



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

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

File ID: TMP-4505

Department: Engineering

Subject:

Type of Action: Approval/Action

Resolution accepting a 0.06 acre parcel of real property dedicated for Public Utility and Drainage Easement from MREC Placemakers VOP, LLC, and Providence Neighborhood Association, Inc., to the City of Huntsville, Alabama.

Resolution 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: Town Center Drive in Providence Village Phase X Subdivision

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

Additional Comments:

RESOLUTION NO. 24-_____

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor be, and he is hereby authorized to accept that certain Public Utility and Drainage Easement, by MREC Placemakers VOP, LLC, and Providence Neighborhood Association, Inc. as Grantors, and the City of Huntsville, an Alabama municipal corporation, as Grantee, for donation by Grantors to the City of Huntsville of that certain Public Utility and Drainage Easement, consisting of 0.06 acres, more or less, located along Town Center Drive in Providence Village Phase X Subdivision in Huntsville, Alabama, and being more particularly described in the Public Utility and Drainage Easement attached hereto and incorporated herein (the “Public Utility and Drainage Easement”).

BE IT RESOLVED said Public Utility and Drainage Easement is substantially in words and figures as that certain document attached hereto and identified as “Public Utility and Drainage Easement” consisting of three (3) pages, including Exhibit “A.”

BE IT FURTHER RESOLVED THAT the City of Huntsville, hereby accepts donation of the Public Utility and Drainage Easement from Grantors and the Mayor is hereby directed and authorized to have said Public Utility and Drainage Easement recorded in the Probate Records of Madison County, an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

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

STATE OF ALABAMA
COUNTY OF MADISON

PUBLIC UTILITY AND DRAINAGE EASEMENT

THIS CONVEYANCE is made and entered into on this the 30th day of July, 2024, by and between **MREC PLACEMAKERS VOP, LLC** and **PROVIDENCE NEIGHBORHOOD ASSOCIATION, INC.** as Grantors and the **CITY OF HUNTSVILLE**, a municipal corporation within the State of Alabama, as the Grantee.

WITNESSETH: That the Grantors, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration to the Grantors, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, have this day given, granted bargained, sold and conveyed and do by these presents give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, a perpetual, exclusive easement for public utility, sewer and drainage of stormwater on, over, along, across, under and through the lands of the Grantors situated in Madison County, Alabama particularly described as follows:

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY ALABAMA, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF LOT 201 OF THE VILLAGE OF PROVIDENCE PHASE X AS SHOWN IN MAP OR PLAT RECORDED IN DOCUMENT NUMBER 2018-58392 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, SAID CORNER ALSO BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING NORTH 88° 51' 59" WEST A DISTANCE OF 30.00 FEET; THENCE SOUTH 01° 08' 01" WEST A DISTANCE OF 31.10 FEET;

THENCE NORTH 81° 30' 32" EAST A DISTANCE OF 111.81 FEET;

THENCE NORTH 01° 06' 01" EAST A DISTANCE OF 16.62 FEET;

THENCE SOUTH 87° 25' 55" WEST A DISTANCE OF 80.40 FEET;

THENCE NORTH 01 ° 08' 01" EAST A DISTANCE OF 0.97 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.06 ACRES (2,528 SQUARE FEET) MORE OR LESS.

A drawing of the project is attached as Exhibit "A"

For the establishment, construction, installation, maintenance, repair, operation, use, replacement, relocation, upgrading, changing the size of and/or removal, at all or any time(s), of such improvements, facilities, equipment, fixtures, and appurtenances as may be necessary for the provision of public utility, sewer and/or stormwater drainage, together with the unimpaired right of entry and re-entry from time to time as occasion may require; the right to control, channel and/or discharge stormwater; the right to maintain said easements granted clear of trees, undergrowth and brush; and other purposes not inconsistent with the rights herein granted, with all the rights and privileges necessary or convenient for the full enjoyment and use thereof, for all the purposes above stated.

TO HAVE AND TO HOLD the above-described easement, rights and privileges unto the City of Huntsville, a municipal corporation, and to its successors and assigns forever.

AND THE Grantors do, for themselves and their heirs and assigns, covenant with the Grantee, its successors and assigns, that they are lawfully seized in fee simple of said premises; that the same is free from all encumbrances, except current ad valorem taxes, and easements, rights of way, and building setback lines of record; that they have a good right to sell and convey the same as aforesaid; that they will forever warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons except as aforesaid.

IN WITNESS WHEREOF, the said Grantors have caused this instrument to be executed on the day and year first written.

GRANTORS:

MREC PLACEMAKERS VOP, LLC

By: David J. Slyman, Jr.
Member

PROVIDENCE NEIGHBORHOOD ASSOCIATION, INC.

By: David J. Slyman, Jr.
President

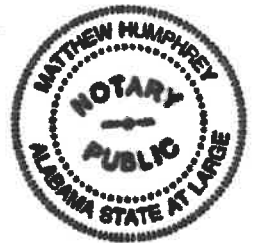
STATE OF ALABAMA

COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that, David J. Slyman Jr, whose name as Member of **MREC Placemakers VOP, LLC** is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntary as and for the act of said Limited Liability Company, on the day the same bears date.

GIVEN under my hand and official seal this the 30th day of July, 2024.

Matthew Humphrey
Notary Public
My commission expires: 5/22/28



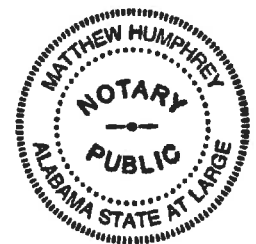
STATE OF ALABAMA

COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that, David J. Slyman Jr, whose name as President of **Providence Neighborhood Association, Inc.**, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntary as and for the act of said Corporation, on the day the same bears date.

