



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 8/22/2024

File ID: TMP-4519

Department: Legal

Subject:

Type of Action: Approval/Action

Ordinance authorizing the vacation of Utility and Drainage Easements at 1325 Old Monrovia Road.

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: 1325 Old Monrovia Road

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 easements; that the applicant has represented to the City of Huntsville that **ECG Monrovia, LP**, 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 quitclaim deeds vacating the easements hereinafter described, said deeds 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 **ECG Monrovia, LP**, an Alabama limited partnership 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:

A TRACT OF LAND BEING A PART OF LOT 1, ACCORDING TO THE BOUNDARY PLAT OF OLD MONROVIA APARTMENTS AS RECORDED IN PLAT BOOK 2021, PAGE 27586 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA AND ALSO BEING SITUATED IN THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 1/2 INCH REBAR CAPPED "HSM CA #1031" BEING THE NORTHEAST CORNER OF SAID LOT 1 AND LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF OLD MONROVIA ROAD; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE EASTERLY LINE OF SAID LOT 1 SOUTH 01 DEGREE 44 MINUTES 07 SECONDS WEST A DISTANCE OF 356.16 FEET; THENCE LEAVING THE SAID EAST LINE OF SAID LOT SOUTH 46 DEGREES 33 MINUTES 25 SECONDS WEST A DISTANCE OF 14.19 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE SOUTH 01 DEGREE 44 MINUTES 07 SECONDS WEST A DISTANCE OF 235.27 FEET TO A POINT; THENCE NORTH 89 DEGREES 09 MINUTES 13 SECONDS WEST A DISTANCE OF 8.77 FEET TO A POINT; THENCE SOUTH 01 DEGREE 44 MINUTES 07 SECONDS WEST A DISTANCE OF 29.36 FEET TO A POINT; THENCE NORTH 89 DEGREES 09 MINUTES 13 SECONDS WEST A DISTANCE OF 37.93 FEET TO A POINT; THENCE NORTH 09 DEGREES 35 MINUTES 49 SECONDS EAST A DISTANCE OF 256.01 FEET TO A POINT; THENCE NORTH 46 DEGREES 33 MINUTES 25 SECONDS EAST A DISTANCE OF 16.57 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 7,196 SQUARE FEET OR 0.17 ACRES, MORE OR LESS.

AS DEPICTED IN ATTACHMENT EXHIBIT "A" BEING INCORPORATED HEREIN BY REFERENCE.

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 _____ day of _____, 2024.

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.

