



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 7/11/2024

File ID: TMP-4365

Department: Legal

Subject:

Type of Action: Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement, Lots 1A and 1B, Buck Island Commercial Park, 2104 & 2106 Island Circle SW.

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: 2104 & 2106 Island Circle SW

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

Additional Comments:

ORDINANCE NO. 24-_____

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 **Six J. Properties, LLC**, 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

THIS INDENTURE MADE AND ENTERED into this, the 11th day of July 2024, by and between **CITY OF HUNTSVILLE, an Alabama municipal corporation**, hereinafter referred to as “Party of the First Part”, and **Six J. Properties, LLC, an Alabama limited liability company**, hereinafter referred to as “Party of the Second Part”.

WITNESSETH

THAT FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to the Party of the First Part in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, the Party of the First Part has this day remised, released, quitclaimed and conveyed to the Party of the Second Part, the following described lot or parcel of land lying and being situated in the County of Madison, State of Alabama, to-wit:

See Exhibit “A” attached and made a part hereto.

TO HAVE AND TO HOLD unto the Party of the Second Part, its successors and assigns forever.

IN WITNESS WHEREOF, the Party of the First Part has hereunto caused this quitclaim to be signed in its behalf by its Mayor and attested by its City Clerk, the day and year hereinabove first written.

CITY OF HUNTSVILLE,
an Alabama municipal corporation

By: _____
Tommy Battle
Its: Mayor

ATTEST:

By: _____
Shaundrika Edwards
Its: City Clerk

Prepared by:
Alan P. Judge, Attorney at Law
3330 L & N Drive, Suite A
Huntsville, Alabama 35801

STATE OF ALABAMA)

COUNTY OF MADISON)

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Tommy Battle and S. Edwards whose names, as Mayor and City Clerk , respectively, of the City of Huntsville, an Alabama municipal corporation, are signed to the foregoing conveyance, who are known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, 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 date

GIVEN under my hand and seal on this the 11th day of July, 2024.

Notary Public

Commission Expiration Date: _____

Grantor's name and address:

City of Huntsville
308 Fountain Circle SW
Huntsville, AL 35801

Grantee's name and address:

Six J. Properties, LLC,
an Alabama limited liability company

Property address:

Prepared by:
Alan P. Judge, Attorney at Law
3330 L & N Drive, Suite A
Huntsville, Alabama 35801

“Exhibit A”

A 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT BEING 5 FEET TAKEN EVENLY ON EACH SIDE OF THE EAST LINE OF LOT 1A OF THE FINAL PLAT OF A RESUBDIVISION OF LOTS 1,2, AND 3 OF BUCK ISLAND COMMERCIAL PARK, AS RECORDED IN PLAT BOOK 2020-00055379, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2 INCH CAPPED IRON PIN STAMPED "MORELL ENG CA-742-LS" SITUATED ON THE SOUTHEAST CORNER OF LOT 1A OF THE FINAL PLAT OF A RESUBDIVISION OF LOTS 1,2, AND 3 OF BUCK ISLAND COMMERCIAL PARK, AS RECORDED IN PLAT BOOK 2020-00055379, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA; THENCE RUN NORTH 00°47'20" EAST AT A DISTANCE OF 10.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT;

THENCE FROM THE POINT OF BEGINNING RUN NORTH 89°13'19" WEST AT A DISTANCE OF 5.00 FEET TO A POINT; THENCE RUN NORTH 00°47'53" EAST AT A DISTANCE OF 151.32 FEET TO A POINT; THENCE RUN SOUTH 88°56'57" EAST AT A DISTANCE OF 10.00 FEET TO A POINT; THENCE RUN SOUTH 00°47'53" WEST AT A DISTANCE OF 151.28 FEET TO A POINT; THENCE RUN NORTH 89°12'01" WEST AT A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING,

SAID EASEMENT CONTAINS 1513 SQUARE FEET, OR 0.03 ACRES, MORE OR LESS.

Prepared by:
Alan P. Judge, Attorney at Law
3330 L & N Drive, Suite A
Huntsville, Alabama 35801

Ordinance No. 24-_____ (Cont.)

ADOPTED this the 11th day of July, 2024.

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

APPROVED this the 11th day of July, 2024.

Mayor of the City of
Huntsville, Alabama