



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 6/22/2023

**File ID:** TMP-3059

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of Utility and Drainage Easements, Lots 1 & 2, Beasley Properties, 6775 Highway 72 West. (Bentley)

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:** 6775 Highway 72 West

**District:** District 1  District 2  District 3  District 4  District 5

**Additional Comments:**

**ORDINANCE NO. 23-\_\_\_\_\_**

**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 utility and drainage easements; that the applicant has represented to the City of Huntsville that **Bentley Properties II, LLC**, is the owner of the property across which said easements lie; that said easements, or the portions being vacated, are not presently used and are 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 easements hereinafter described, said deed being substantially in words and figures as follows, to-wit:

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(Space Above Line for Use by Recording Office)

**THIS INSTRUMENT PREPARED BY:**

Fred L. Coffey, Jr.  
LANIER FORD SHAVER & PAYNE P.C.  
2101 West Clinton Ave., Ste. 102  
Huntsville, Alabama 35805  
(256) 535-1100

STATE OF ALABAMA )

COUNTY OF MADISON )

**QUITCLAIM DEED**

THIS QUITCLAIM DEED made and entered into on this 22d day of June, 2023 by and between THE CITY OF HUNTSVILLE, ALABAMA, a municipal corporation, (“Grantor”) and BENTLEY PROPERTIES II, LLC, an Alabama limited liability company (“Grantee”).

**WITNESSETH:**

THAT FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash and other good and valuable consideration, this day in hand paid to the Grantor by the Grantee, the receipt and sufficiency of all of which is hereby expressly acknowledged by the Grantor, the Grantor has this day remised, released, quitclaimed, conveyed and confirmed and does, by these presents, remise, release, quitclaim, convey and confirm, unto the Grantee, all of the Grantor’s right, title, interest and claim in and to the following described real estate situated in the County of Madison, State of Alabama, to wit:

ALL THAT PART OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 2 WEST MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1 AS SHOWN ON THE FINAL PLAT OF BEASLEY PROPERTIES FILED FOR RECORD AS INSTRUMENT NUMBER 20160524000284410 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA; THENCE SOUTH 16 DEGREES 02 MINUTES 00 SECONDS WEST 15.01 FEET TO THE TRUE POINT OF BEGINNING.

THENCE FROM THE TRUE POINT OF BEGINNING SOUTH 71 DEGREES 32 MINUTES 39 SECONDS EAST 10.01 FEET TO A POINT; THENCE SOUTH 16 DEGREES 02 MINUTES 00 SECONDS WEST 292.21 FEET TO A POINT; THENCE SOUTH 00 DEGREES 26 MINUTES

50 SECONDS WEST 73.70 FEET TO A POINT; THENCE NORTH 86 DEGREES 11 MINUTES 20 SECONDS WEST 20.03 FEET TO A POINT; THENCE NORTH 00 DEGREES 26 MINUTES 50 SECONDS EAST 75.27 FEET TO A POINT; THENCE NORTH 16 DEGREES 02 MINUTES 00 SECONDS EAST 295.79 FEET TO A POINT; THENCE SOUTH 71 DEGREES 32 MINUTES 39 SECONDS EAST 10.01 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 7370 SQUARE FEET MORE OR LESS.

ALSO:

ALL THAT PART OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 2 WEST MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 2 AS SHOWN ON THE FINAL PLAT OF BEASLEY PROPERTIES FILED FOR RECORD AS INSTRUMENT NUMBER 20160524000284410 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA; THENCE SOUTH 22 DEGREES 35 MINUTES 40 SECONDS WEST 15.04 FEET TO THE TRUE POINT OF BEGINNING.

THENCE FROM THE TRUE POINT OF BEGINNING SOUTH 22 DEGREES 35 MINUTES 40 SECONDS WEST 372.76 FEET TO A POINT; THENCE NORTH 69 DEGREES 10 MINUTES 20 SECONDS WEST 10.00 FEET TO A POINT; THENCE NORTH 22 DEGREES 35 MINUTES 40 SECONDS EAST 372.34 FEET TO A POINT; THENCE SOUTH 71 DEGREES 32 MINUTES 39 SECONDS EAST 10.03 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 3276 SQUARE FEET MORE OR LESS.

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

Pursuant to and in accordance with Section 40-22-1 of the Code of Alabama (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Address:	P.O. Box 308, Huntsville, AL 35804
Grantee's Address:	300 Williams Avenue, Huntsville, AL 35801
Property Address:	Highway 72 West, Huntsville, AL 35806
Actual Value:	\$500.00 – Nominal to Perfect Title

**IN WITNESS WHEREOF**, Grantor has hereunto set his hand and seal on the day and year first above written.

THE CITY OF HUNTSVILLE, ALABAMA,  
a municipal corporation

By: \_\_\_\_\_  
Tommy Battle, Mayor

**ATTESTED:**

By: \_\_\_\_\_  
Shaundrika Edwards, City Clerk

STATE OF ALABAMA        )

COUNTY OF MADISON        )

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

Given under my hand this the 22d day of June, 2023.

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NOTARY PUBLIC  
My Commission Expires:

**Ordinance No. 23-\_\_\_\_\_ (Cont.)**

**ADOPTED** this the 22nd day of June, 2023.

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

**APPROVED** this the 22nd day of June, 2023.

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**Mayor of the City of  
Huntsville, Alabama**