

INTRODUCED

ADOPTED

ORDINANCE NO. _

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 rights-of-ways; that the applicants have represented to the City of Huntsville that **Marcy L. Porter, Nathan Michael McCall and Kortni Grace McCall, Katherine C. Plexico, and Traymore Properties, L.L.C.**, are the owners of the property across which said rights-of-ways lie; that said rights-of-ways, 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 quitclaim deeds vacating the rights-of-ways hereinafter described, said deeds being substantially in words and figures as follows, to-wit:

This Instrument Prepared By:

Allie C. Tucker, Esq.
Butler Snow LLP
200 West Side Sq., Suite 100
Huntsville, AL 35801
(256) 936-5611

Send Tax Notice To:

Marcy L. Porter
4117 Garth Rd. SE
Huntsville, Alabama 35802

STATE OF ALABAMA)

COUNTY OF MADISON)

QUITCLAIM DEED
FOR VACATION OF RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten Dollars and No/100 (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation (“Grantor”), hereby remises, releases, and quitclaims unto **MARCYE L. PORTER**, a married woman (the “Grantee”), all of its interest in or to the following described real estate, situated in Madison County, Alabama, to-wit:

See attached Exhibit “A” attached hereto and incorporated by reference.

Grantor does hereby except from this conveyance and reserve unto itself, its successors and assigns, a non-exclusive twenty-foot (20’) easement for public utility and drainage over and under the real property, described as follows:

See attached Exhibit “B” attached hereto and incorporated by reference.

THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH INFORMATION SUPPLIED TO THE PREPARER. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED BY EITHER GRANTOR OR GRANTEES, AND NONE WAS CONDUCTED AND/OR RENDERED.

Pursuant to the provisions of Ala. Code §40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor’s Address: P.O. Box 308, Huntsville, AL 35804
Grantee’s Address: 4117 Garth Rd. SE, Huntsville, AL 35804
Property Address: N/A
Purchase Price: N/A – Vacation of Right of Way

TO HAVE AND TO HOLD, to the said Grantee, her successors, heirs and assigns, forever.

[Signature Page Follows.]

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be signed on its behalf by its Mayor and attested by its City Clerk. - this the 16 day of November, 2023.

CITY OF HUNTSVILLE, ALABAMA, a municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Shaundrika Edwards, City Clerk

Exhibit "A"

Legal Description of Property

The North one-half of the following described right-of-way:

All that part of Section 08, Township 04 South, Range 01 East of the Huntsville Meridian, in Huntsville, Alabama more particularly described as beginning at a point located at the Southeast Corner of Lot 7, Block 8 of Greenwycke Village subdivision as recorded in Plat Book 1, Page 296 in the Office of the Judge of Probate, Madison County, Alabama; thence from the Point of Beginning, North 87 Degrees 59 Minutes West for a distance of 200.00 feet to a point, said point also being the Southwest Corner of Lot 7, Block 8 of the above referenced subdivision and along the right of way of Garth Road; thence South 02 Degrees 01 Minute West for a distance of 50.00 feet to a point; thence South 87 Degrees 59 East for a distance of 200.00 feet to a point; thence North 02 Degrees 01 Minute East for a distance of 50.00 feet back to the Point of Beginning

Exhibit "B"

Legal Description of the Public Utility and Drainage Easement

A 20' public utility and drainage easement with 10.00 feet taken evenly from each side of the following described line:

All that part of Section 08, Township 04 South, Range 01 East of the Huntsville Meridian, in Huntsville, Alabama more particularly described as commencing at a point located at the Southeast Corner of Lot 7, Block 8 of Greenwycke Village subdivision as recorded in Plat Book 1, Page 296 in the Office of the Judge of Probate, Madison County, Alabama; thence from the Point of Commencement, South 02 Degrees 01 Minute West for a distance of 25.00 to the Point of Beginning; thence from the Point of Beginning, North 87 Degrees 59 Minutes Seconds West for a distance of 200.00 feet to a point; said point also being along the right of way of Garth Road

