

ORDINANCE NO. 22-_____

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 applicant has represented to the City of Huntsville that **Land Trust of North Alabama**, is the owner 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 a quitclaim deed vacating the right-of-way hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)
MADISON COUNTY)

QUITCLAIM DEED

THIS IDENTURE made and entered into on this the _____ day of February 2022, by and between The City of Huntsville, Alabama, a municipal corporation, herein referred to as "Grantor" and **Land Trust of North Alabama**, a non-profit, wildlife habitat, water resources and natural lands preservation organization, hereinafter referred to as "Grantee".

WITNESSETH

That the Grantor, for and in consideration of the sum of Ten and No/ 100ths (\$10.00) to it cash in hand paid by the Grantee, and other good valuable consideration, the receipt of which is hereby acknowledged, has this day remised, released, quitclaimed and conveyed to the Grantee, all of the Grantor's right, title, interest, and claim in or to the following described real estate lying and being in the City of Huntsville, County of Madison, State of Alabama, to-wit:

LEGAL DESCRIPTION AS PER THE ATTACHED EXHIBIT "A" AND BY
REFERENCE MADE A PART THEREOF.

TO HAVE AND TO HOLD the same unto the said Grantee, and to its successors and assigns forever.

IN WITNESS WHEREOF, the City of Huntsville, Alabama, has caused this instrument to be duly executed by its Mayor and Clerk-Treasurer, pursuant to Resolution No: _____, as of this _____ day of _____, 2022.

THE CITY OF HUNTSVILLE, ALABAMA:
A municipal corporation Alabama

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Kenneth Benion, Clerk-Treasurer

STATE OF ALABAMA)
MADISON COUNTY)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that Tommy Battle and Kenneth Benion, whose names as Mayor and City Clerk-Treasurer, respectively, of the City of Huntsville, Alabama, a municipal corporation are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they, as such officers and with full authority, executed the same voluntarily for and as the act of the City of Huntsville, Alabama, municipal corporation on the day the same bears date.

GIVEN under my hand and official seal this the _____ day of February 2022.

Notary Public

My Commission Expires: _____

EXHIBIT "A"
(Right -of-Way to be Vacated)

RIGHT-OF-WAY TO BE VACATED

A TRACT OF LAND LYING AND BEING IN THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 27; THENCE SOUTH 38 DEGREES 41 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 4,593.52 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT PROPERTY AS DESCRIBED IN DOCUMENT NO. 20130806000518390 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, POINT ALSO DESCRIBED AS A POINT ON A CURVE OF THE NORTHERLY RIGHT-OF-WAY OF CECIL ASHBURN DRIVE; SAID CURVE HAVING A RADIUS OF 826.00 FEET, A CHORD BEARING OF SOUTH 81 DEGREES 34 MINUTES 47 SECONDS WEST, AND A CHORD DISTANCE OF 246.45 FEET; THENCE ALONG THE ARC SAID CURVE FOR CECIL ASHBURN DRIVE NORTHERLY RIGHT-OF-WAY A DISTANCE OF 247.37 FEET; THENCE SOUTH 73 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 78.01 FEET; THENCE LEAVING THE RIGHT OF WAY NORTHERLY BOUNDARY SOUTH 17 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 250.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF CECIL ASHBURN DRIVE AND SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 774 FEET, A CHORD BEARING OF NORTH 48 DEGREES 15 MINUTES 26 SECONDS WEST, A CHORD DISTANCE 1,323.30 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 1,587.09 FEET; THENCE NORTH 10 DEGREES 29 MINUTES 8 SECONDS EAST A DISTANCE OF 85.0 FEET THENCE SOUTH 10 DEGREES 29 MINUTES 8 SECONDS WEST A DISTANCE 175.38 FEET; THENCE LEAVING THE CECIL ASHBURN DRIVE RIGHT-OF-WAY SOUTHERLY BOUNDARY SOUTH 79 DEGREES 30 MINUTES 52 SECONDS EAST A DISTANCE OF 85.0 FEET, THENCE SOUTH 10 DEGREES 29 MINUTES 8 SECONDS WEST A DISTANCE OF 175.38 FEET; THENCE TO A CURVE TO THE LEFT, HAVING A RADIUS OF 689 FEET, A CHORD BEARING OF SOUTH 48 DEGREES 15 MINUTES 26 SECONDS EAST, AND A CHORD DISTANCE OF 1,177.98 FEET; THENCE ALONG ARC OF SAID CURVE 1,412.80 FEET; THENCE SOUTH 17 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 85 FEET TO A POINT ON THE CECIL ASHBURN DRIVE SOUTHERLY RIGHT-OF-WAY AND ALSO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 3.26 ACRES, MORE OR LESS.

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Ordinance No. 22-_____ (Cont.)

ADOPTED this the 24th day of March, 2022.

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

APPROVED this the 24th day of March, 2020.

Mayor of the City of
Huntsville, Alabama