



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 6/26/2025

File ID: TMP-5660

Department: Legal

Subject:

Type of Action: Approval/Action

Resolution consenting to the vacation of a right-of-way at Memorial Parkway and McBroom Street.
Resolution No.

Finance Information:

Account Number: TBD

City Cost Amount: NA

Total Cost: NA

Special Circumstances:

Grant Funded: NA

Grant Title - CFDA or granting Agency: NA

Resolution #: NA

Location:

Address:

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

Additional Comments:

RESOLUTION NO. 25-_____

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

1. That WOLDE FLOORING, LLC, AND WOLDE COMPANIES, LLC, are the sole landowners 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 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, with the City of Huntsville retaining a public utility and drainage Easement over, across and under subject property.

ADOPTED this the 26th day of June, 2025.

President of the City Council
City of Huntsville, Alabama

APPROVED this the 26th day of June, 2025.

TOMMY BATTLE
Mayor of the City of Huntsville, Alabama

EXHIBIT A

ROW VACATION TRACT 1

STATE OF ALABAMA:

MADISON COUNTY:

A PART OF THE PATTERSON SURVEY OF THE CITY OF HUNTSVILLE AS RECORDED IN DEED BOOK QQ, PAGE 109 IN THE OFFICE OF THE PROBATE JUDGE, MADISON COUNTY ALABAMA, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF LOT 9 OF SAID SUBDIVISION. THEN SOUTH 64 DEGREES 21 MINUTES 05 SECONDS WEST, 301.05 FEET TO A POINT. THEN SOUTH 33 DEGREES 30 MINUTES 55 SECONDS EAST, 202.75 FEET TO A 1/2" REBAR. THEN CONTINUE SOUTH 33 DEGREES 30 MINUTES 55 SECONDS EAST, 234.46 FEET TO THE POINT OF BEGINNING.

THEN FROM THE POINT OF BEGINNING NORTH 69 DEGREES 44 MINUTES 05 SECONDS EAST A DISTANCE OF 82.42 FEET TO A POINT SET (THIS POINT AND ALL POINTS HEREINAFTER REFERRED TO AS "SET" ARE MAG NAILS WITH A DISC STAMPED "MULLINS LLC / CA #1001).

THEN SOUTH 14 DEGREES 41 MINUTES 42 SECONDS EAST A DISTANCE OF 15.39 FEET TO A POINT;

THEN NORTH 70 DEGREES 24 MINUTES 17 SECONDS EAST A DISTANCE OF 101.83 FEET TO A POINT SET ON THE WESTERN MARGIN OF THE RIGHT OF WAY OF MEMORIAL PARKWAY.

THEN ALONG SAID MARGIN SOUTH 20 DEGREES 49 MINUTES 14 SECONDS EAST A DISTANCE OF 11.32 FEET.

THEN SOUTH 71 DEGREES 10 MINUTES 06 SECONDS WEST A DISTANCE OF 102.34 FEET TO A POINT;

THEN SOUTH 72 DEGREES 59 MINUTES 33 SECONDS WEST A DISTANCE OF 75.74 FEET TO A POINT SET ON THE EASTERN MARGIN OF THE RIGHT OF WAY OF PLEASANT ROW.

THEN ALONG SAID MARGIN NORTH 33 DEGREES 30 MINUTES 55 SECONDS WEST A DISTANCE OF 21.53 FEET TO THE POINT OF BEGINNING AND CONTAINING 2904 SQUARE FEET, MORE OR LESS.

ROW VACATION TRACT 2

STATE OF ALABAMA:

MADISON COUNTY:

A PART OF THE PATTERSON SURVEY OF THE CITY OF HUNTSVILLE AS RECORDED IN DEED BOOK QQ, PAGE 109 IN THE OFFICE OF THE PROBATE JUDGE, MADISON COUNTY ALABAMA, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF LOT 9 OF SAID SUBDIVISION. THEN SOUTH 64 DEGREES 21 MINUTES 05 SECONDS WEST, 301.05 FEET TO A POINT. THEN SOUTH 33 DEGREES 30 MINUTES 55 SECONDS EAST, 202.75 FEET TO A 1/2" REBAR. THEN CONTINUE SOUTH 33 DEGREES 30 MINUTES 55 SECONDS EAST, 234.46 FEET TO A POINT; THEN CONTINUE SOUTH 33 DEGREES 30 MINUTES 55 SECONDS EAST, 21.53 FEET TO THE POINT OF BEGINNING.

THEN FROM THE POINT OF BEGINNING NORTH 72 DEGREES 59 MINUTES 33 SECONDS EAST A DISTANCE OF 75.74 FEET TO A POINT SET (THIS POINT AND ALL POINTS HEREINAFTER REFERRED TO AS "SET" ARE MAG NAILS WITH A DISC STAMPED "MULLINS LLC / CA #1001):

THEN NORTH 71 DEGREES 10 MINUTES 06 SECONDS EAST A DISTANCE OF 102.34 FEET TO A POINT ON THE WESTERN MARGIN OF THE RIGHT OF WAY OF MEMORIAL PARKWAY.

THEN ALONG SAID MARGIN SOUTH 20 DEGREES 49 MINUTES 14 SECONDS EAST A DISTANCE OF 16.54 FEET TO A POINT.

THEN SOUTH 71 DEGREES 55 MINUTES 21 SECONDS WEST A DISTANCE OF 114.03 FEET TO A POINT.

THEN SOUTH 68 DEGREES 21 MINUTES 32 SECONDS WEST A DISTANCE OF 59.33 FEET TO A POINT SET ON THE EASTERN MARGIN OF THE RIGHT OF WAY OF PLEASANT ROW.

THEN ALONG SAID MARGIN NORTH 33 DEGREES 30 MINUTES 55 SECONDS WEST A DISTANCE OF 21.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 2904 SQUARE FEET, MORE OR LESS.