This Instrument Prepared By:

Allie C. Tucker, Esq.
Butler Snow LLP
200 West Side Sq., Suite 100
Huntsville, AL 35801
(256) 936-5611

Send Tax Notice To:

Marcy L. Porter
4117 Garth Rd. SE
Huntsville, Alabama 35802

STATE OF ALABAMA)

COUNTY OF MADISON)

QUITCLAIM DEED
FOR VACATION OF RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten Dollars and No/100 (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation (“Grantor”), hereby remises, releases, and quitclaims unto **MARCYE L. PORTER**, a married woman (the “Grantee”), all of its interest in or to the following described real estate, situated in Madison County, Alabama, to-wit:

See attached Exhibit “A” attached hereto and incorporated by reference.

Grantor does hereby except from this conveyance and reserve unto itself, its successors and assigns, a non-exclusive twenty-foot (20’) easement for public utility and drainage over and under the real property, described as follows:

See attached Exhibit “B” attached hereto and incorporated by reference.

THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH INFORMATION SUPPLIED TO THE PREPARER. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED BY EITHER GRANTOR OR GRANTEES, AND NONE WAS CONDUCTED AND/OR RENDERED.

Pursuant to the provisions of Ala. Code §40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor’s Address: P.O. Box 308, Huntsville, AL 35804
Grantee’s Address: 4117 Garth Rd. SE, Huntsville, AL 35804
Property Address: N/A
Purchase Price: N/A – Vacation of Right of Way

TO HAVE AND TO HOLD, to the said Grantee, her successors, heirs and assigns, forever.

[Signature Page Follows.]

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be signed on its behalf by its Mayor and attested by its City Clerk- _____ this the 16th day of November, 2023.

CITY OF HUNTSVILLE, ALABAMA, a municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Shaundrika Edwards, _____ City Clerk

Exhibit "A"

Legal Description of Property

The North one-half of the following described right-of-way:

All that part of Section 08, Township 04 South, Range 01 East of the Huntsville Meridian, in Huntsville, Alabama more particularly described as beginning at a point located at the Southeast Corner of Lot 7, Block 8 of Greenwycke Village subdivision as recorded in Plat Book 1, Page 296 in the Office of the Judge of Probate, Madison County, Alabama; thence from the Point of Beginning, North 87 Degrees 59 Minutes West for a distance of 200.00 feet to a point, said point also being the Southwest Corner of Lot 7, Block 8 of the above referenced subdivision and along the right of way of Garth Road; thence South 02 Degrees 01 Minute West for a distance of 50.00 feet to a point; thence South 87 Degrees 59 East for a distance of 200.00 feet to a point; thence North 02 Degrees 01 Minute East for a distance of 50.00 feet back to the Point of Beginning

Exhibit "B"

Legal Description of the Public Utility and Drainage Easement

A 20' public utility and drainage easement with 10.00 feet taken evenly from each side of the following described line:

All that part of Section 08, Township 04 South, Range 01 East of the Huntsville Meridian, in Huntsville, Alabama more particularly described as commencing at a point located at the Southeast Corner of Lot 7, Block 8 of Greenwycke Village subdivision as recorded in Plat Book 1, Page 296 in the Office of the Judge of Probate, Madison County, Alabama; thence from the Point of Commencement, South 02 Degrees 01 Minute West for a distance of 25.00 to the Point of Beginning; thence from the Point of Beginning, North 87 Degrees 59 Minutes Seconds West for a distance of 200.00 feet to a point; said point also being along the right of way of Garth Road

This Instrument Prepared By:

Allie C. Tucker, Esq.
Butler Snow LLP
200 West Side Sq., Suite 100
Huntsville, AL 35801
(256) 936-5611

Send Tax Notice To:

