



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 3/26/2026

File ID: TMP-6639

Department: Legal

Subject:

Type of Action: Approval/Action

Resolution consenting to the vacation of a right-of-way at 608 Church Street.

Resolution No. 26-159

Does this item need to be published? Yes

If yes, please list preferred date(s) of publication: 4/1/26

Finance Information:

Account Number: TBD

City Cost Amount: TBD

Total Cost: TBD

Special Circumstances:

Grant Funded: NA

Grant Title - CFDA or granting Agency: NA

Resolution #: NA

Location:

Address: 608 Church Street, Huntsville, Alabama

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

Additional Comments:

RESOLUTION NO. 26-_____

BE IT RESOLVED by the City Council of the City of Huntsville, within the State of Alabama, as follows:

1. That THE VINE GROUP, INC., is the sole landowner abutting the property hereinafter described, made application for the vacation of that certain portion of Right-of-Way more particularly described as follows (the "Right-of-Way" or the "Property"):

See Exhibit "A" attached hereto and incorporated herein.

2. That notice of the vacation of the portion of the Right-of-Way has been given as required by Section 23-4-1 et seq. of the Code of Alabama, 1975, as amended, and a public hearing held for purposes of allowing public comments on the proposed vacation before the City Council.

3. That after vacation of the designated Right-of-Way and all public rights therein, convenient and reasonable means of ingress and egress to and from the respective property will be afforded to all property owners owning property in or near the Right-of-Way by the remaining streets, avenues, and highways.

4. That in the judgment and opinion of the City Council of the City of Huntsville that it is in the public interest and necessary and expedient that the City vacate the designated Right-of-Way and that the vacation of the designated Right-of-Way is in the best interests of the citizens of the City in that same will contribute to the health and general welfare of the citizens of the City of Huntsville, Alabama.

5. That the filing of the resolution with the Judge of Probate of Madison County, Alabama, shall operate as a declaration of the City's vacation of the Right-of-Way as described herein and shall divest all public rights and liabilities, including any rights which may have been acquired by prescription, in that part of the Right-of-Way. Title and all public rights shall vest in the abutting landowners, Huntsville Housing Authority.

6. That upon vacation of said right-of-way, this property shall be converted to a Utility and Drainage Easement.

7. That notice of this resolution shall be published in The Speakin' Out News no later than fourteen (14) days from the date hereof.

NOW THEREFORE, be it resolved by the City Council of the City of Huntsville that they do hereby assent to the said vacation of the herein described Right-of-Way and the same is hereby vacated and annulled and all public rights therein divested of the Property.

ADOPTED this the 26th day of March, 2026.

President of the City Council
City of Huntsville, Alabama

APPROVED this the 26th day of March, 2026.

TOMMY BATTLE
Mayor of the City of Huntsville, Alabama

EXHIBIT A

Legal Description of Right-of-Way

STATE OF ALABAMA
MADISON COUNTY

BEING A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, IN THE CITY OF HUNTSVILLE, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF PARCEL TWO AS RECORDED IN DEED BOOK 2022 PAGE 41831 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, AND THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF WHEELER AVENUE NORTHWEST, AND THE WESTERLY RIGHT-OF-WAY LINE OF THE OLD ALIGNMENT OF CHURCH STREET NORTHWEST, AND ALSO BEING A 1/2-INCH REBAR CAPPED "HSM CA #1031";

THENCE RUN SOUTH 85 DEGREES 20 MINUTES 57 SECONDS EAST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF WHEELER AVENUE NORTHWEST A DISTANCE OF 137.65 FEET TO A 1/2-INCH REBAR CAPPED "HSM CA#1031" AND BEING THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET, A DELTA ANGLE OF 85 DEGREES 22 MINUTES 30 SECONDS, A CHORD BEARING OF SOUTH 42 DEGREES 39 MINUTES 42 SECONDS EAST, AND A CHORD DISTANCE OF 54.24 FEET;

THENCE ALONG ARC OF SAID CURVE A DISTANCE OF 59.60 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE NEW ALIGNMENT OF CHURCH STREET NORTHWEST AND BEING A 1/2-INCH REBAR CAPPED "HSM CA#1031" AND ALSO BEING THE POINT OF REVERSE CURVATURE TO THE LEFT HAVING A RADIUS OF 1225.55 FEET, A DELTA ANGLE OF 4 DEGREES 28 MINUTES 48 SECONDS, A CHORD BEARING OF SOUTH 2 DEGREES 12 MINUTES 51 SECONDS EAST, AND A CHORD DISTANCE OF 95.80 FEET;

THENCE ALONG ARC OF SAID CURVE AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF THE NEW ALIGNMENT OF CHURCH STREET NORTHWEST (PASSING THROUGH A WITNESS MONUMENT AND BEING 1/2-INCH REBAR CAPPED "HSM CA#1031" 60 FEET FROM THE SOUTHEAST CORNER) A DISTANCE OF 95.82 FEET TO THE CENTER OF PINHOOK CREEK;

THENCE (LEAVING SAID WESTERLY RIGHT-OF-WAY OF THE NEW ALIGNMENT OF CHURCH STREET NORTHWEST) SOUTH 41 DEGREES 24 MINUTES 17 SECONDS WEST ALONG SAID CENTERLINE OF PINHOOK CREEK A DISTANCE OF 91.46 FEET TO THE

WESTERLY RIGHT-OF-WAY LINE OF THE OLD ALIGNMENT OF CHURCH STREET NORTHWEST;

THENCE NORTH 28 DEGREES 32 MINUTES 50 SECONDS WEST (LEAVING SAID CENTER LINE OF PINHOOK CREEK, PASSING THROUGH WITNESS MONUMENT, AND BEING A ½-INCH REBAR CAPPED "HSM CA#1031" 45 FEET FROM THE SOUTHWEST CORNER) ALONG THE WESTERLY RIGHT-OF-WAY LINE OF THE OLD ALIGNMENT OF CHURCH STREET NORTHWEST A DISTANCE OF 245.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 21,630 SQUARE FEET OF 0.50 ACRES MORE OR LESS.

AREA AS DESCRIBED ABOVE IS TO REMAIN A PUBLIC AND UTILITY DRAINAGE EASEMENT (P.U.D.E.).