

**ORDINANCE NO. 24-478**

**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 Right-of-Way; that the applicants have represented to the City of Huntsville that **Apollo Lane, LLC.**, and **JCF Huntsville II, LLC.**, are the owners of the property across which said Right-of-Way lies; that said Right-of-Way, 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 quitclaim deeds vacating the Right-of-Way hereinafter described, said deeds being substantially in words and figures as follows, to-wit:

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(Space Above Line for Use by Recording Office)

**THIS INSTRUMENT PREPARED BY:**

W. Graham Burgess  
MAYNARD NEXSEN P.C.  
655 Gallatin Street  
Huntsville, Alabama 35801  
(256) 551-0171

STATE OF ALABAMA )

COUNTY OF MADISON )

**QUITCLAIM DEED FOR VACATION OF RIGHT OF WAY WITH RESERVATION OF  
EASEMENT**

**THIS INDENTURE** made and entered into on this 8th day of August, 2024 by and between, **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation ("**Grantor**") and **APOLLO LAND, LLC**, a Delaware limited liability company ("**Grantee**").

**WITNESSETH:** That the Grantor, for and in consideration of Ten Dollars (\$10.00) in hand paid by Grantee, and other good and valuable consideration, 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, but reserving in favor of Grantor a public utility and drainage easement over, across, and under the same, to-wit:

See Exhibit "A", attached hereto

**TO HAVE AND TO HOLD** unto the said Grantee, its successors and assigns forever, subject to the easements reserved therein.

Pursuant to and in accordance with Section 40-22-1 of the Code of Alabama (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Address:	308 Fountain Circle, P.O. Box 308, Huntsville, Alabama 35801
Grantee's Address:	5100 Maryland Way, Brentwood, Tennessee 37027
Property Address:	N/A
Tax Parcel Id No(s):	N/A
Purchase Price:	N/A

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed on its behalf by its Mayor and attested by its Clerk-Treasurer, this the 8th day of August, 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 instrument, 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 municipal corporation.

GIVEN under my hand and official seal this the 8th day of August, 2024.

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

**THIS INSTRUMENT WAS PREPARED SOLELY FROM INFORMATION PROVIDED TO THE PREPARER OF THIS INSTRUMENT WHO CONDUCTED NO TITLE EXAMINATION AND ISSUED NO TITLE OPINION OR TITLE INSURANCE.**

Exhibit "A"

ROW TO BE VACATED WITH EASEMENT RESERVATION

PARCEL #1

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, {BEARINGS AND/OR DISTANCES REFERENCED TO THE ALABAMA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD83(2011)} AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 2, TATE FARMS AT HIDDEN CAVE (PLAT BOOK 2024 PAGE 13); THENCE RUN NORTH 88 DEGREES 37 MINUTES 50 SECONDS WEST 1478.40 FEET ALONG THE BOUNDARY OF SAID LOT 2, TATE FARMS AT HIDDEN CAVE; THENCE RUN NORTH 01 DEGREES 45 MINUTES 50 SECONDS EAST 25.00 FEET ALONG THE BOUNDARY OF SAID LOT 2, TATE FARMS AT HIDDEN CAVE; THENCE RUN SOUTH 88 DEGREES 37 MINUTES 50 SECONDS EAST 1478.40 FEET TO THE EAST LINE OF SAID SECTION 25; THENCE RUN SOUTH 01 DEGREES 45 MINUTES 50 SECONDS WEST 25.00 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.848 ACRES (36,959 SQUARE FEET) MORE OR LESS.

BUT RESERVING IN FAVOR OF THE CITY OF HUNTSVILLE A PUBLIC UTILITY AND DRAINAGE EASEMENT OVER, ACROSS AND UNDER THE REAL PROPERTY DESCRIBED ABOVE.

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(Space Above Line for Use by Recording Office)

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W. Graham Burgess  
MAYNARD NEXSEN P.C.  
655 Gallatin Street  
Huntsville, Alabama 35801  
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EASEMENT**

**THIS INDENTURE** made and entered into on this 8 day of August, 2024 by and between, **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation ("**Grantor**") and **JCF HUNTSVILLE II, LLC**, a Delaware limited liability company ("**Grantee**").

**WITNESSETH:** That the Grantor, for and in consideration of Ten Dollars (\$10.00) in hand paid by Grantee, and other good and valuable consideration, 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, but reserving in favor of Grantor a public utility and drainage easement over, across, and under the same, to-wit:

See Exhibit "A", attached hereto

**TO HAVE AND TO HOLD** unto the said Grantee, its successors and assigns forever, subject to the easements reserved therein.

Pursuant to and in accordance with Section 40-22-1 of the Code of Alabama (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Address:	308 Fountain Circle, P.O. Box 308, Huntsville, Alabama 35801
Grantee's Address:	8618 W. Catalpa Ave., Suite 1106, Chicago, Illinois 60656
Property Address:	N/A
Tax Parcel Id No(s):	N/A
Purchase Price:	N/A

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed on its behalf by its Mayor and attested by its Clerk-Treasurer, this the 8th day of August, 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 instrument, 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 municipal corporation.

GIVEN under my hand and official seal this the 8th day of August, 2024.

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

**THIS INSTRUMENT WAS PREPARED SOLELY FROM INFORMATION PROVIDED TO THE PREPARER OF THIS INSTRUMENT WHO CONDUCTED NO TITLE EXAMINATION AND ISSUED NO TITLE OPINION OR TITLE INSURANCE.**

Exhibit "A"

ROW TO BE VACATED WITH EASEMENT RESERVATION

PARCEL #2

A PARCEL OF LAND SITUATED IN LOT 2, DRY CREEK VILLAS PHASE 2 (PLAT BOOK 2021 PAGE 37830) AND IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, {BEARINGS AND/OR DISTANCES REFERENCED TO THE ALABAMA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD83(2011)} AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2, TATE FARMS AT HIDDEN CAVE (PLAT BOOK 2024 PAGE 13); THENCE RUN NORTH 01 DEGREES 45 MINUTES 50 SECONDS EAST 25.00 FEET ALONG THE EAST LINE OF SAID SECTION 25 TO THE SOUTH LINE OF LOT 2, DRY CREEK VILLAS PHASE 2 (PLAT BOOK 2021 PAGE 37830) AND THE POINT OF BEGINNING; THENCE RUN NORTH 88 DEGREES 37 MINUTES 50 SECONDS WEST 1478.40 FEET ALONG THE SOUTH LINE OF SAID LOT 2, TATE FARMS AT HIDDEN CAVE (PLAT BOOK 2024 PAGE 13); THENCE RUN NORTH 01 DEGREES 45 MINUTES 50 SECONDS EAST 25.00 FEET; THENCE RUN SOUTH 88 DEGREES 37 MINUTES 50 SECONDS EAST 1478.40 FEET TO THE EAST LINE OF SAID SECTION 25; THENCE RUN SOUTH 01 DEGREES 45 MINUTES 50 SECONDS WEST 25.00 FEET ALONG THE EAST LINE OF SAID SECTION 25 BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.849 ACRES (36,962 SQUARE FEET) MORE OR LESS.

BUT RESERVING IN FAVOR OF THE CITY OF HUNTSVILLE A PUBLIC UTILITY AND DRAINAGE EASEMENT OVER, ACROSS AND UNDER THE REAL PROPERTY DESCRIBED ABOVE.

**Ordinance No. 24-478 (Cont'd).**

**ADOPTED** this the 8th day of August, 2024.

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

**APPROVED** this the 8th day of August, 2024.

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Mayor of the City of Huntsville,  
Alabama