Nathan Michael McCall & Kortni Grace McCall
4203 Garth Rd. SE
Huntsville, AL 35801

STATE OF ALABAMA)

COUNTY OF MADISON)

QUITCLAIM DEED
FOR VACATION OF RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten Dollars and No/100 (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation (“Grantor”), hereby remises, releases, and quitclaims unto **NATHAN MICHAEL MCCALL and KORTNI GRACE MCCALL**, husband and wife, (collectively, the “Grantees”), all of its interest in or to the following described real estate, situated in Madison County, Alabama, to-wit:

See attached Exhibit “A” attached hereto and incorporated by reference.

Grantor does hereby except from this conveyance and reserve unto itself, its successors and assigns, a non-exclusive twenty-foot (20’) easement for public utility and drainage over and under the real property, described as follows:

See attached Exhibit “B” attached hereto and incorporated by reference.

THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH INFORMATION SUPPLIED TO THE PREPARER. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED BY EITHER GRANTOR OR GRANTEES, AND NONE WAS CONDUCTED AND/OR RENDERED.

Pursuant to the provisions of Ala. Code §40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor’s Address: P.O. Box 308, Huntsville, AL 35804
Grantees’ Address: 4203 Garth Rd. SE, Huntsville, AL 35904
Property Address: N/A
Purchase Price: N/A – Vacation of Right of Way

TO HAVE AND TO HOLD, to the said Grantees, their successors, heirs and assigns, forever.

[Signature Page Follows.]

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be signed on its behalf by its Mayor and attested by its City Clerk- _____; this the 16th day of November, 2023.

CITY OF HUNTSVILLE, ALABAMA, a municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Shaundrika Edwards, _____
City Clerk

Exhibit "A"

Legal Description of Property

The South one-half of the following described right-of-way:

All that part of Section 08, Township 04 South, Range 01 East of the Huntsville Meridian, in Huntsville, Alabama more particularly described as beginning at a point located at the Southeast Corner of Lot 7, Block 8 of Greenwycke Village subdivision as recorded in Plat Book 1, Page 296 in the Office of the Judge of Probate, Madison County, Alabama; thence from the Point of Beginning, North 87 Degrees 59 Minutes West for a distance of 200.00 feet to a point, said point also being the Southwest Corner of Lot 7, Block 8 of the above referenced subdivision and along the right of way of Garth Road; thence South 02 Degrees 01 Minute West for a distance of 50.00 feet to a point; thence South 87 Degrees 59 East for a distance of 200.00 feet to a point; thence North 02 Degrees 01 Minute East for a distance of 50.00 feet back to the Point of Beginning

Exhibit "B"

Legal Description of the Public Utility and Drainage Easement

A 20' public utility and drainage easement with 10.00 feet taken evenly from each side of the following described line:

All that part of Section 08, Township 04 South, Range 01 East of the Huntsville Meridian, in Huntsville, Alabama more particularly described as commencing at a point located at the Southeast Corner of Lot 7, Block 8 of Greenwycke Village subdivision as recorded in Plat Book 1, Page 296 in the Office of the Judge of Probate, Madison County, Alabama; thence from the Point of Commencement, South 02 Degrees 01 Minute West for a distance of 25.00 to the Point of Beginning; thence from the Point of Beginning, North 87 Degrees 59 Minutes Seconds West for a distance of 200.00 feet to a point; said point also being along the right of way of Garth Road

This Instrument Prepared By:

Allie C. Tucker, Esq.
Butler Snow LLP
200 West Side Sq., Suite 100
Huntsville, AL 35801
(256) 936-5611

Send Tax Notice To:

Katherine C. Plexico
2702 Chandler Cir. SE
Huntsville, AL 35801-1486

STATE OF ALABAMA)

COUNTY OF MADISON)

QUITCLAIM DEED
FOR VACATION OF RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten Dollars and No/100 (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation (“Grantor”), hereby remises, releases and quitclaims unto **KATHERINE C. PLEXICO**, a _____ woman, (the “Grantee”), all of its interest in or to the following described real estate, situated in Madison County, Alabama, to-wit:

See attached Exhibit “A” attached hereto and incorporated by reference.