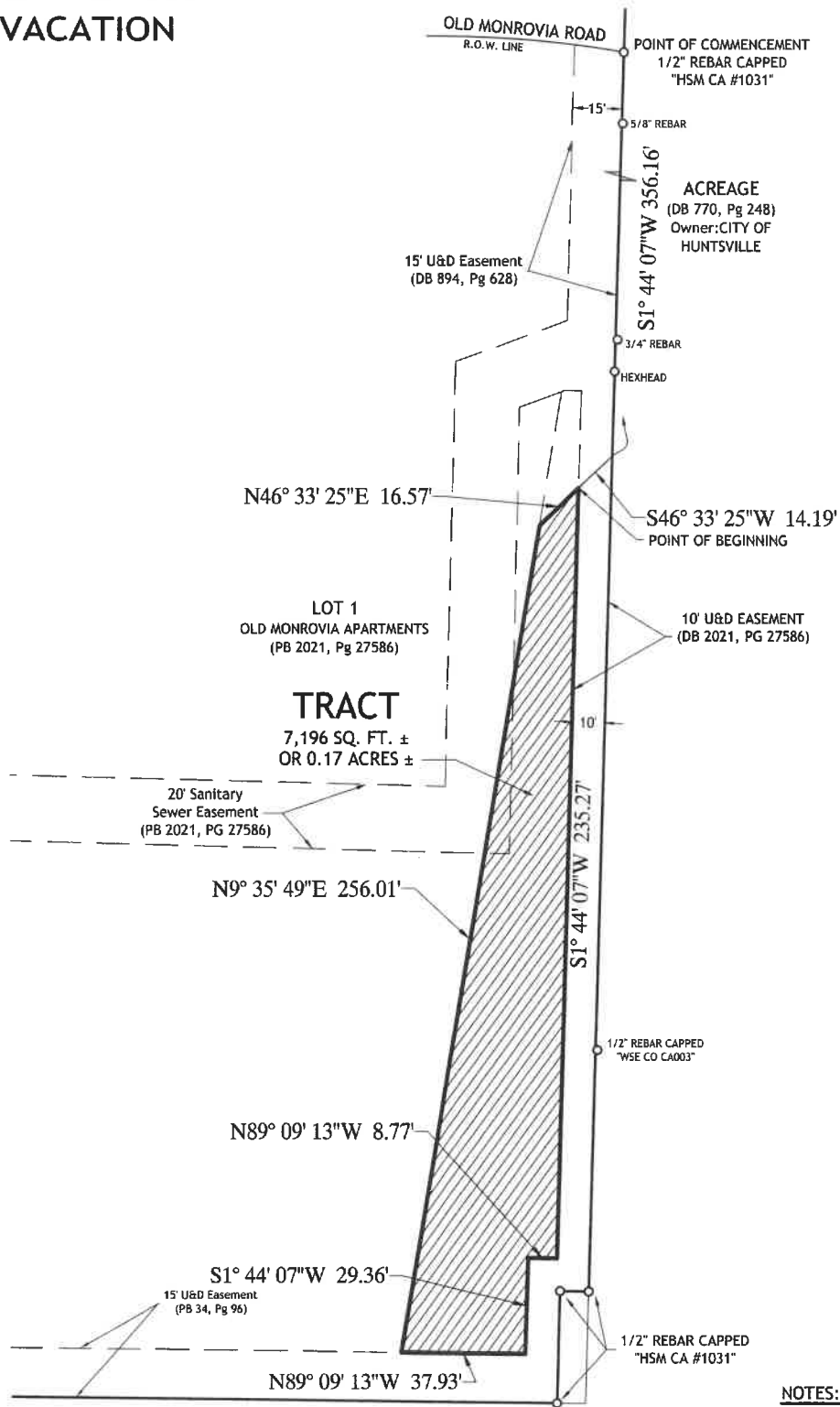
GIVEN under my hand and official seal this the _____ day of _____, 2024.

Notary Public

THIS INSTRUMENT PREPARED BY:
HALLIBURTON SURVEYING & MAPPING, INC.
412 GOVERNORS DRIVE SW
HUNTSVILLE, AL 35801

EXHIBIT "A"

U&D EASEMENT VACATION



NOTES:

1. **THIS IS NOT A PROPERTY BOUNDARY SURVEY.**
2. The purpose of this exhibit is to accompany a legal description for a Utility & Drainage Easement Vacation.
3. The unit of measurement shown hereon are decimals of a US Survey foot.



HALLIBURTON
SURVEYING & MAPPING, INC.

PO BOX 18652
HUNTSVILLE, AL 35804
P: 256.503.4639
gohsm.com

SCALE 1" = 40'	DATE 1/23/2023	JOB NO. 20-100	DRAWN BY BVK	CHECKED BY CTH	SHEET NO. 1
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GRID NORTH

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 **ECG Monrovia, LP**, an Alabama limited partnership 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:

A TRACT OF LAND BEING A PART OF LOT 1, ACCORDING TO THE BOUNDARY PLAT OF OLD MONROVIA APARTMENTS AS RECORDED IN PLAT BOOK 2021, PAGE 27586 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA AND ALSO BEING SITUATED IN THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 1/2 INCH REBAR CAPPED "HSM CA #1301" BEING THE NORTHEAST CORNER OF SAID LOT 1 AND LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF OLD MONROVIA ROAD: THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE EASTERLY LINE OF SAID LOT 1 SOUTH 01 DEGREE 44 MINUTES 07 SECONDS WEST A DISTANCE OF 342.12 FEET; THENCE LEAVING SAID EASTERLY LINE NORTH 88 DEGREES 15 MINUTES 53 SECONDS WEST A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED: THENCE SOUTH 01 DEGREE 44 MINUTES 07 SECONDS WEST A DISTANCE OF 1.13 FEET TO A POINT; THENCE SOUTH 46 DEGREES 33 MINUTES 25 SECONDS WEST A DISTANCE OF 10.12 FEET TO A POINT; THENCE NORTH 09 DEGREES 35 MINUTES 50 SECONDS EAST A DISTANCE OF 7.95 FEET TO A POINT; THENCE SOUTH 69 DEGREES 32 MINUTES 28 SECONDS WEST A DISTANCE OF 13.50 FEET TO A POINT; THENCE SOUTH 01 DEGREE 30 MINUTES 31 SECONDS WEST A DISTANCE OF 14.21 FEET TO A POINT; THENCE SOUTH 46 DEGREES 33 MINUTES 25 SECONDS WEST A DISTANCE OF 28.26 FEET TO A POINT; THENCE NORTH 01 DEGREE 30 MINUTES 31 SECONDS EAST A DISTANCE OF 47.67 FEET TO A POINT; THENCE NORTH 69 DEGREES 32 MINUTES 28 SECONDS EAST A DISTANCE OF 36.29 FEET TO A POINT; THENCE SOUTH 01 DEGREE 44 MINUTES 07 SECONDS WEST A DISTANCE OF 21.60 FEET TO A POINT; THENCE SOUTH 88 DEGREES 15 MINUTES 53 SECONDS EAST A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 1,157 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

AS DEPICTED IN ATTACHMENT EXHIBIT "A" BEING INCORPORATED HEREIN BY REFERENCE.

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 _____ day of _____, 2024.

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.

