

RESOLUTION NO. 22-_____

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

1. That Enfinger Development, LLC, McMullen Farms, LLC, are the sole landowners abutting the property hereinafter described, submitted an application for the vacation of Right-of-way being and lying in Madison County, and being more particularly described as follows (the “Right-of-way” or the “Property”):

**SEE EXHIBIT “A” - “PETITION TO VACATE OF RIGHT-OF-WAY,”
EXHIBIT “B” – “DECLARATION OF VACATION OF RIGHT-OF-WAY” and
EXHIBIT “C” – “PUBLIC HEARING NOTICE”**

2. That a public hearing shall be held for purpose of allowing public comments on the proposed vacation of said Right-of-way at Huntsville City Hall in the Council Chamber, located at 308 Fountain Circle, Huntsville, Alabama 35801, at 5:30 p.m. on Thursday, March 10, 2022; and

3. That notice of the vacation of the Right-of-way has been or shall be provided to all adjacent landowners and any known entities with facilities or equipment lying in said Right-of-way in accordance with Section 23-4-1 *et seq.* of the Code of Alabama, 1975, as amended; and

4. That the Clerk-Treasurer is hereby ordered to have public hearing notice contained in Exhibit “C” attached hereto (“Public Notice”), immediately published in *The Huntsville Times* for four consecutive weeks, with said notice to run beginning on February 13, February 20, February 27 and March 6, 2022.

5. It is hereby ordered that copies of the Public Notice shall be posted on bulletin boards located in the Madison County Courthouse and Huntsville City Hall.

ADOPTED this the 10th day of February, 2022.

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

APPROVED this the 10th day of February, 2022.

Mayor of the City of
Huntsville, Alabama

(Public Hearing Notice to be Published)

In accordance with Section 23-4-1 et seq. of the Code of Alabama, 1975, as amended, you are hereby notified of a public hearing to be held at Huntsville City Hall in the Council Chamber, located at 308 Fountain Circle, Huntsville, Alabama 35801, at 5:30 p.m. on Thursday, March 10, 2022.

The purpose of the hearing is to receive public comments on an application submitted by the City of Huntsville for the vacation of Right-of-way in along McMullen Lane which is more particularly described as follows:

STATE OF ALABAMA
MADISON COUNTY

BEING A PORTION OF MCMULLEN LANE A 60' RIGHT-OF-WAY LOCATED IN SECTIONS 5, 6, 7 AND 8, TOWNSHIP 4 SOUTH, RANGE 2 EAST MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 2 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA THENCE, NORTH 44 DEGREES 09 MINUTES 59 SECONDS WEST FOR A DISTANCE OF 7,499.08 TO THE POINT OF BEGINNING.

THENCE, FROM THE POINT OF BEGINNING, SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 60.23 FEET TO A POINT; THENCE, NORTH 04 DEGREES 57 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 94.69 FEET TO A POINT; THENCE NORTH 02 DEGREES 54 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 237.50 FEET TO A POINT; THENCE, NORTH 00 DEGREES 02 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 113.97 FEET TO A POINT; THENCE, ALONG A CURVE TO THE RIGHT, HAVING A DELTA ANGLE OF 75 DEGREES 02 MINUTES 41 SECONDS, HAVING A RADIUS OF 104.34 FEET, HAVING A CHORD BEARING OF NORTH 42 DEGREES 35 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 127.10 FEET TO A POINT; THENCE, NORTH 88 DEGREES 30 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 40.92 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 10 DEGREES 00 MINUTES 36 SECONDS, HAVING A RADIUS OF 370.00 FEET, HAVING A CHORD BEARING OF SOUTH 23 DEGREES 08 MINUTES 29 SECONDS EAST FOR A DISTANCE OF 64.56 FEET TO A POINT; THENCE, SOUTH 88 DEGREES 30 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 59.41 FEET TO A POINT; THENCE, ALONG A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 67 DEGREES 51 MINUTES 49 SECONDS, HAVING A RADIUS OF 44.34 FEET, HAVING A CHORD BEARING OF SOUTH 41 DEGREES 41 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 49.50 FEET TO A POINT; THENCE, SOUTH 00 DEGREES 02 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 112.28 FEET TO A POINT; THENCE, SOUTH 02 DEGREES 54 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 240.07 FEET TO A POINT; THENCE SOUTH 04 DEGREES 57 MINUTES 44 SECONDS WEST A DISTANCE OF 90.56 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.81 ACRES (35,297 SQUARE FEET) MORE OR LESS.

This notice is being sent by United States mail at least 30 days prior to the scheduled hearing to all abutting owners, if any, and to all entities know to have facilities or equipment within the public Right-of-way of the street to be vacated, as their names and addresses appear on roll in the Madison County Revenue Commissioner's office or Madison County Tax Assessor's office, and shall be posted at the Madison County Courthouse and at Huntsville City Hall. Any citizen alleging to be affected by the proposed vacation may submit a written objection to the City Council or may request an opportunity to be heard at the public hearing held as required by law, any such objection or request may be directed to: Attn: Thomas Nunez, City Planning Department, 308 Fountain Circle, 2nd Floor, Huntsville, Alabama 35801 or thomas.nunez@huntsvilleal.gov.