Grantor does hereby except from this conveyance and reserve unto itself, its successors and assigns, a non-exclusive twenty-foot (20’) easement for public utility and drainage over and under the real property, described as follows:

See attached Exhibit “B” attached hereto and incorporated by reference.

THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH INFORMATION SUPPLIED TO THE PREPARER. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED BY EITHER GRANTOR OR GRANTEES, AND NONE WAS CONDUCTED AND/OR RENDERED.

Pursuant to the provisions of Ala. Code §40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor’s Address: P.O. Box 308, Huntsville, AL 35804
Grantees’ Addresses: 2702 Chandler Cir. SE, Huntsville, AL 35801-1486
Property Address: N/A
Purchase Price: N/A – Vacation of Right of Way

TO HAVE AND TO HOLD, to the said Grantee, her successors, heirs and assigns, forever.

[Signature Page Follows.]

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be signed on its behalf by its Mayor and attested by its City Clerk this the 16th day of November, 2023.

CITY OF HUNTSVILLE, ALABAMA, a municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Shaundrika Edwards, City Clerk

Exhibit "A"

Legal Description of Property

The South one-half of the following described right-of-way:

All that part of Section 08, Township 04 South, Range 01 East of the Huntsville Meridian, in Huntsville, Alabama more particularly described as beginning at a point located at the Southwest Corner of Lot 1 of a Resubdivision of Lot 8 Block 8 of Greenwycke Village 7th Addition as recorded in Plat Book 2018-00040988 in the Office of the Judge of Probate, Madison County, Alabama; thence from the Point of Beginning, South 85 Degrees 27 Minutes 17 Seconds East for a distance of 200.63 feet to a point, said point also being the Southeast Corner of Lot 1 of the above referenced subdivision and along the right of way of Dunsmore Street; thence South 05 Degrees 08 Minutes 53 Seconds West for a distance of 50.12 feet to a point; thence North 85 Degrees 26 Minutes 30 Seconds West for a distance of 200.10 feet to a point; thence North 04 Degrees 32 Minutes 32 Seconds East for a distance of 50.07 feet back to the Point of Beginning

Exhibit "B"

Legal Description of the Public Utility and Drainage Easement

A 20' public utility and drainage easement with 10.00 feet taken evenly from each side of the following described line:

All that part of Section 08, Township 04 South, Range 01 East of the Huntsville Meridian, in Huntsville, Alabama more particularly described as commencing at a point located at the Southwest Corner of Lot 1 of a Resubdivision of Lot 8 Block 8 of Greenwycke Village 7th Addition as recorded in Plat Book 2018-00040988 in the Office of the Judge of Probate, Madison County, Alabama; thence from the Point of Commencement, South 04 Degrees 32 Minutes 32 Seconds West for a distance of 25.04 feet to the Point of Beginning; thence from the Point of Beginning, South 84 Degrees 48 Minutes 02 Seconds East for a distance of 200.56 feet to a point; said point also being along the right of way of Dunsmore Street.

This Instrument Prepared By:
Allie C. Tucker, Esq.
Butler Snow LLP
200 West Side Sq., Suite 100
Huntsville, AL 35801
(256) 936-5611

Send Tax Notice To:
Traymore Properties, L.L.C.
15410 Highway 231
Union Grove, AL 35175

STATE OF ALABAMA)

COUNTY OF MADISON)

QUITCLAIM DEED
FOR VACATION OF RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten Dollars and No/100 (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation (“Grantor”), hereby remises, releases, and quitclaims unto **TRAYMORE PROPERTIES L.L.C.**, an Alabama limited liability company (the “Grantee”), all of its interest in or to the following described real estate, situated in Madison County, Alabama, to-wit:

See attached Exhibit “A” attached hereto and incorporated by reference.

