 DEGREES 44 MINUTES 36 SECONDS WEST 20.16 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING .3904 ACRES, MORE OR LESS.

AND ALSO

Easement 3

A 10 FOOT UTILITY AND DRAINAGE EASEMENT SITUATED 5 FEET ALONG EACH SIDE LOT LINE, OF LOTS 1 AND 2, IN THE VINEMONT COMMERCIAL SUBDIVISION, ALL LOCATED WITHIN THE NORTHWEST QUARTER, OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, AS RECORDED IN DOCUMENT NUMBER 20090122000037390 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 5/8" REBAR AT THE SOUTHWEST CORNER OF LOT 1 OF SAID VINEMONT COMMERCIAL SUBDIVISION; THENCE RUN ALONG THE SOUTH BOUNDARY OF SAID LOT 1, SOUTH 88 DEGREES 58 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 20.07 FEET TO A POINT ON THE WEST BOUNDARY OF A 20 FOOT UTILITY AND DRAINAGE EASEMENT AND TO THE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED 10 FOOT UTILITY AND DRAINAGE EASEMENT.

THENCE RUN FROM THE POINT OF BEGINNING, AN ALONG SAID 20 FOOT UTILITY AND DRAINAGE EASEMENT, NORTH 05 DEGREES 52 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 5.02 FEET TO A POINT ON A 5 FOOT UTILITY AND DRAINAGE EASEMENT; THENCE RUN, SOUTH 88 DEGREES 56 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 299.27 FEET TO A POINT ON A 10 FOOT UTILITY AND DRAINAGE EASEMENT; THENCE RUN SOUTH 01 DEGREES 05 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 5.00 FEET TO A POINT ON SAID SOUTH BOUNDARY OF LOT 1; THENCE RUN SOUTH 01 DEGREES 02 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 5.00 FEET TO A POINT ON THE SOUTH SIDE OF SAID 10 FOOT UTILITY AND DRAINAGE EASEMENT; THENCE RUN NORTH 88 DEGREES 56 MINUTES 31 SECONDS WEST FOR A DISTANCE OF 300.11 FEET TO THE EAST BOUNDARY OF SAID 20 FOOT UTILITY AND DRAINAGE EASEMENT; THENCE RUN NORTH 05 DEGREES 45 MINUTES 37 SECONDS EAST FOR A DISTANCE OF 5.02 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF SAID LOT 2, AND THE POINT OF BEGINNING.

SAID UTILITY AND DRAINAGE EASEMENT CONTAINING 0.07 ACRES OR (2997 SQ. FT.) MORE OR LESS.

TO HAVE AND TO HOLD UNTO THE SAID GRANTEES FOR AND DURING THEIR JOINT LIVES, AND UPON THE DEATH OF EITHER OF THEM, THEN TO THE SURVIVOR OF THEM IN FEE SIMPLE, AND TO THE HEIRS AND ASSIGNS OF SUCH SURVIVOR FOREVER, TOGETHER WITH EVERY CONTINGENT REMAINDER AND RIGHT OF REVERSION, all of Grantor's right, title, interest and claim in and to the above described real estate.

(SIGNATURE ON FOLLOWING PAGE)

IN WITNESS WHEREOF, the Grantor has caused this Quitclaim Deed to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, on this the 10th day of March, 2022.

ATTEST:

CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Kenneth Benion, Clerk-Treasurer

By: _____
Tommy Battle, Mayor

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 Clerk-Treasurer, respectively, of the **CITY OF HUNTSVILLE, ALABAMA, a 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 the instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the 10th day of March, 2022.

Notary Public
My Commission Expires: _____

Pursuant to and in accordance with Section 40-22-1 of the *Code of Alabama (1975)*, the following information is offered in lieu of submitting Form RT-1:

Date of Sale: _____, 2021
Grantor's Address: 308 Fountain Circle, Huntsville, AL 35801
Grantee's Address:
Property Address: 3 Easements at The Boardwalk at Research Park
Purchase Price: \$0 – Nominal for vacation of easement

THIS INSTRUMENT WAS PREPARED BASED UPON INFORMATION PROVIDED BY THE GRANTEE. NO TITLE EXAMINATION HAS BEEN PERFORMED BY THE PREPARER OF THIS DEED AND NO OPINION HAS BEEN EXPRESSED OR RENDERED WITH RESPECT TO THE TITLE OR LEGAL DESCRIPTION OF THE ABOVE DESCRIBED REAL PROPERTY.

This instrument prepared by:

Joel P. Jaquino
Bold Title, LLC
108 Longwood Drive, SE
Huntsville, Alabama 35801

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