



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 10/12/2023

**File ID:** TMP-3474

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of a portion of an Access Easement in Lot 1-B, Block 1, Exchange Center, 238 Exchange Place. (Low Fat Subs)

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-B, Block 1, Exchange Center, 238 Exchange Place

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

**Additional Comments:**

**ORDINANCE NO. 23-\_\_\_\_\_**

**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 an access easement; that the applicant has represented to the City of Huntsville that **Low Fat Subs, Inc.**, 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 easement 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 **LOW FAT SUBS, INC.** 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:

BEING A TRACT OF LAND SITUATED IN A PORTION OF LOT 1-B, BLOCK 1 OF A RESUBDIVISION OF LOT 1, BLOCK 1 EXCHANGE CENTER AS RECORDED PER PLAT BOOK 21, PAGE 80 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, AND LYING IN A PORTION OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 5/8 INCH REBAR CAPPED "GW JONES" LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF EXCHANGE PLACE NORTHWEST AND ALSO BEING THE SOUTHWESTERN CORNER OF SAID LOT 1-B; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 02 DEGREES 01 MINUTES 52 SECONDS EAST A DISTANCE OF 31.75 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 02 DEGREES 01 MINUTES 52 SECONDS EAST A DISTANCE OF 46.00 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 87 DEGREES 58 MINUTES 08 SECONDS EAST A DISTANCE OF 10.00 FEET; THENCE SOUTH 02 DEGREES 01 MINUTES 52 SECONDS WEST A DISTANCE OF 46.00 FEET; THENCE NORTH 87 DEGREES 58 MINUTES 08 SECONDS WEST A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 460 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED PROPERTY SHALL REMAIN SUBJECT TO AN EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE IN FAVOR OF THE CITY OF HUNTSVILLE.

**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 12th day of October, 2023.

**CITY OF HUNTSVILLE, ALABAMA,**  
a 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, 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 12th day of October, 2023.

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

THIS INSTRUMENT PREPARED BY:  
**Halliburton Surveying & Mapping, Inc.**  
**412 Governors Drive SW**  
**Huntsville, AL 35801**

**Ordinance No. 23-**\_\_\_\_\_ (Cont.)

**ADOPTED** this the 12th day of October, 2023.

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

**APPROVED** this the 12th day of October, 2023.

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Mayor of the City of  
Huntsville, Alabama