Grantor does hereby except from this conveyance and reserve unto itself, its successors and assigns, a non-exclusive twenty-foot (20’) easement for public utility and drainage over and under the real property, described as follows:

See attached Exhibit “B” attached hereto and incorporated by reference.

THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH INFORMATION SUPPLIED TO THE PREPARER. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED BY EITHER GRANTOR OR GRANTEES, AND NONE WAS CONDUCTED AND/OR RENDERED.

Pursuant to the provisions of Ala. Code §40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor’s Address:	P.O. Box 308, Huntsville, AL 35804
Grantees’ Addresses:	15410 Highway 231, Union Grove, AL 35175
Property Address:	N/A
Purchase Price:	N/A – Vacation of Right of Way

TO HAVE AND TO HOLD, to the said Grantee, its successors and assigns, forever.

[Signature Page Follows.]

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be signed on its behalf by its Mayor and attested by its City Clerk ; this the 16th day of November, 2023.

CITY OF HUNTSVILLE, ALABAMA, a municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Shaundrika Edwards, City Clerk

Exhibit "A"

Legal Description of Property

The North one-half of the following described right-of-way:

All that part of Section 08, Township 04 South, Range 01 East of the Huntsville Meridian, in Huntsville, Alabama more particularly described as beginning at a point located at the Southwest Corner of Lot 1 of a Resubdivision of Lot 8 Block 8 of Greenwycke Village 7th Addition as recorded in Plat Book 2018-00040988 in the Office of the Judge of Probate, Madison County, Alabama; thence from the Point of Beginning, South 85 Degrees 27 Minutes 17 Seconds East for a distance of 200.63 feet to a point, said point also being the Southeast Corner of Lot 1 of the above referenced subdivision and along the right of way of Dunsmore Street; thence South 05 Degrees 08 Minutes 53 Seconds West for a distance of 50.12 feet to a point; thence North 85 Degrees 26 Minutes 30 Seconds West for a distance of 200.10 feet to a point; thence North 04 Degrees 32 Minutes 32 Seconds East for a distance of 50.07 feet back to the Point of Beginning

AND

The following described utility and drainage easement:

A 10' public utility and drainage easement taken from the north side of the following described line:

All that part of Section 08, Township 04 South, Range 01 East of the Huntsville Meridian, in Huntsville, Alabama more particularly described as beginning at a point located at the Southwest Corner of Lot 1 of a Resubdivision of Lot 8 Block 8 of Greenwycke Village 7th Addition as recorded in Plat Book 2018-00040988 in the Office of the Judge of Probate, Madison County, Alabama; thence North 85 27' 17" West for a distance of 200.63 feet to a point, said point also being the Southeast corner of said Lot.

Exhibit "B"

Legal Description of the Public Utility and Drainage Easement

A 20' public utility and drainage easement with 10.00 feet taken evenly from each side of the following described line:

All that part of Section 08, Township 04 South, Range 01 East of the Huntsville Meridian, in Huntsville, Alabama more particularly described as commencing at a point located at the Southwest Corner of Lot 1 of a Resubdivision of Lot 8 Block 8 of Greenwycke Village 7th Addition as recorded in Plat Book 2018-00040988 in the Office of the Judge of Probate, Madison County, Alabama; thence from the Point of Commencement, South 04 Degrees 32 Minutes 32 Seconds West for a distance of 25.04 feet to the Point of Beginning; thence from the Point of Beginning, South 84 Degrees 48 Minutes 02 Seconds East for a distance of 200.56 feet to a point; said point also being along the right of way of Dunsmore Street.

68913127.v1

ORDINANCE NO. _____ (Cont.)

ADOPTED this the 16th day of November, 2023.

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

APPROVED this the 16th day of November, 2023.

Mayor of the City of Huntsville, Alabama