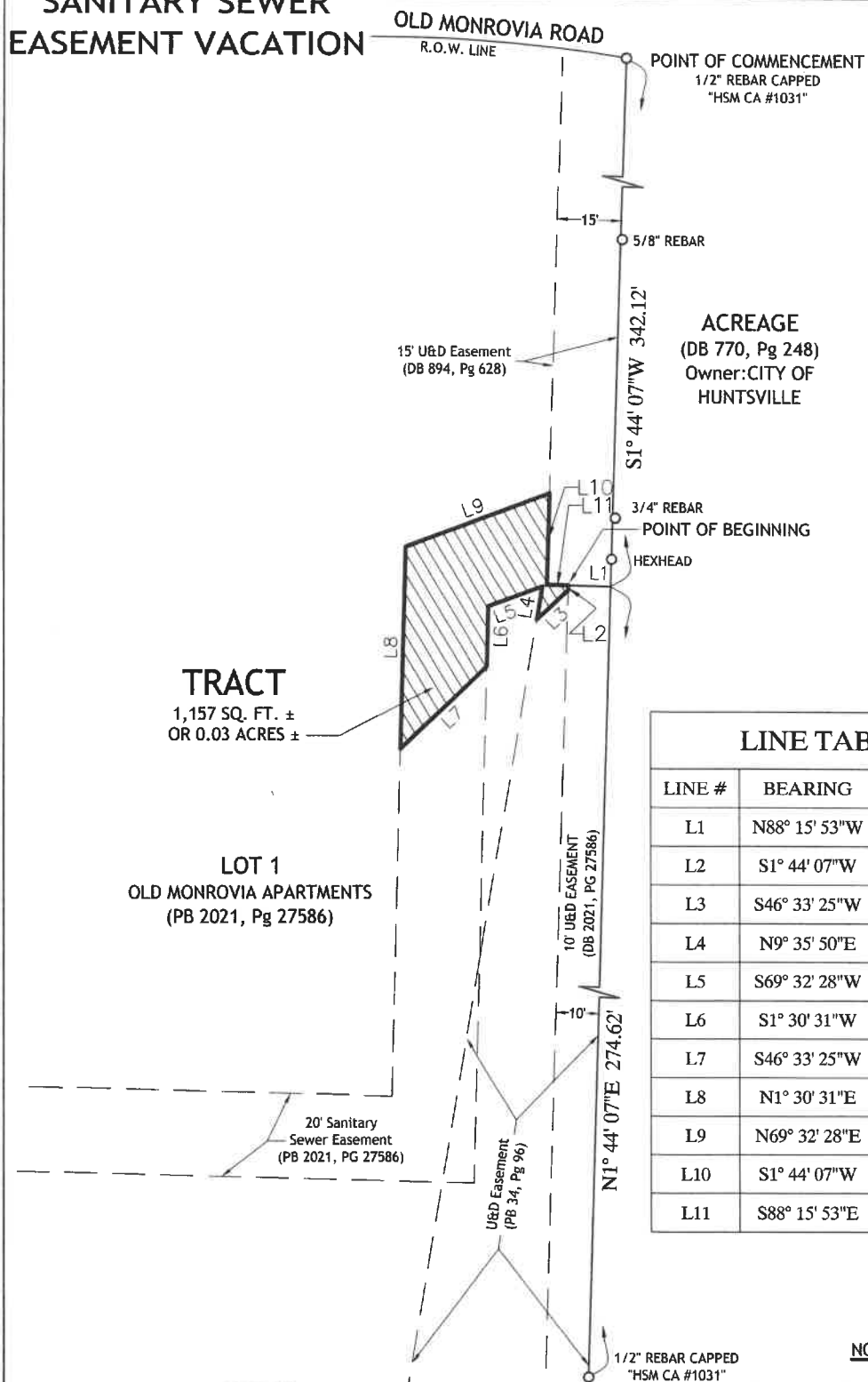
GIVEN under my hand and official seal this the _____ day of _____, 2024.

Notary Public

THIS INSTRUMENT PREPARED BY:
HALLIBURTON SURVEYING & MAPPING, INC.
412 GOVERNORS DRIVE SW
HUNTSVILLE, AL 35801

EXHIBIT "A"

SANITARY SEWER EASEMENT VACATION



ACREAGE
(DB 770, Pg 248)
Owner: CITY OF
HUNTSVILLE

TRACT
1,157 SQ. FT. ±
OR 0.03 ACRES ±

LOT 1
OLD MONROVIA APARTMENTS
(PB 2021, Pg 27586)

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N88° 15' 53"W	10.00'
L2	S1° 44' 07"W	1.13'
L3	S46° 33' 25"W	10.12'
L4	N9° 35' 50"E	7.95'
L5	S69° 32' 28"W	13.50'
L6	S1° 30' 31"W	14.21'
L7	S46° 33' 25"W	28.26'
L8	N1° 30' 31"E	47.67'
L9	N69° 32' 28"E	36.29'
L10	S1° 44' 07"W	21.60'
L11	S88° 15' 53"E	5.00'

NOTES:

1. **THIS IS NOT A PROPERTY BOUNDARY SURVEY.**
2. The purpose of this exhibit is to accompany a legal description for a Sanitary Sewer Easement Vacation.
3. The unit of measurement shown hereon are decimals of a US Survey foot.



GRID NORTH



HALLIBURTON
SURVEYING & MAPPING, INC.

PO BOX 18652
HUNTSVILLE, AL 35804
P: 256.503.4639
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SCALE 1" = 30'	DATE 1/23/2023	JOB NO. 20-100	DRAWN BY BVK	CHECKED BY CTH	SHEET NO. 1
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Ordinance No. 24-_____ (Cont.)

ADOPTED this the 22nd day of August, 2024.

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

APPROVED this the 22nd day of August, 2024.

Mayor of the City of
Huntsville, Alabama