



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 5/23/2024

**File ID:** TMP-4219

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement, Village of Providence Phase1 Part E, Off Broadway Street.

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:** Village of Providence, Off Broadway Street

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

**Additional Comments:**

**ORDINANCE NO. 24-\_\_\_\_\_**

**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 **2020 At Providence, 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 easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

***This Instrument prepared by:***

Behrouz K. Rahmati  
Rahmati Law Firm, LLC  
470 Providence Main St, Suite 201  
Huntsville, Alabama 35806  
(256) 533-2002



**RECORDING USE ONLY**

The following information is offered in lieu of submitting an RT-1 Real Estate Sales Validation Form pursuant to Section 40-22-1 of the Code of Alabama (1975):

**Grantor's name and mailing address**

City of Huntsville, Alabama  
308 Fountain Circle, P.O. Box 308  
Huntsville, Alabama 35801

**Grantee's name and mailing address:**

2020 At Providence, LLC  
7 Town Center Drive; Suite 102  
Huntsville, Alabama 35806

**Property address:** 20 Town Center Drive, Huntsville, AL 35806 and 00 Off Broadway Street, Huntsville, AL 35806

**Date of sale:** Dated of even date herewith.

**Purchase price:** N/A

The purchase price or actual value claimed in this instrument can be verified in the following documentary evidence:

Bill of Sale     Sales Contract     Closing Statement     Appraisal     Other

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**QUITCLAIM DEED FOR VACATION OF EASEMENT**

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WHEREAS, the **City of Huntsville, Alabama** (the "Grantor") is the holder of that certain Public Utilities and Drainage Easement more particularly and collectively described on **Exhibit "A"** attached hereto (the "PUDE Easement"); and

WHEREAS, the Grantor has agreed to vacate said PUDE Easement and to convey all of its rights, title and interest in and to the PUDE Easement to **2020 At Providence, LLC** (the "Grantee").

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS, that the Grantor, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, does hereby remise, release, and forever quitclaim to the Grantee, together with every contingent remainder and right of reversion, all Grantor's right, title, interest and claim in and to the PUDE Easement, situated in the City of Huntsville, County of Madison, Alabama and legally described in attached hereto **Exhibit "A"**.

TO HAVE AND TO HOLD the PUDE Easement unto the Grantee, together with every contingent remainder and right of reversion.

Grantor attests, to the best of its knowledge and belief, that the information submitted in the legend at the beginning of this Deed in lieu of the RT-1 Real Estate Sales Validation Form is true and accurate, and Grantor understands that any false statements contained in such information may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1(h).

**IN WITNESS WHEREOF**, Grantor has caused this instrument to be executed on or as of the 23rd day of May, 2024.

CITY OF HUNTSVILLE, ALABAMA

By: \_\_\_\_\_  
Tommy Battle, Mayor

Attest: \_\_\_\_\_  
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 S. Edwards, whose names as Mayor and City Clerk respectively, of The City of Huntsville, Alabama, 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 23rd day of May, 2024.

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

[NOTARIAL SEAL]

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

**EXHIBIT "A"**

**LEGAL DESCRIPTION  
OF  
PUDE EASEMENT**

STATE OF ALABAMA  
COUNTY OF MADISON

Commence at a Capped Rebar (GMC) lying at the Northwest corner of Lot 1, of Village of Providence Phase 1, Part E, as per plat recorded in Plat Book 2020, Page 101550 in the Office of the Judge of Probate of Madison County, Alabama, said point also lying on the east right-of-way line of Off Broadway Street; thence run along said east right-of-way line, S 01°09'16" W, 149.15 feet to the Point of Beginning; thence departing said east right-of-way line, continue S 01°09'16" W, 60.85 feet to a point; thence run N 88°50'44" W, 50.00 feet to a point; thence run N 01°09'16" E, 41.44 feet to the PC of a 15.00-foot radius curve concave southwesterly; thence run northwesterly along the arc of said curve 24.57 feet (chord bears N 45°46'07" W, 21.91 feet) to a point on the south right-of-way line of Gates Mill Street; thence run along said south right-of-way line, N 87°18'26" E, 66.16 feet to the Point of Beginning.

Said described easement lying and being situated in Section 25, Township 3 South, Range 2 West, Madison County, Alabama, and contains 0.07 acres (3,014.77 S.F.), more or less.

**Ordinance No. 24-**\_\_\_\_\_ (Cont.)

**ADOPTED** this the 23rd day of May, 2024.

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

**APPROVED** this the 23rd day of May, 2024.

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Mayor of the City of  
Huntsville, Alabama