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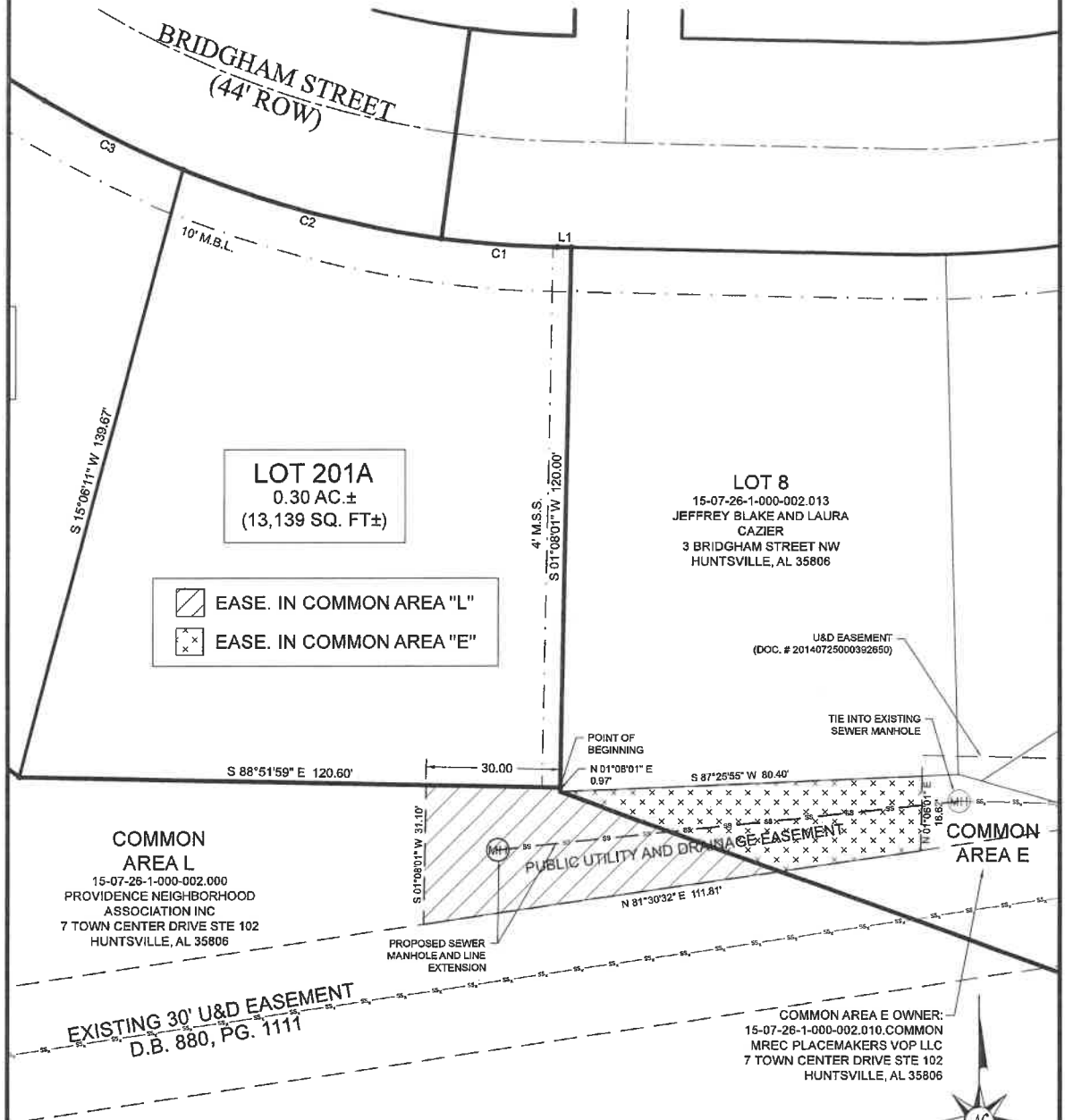
Matthew Humphrey
Notary Public
My commission expires: 5/22/28



THIS INSTRUMENT PREPARED BY:
Larry O. Daniel, Jr., WOLFE, JONES, WOLFE,
HANCOCK, DANIEL & SOUTH, LLC
905 BOB WALLACE AVE.
HUNTSVILLE, ALABAMA 35801

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	233.48'	25.92'	25.91'	N 85°41'08" W	6°21'42"
C2	233.50'	59.75'	59.59'	S 75°10'27" E	14°39'40"
C3	233.50'	34.52'	34.49'	N 63°36'30" W	8°28'14"
C4	327.00'	71.04'	70.90'	N 36°13'08" E	12°26'50"

LINE	BEARING	DISTANCE
L1	N 88°51'59" W	3.12'



DESCRIPTION OF PUBLIC UTILITY AND DRAINAGE EASEMENT:

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY ALABAMA, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF LOT 201 OF THE VILLAGE OF PROVIDENCE PHASE X AS SHOWN IN MAP OR PLAT RECORDED IN DOCUMENT NUMBER 2018-58392 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, SAID CORNER ALSO BEING THE POINT OF BEGINNING.

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**MORELL
ENGINEERING**

PUBLIC UTILITY AND DRAINAGE EASEMENT EXHIBIT "A"
 REPLAT OF LOT 201 - PROVIDENCE VILLAGE PHASE X

SCALE: 1" = 30'

DRAWN BY: MGH

PROJ. NO. 24-0151

DATE: 06/24/2024

CHECKED BY: LJM

SHEET NO. 1