



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 4/24/2025

File ID: TMP-5453

Department: Legal

Subject:

Type of Action: Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement at 5025 Willow Creek Drive, Owens Cross Roads. (Naylor)

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: 5025 Willow Creek Drive, Owens Cross Roads

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

Additional Comments:

ORDINANCE NO. 25-_____

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 easement; that the applicant has represented to the City of Huntsville that **James T. Naylor**, is the owner of the property across which said easement lies; that said easement, 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 a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA
COUNTY OF MADISON

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENT, 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 **James T. Naylor**, a single man, 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:

All that part of Lot 1 of a Resubdivision of Lot 1 of Davis Subdivision as recorded in Document Number 20050331000192260 and Other Lands as recorded in Document Number 20050525000336940 in the office of the Judge of Probate of Madison County, Alabama; Particularly described as commencing at the Southwest corner of said Lot 1 and also being the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 36, Township 4 South, Range 1 East of the Huntsville Meridian, Madison County, Alabama; Thence North 89 degrees 55 minutes 32 seconds East 170.00 feet; Thence North 00 degrees 28 minutes 10 seconds East 5.00 feet to the Point of Beginning of the herein described tract.

Thence from the Point of Beginning, North 00 degrees 28 minutes 10 seconds East 286.39 feet; Thence South 89 degrees 54 minutes 40 seconds East 25.00 feet; Thence South 00 degrees 28 minutes 10 seconds West 5.00 feet; Thence North 89 degrees 54 minutes 40 Seconds West 20.00 feet; Thence South 00 degrees 28 minutes 10 seconds West 281.39 feet; Thence South 89 degrees 55 minutes 32 seconds West 5.00 feet to the Point of Beginning and containing 1,532 square feet, more or less.

TO HAVE AND TO HOLD unto the said Grantee, his successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed on its behalf by its Mayor and attested by its City Clerk, this the 24th day of April, 2025.

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 know 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 24th day of April, 2025.

Notary Public
My commission expires: _____

THIS INSTRUMENT PREPARED BY:
Daniel D. Dwyer
Hodges Trial Lawyers, PC
320 Clinton Ave E
Huntsville, AL 35801
256-539-3110
dddwyer@notanaccident.com

ADOPTED this the 24th day of April, 2025.

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

APPROVED this the 24th day of April, 2025.

Mayor of the City of
Huntsville, Alabama