



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 3/28/2024

**File ID:** TMP-4006

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of Utility and Drainage Easements in City Centre Phase 3 Subdivision, 600 Monroe Street. (Bartley Lofts)

Ordinance No.

**Finance Information:**

**Account Number:** NA

**City Cost Amount:** NA

**Total Cost:** NA

**Special Circumstances:**

**Grant Funded:** \$

**Grant Title - CFDA or granting Agency:** NA

**Resolution #:** NA

**Location: (list below)**

**Address:** City Centre Phase 3 Subdivision, 600 Monroe Street

**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 utility and drainage easements; that the applicants have represented to the City of Huntsville that **Bartley Lofts, 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:**

W. Graham Burgess  
MAYNARD NEXSEN P.C.  
515 Fountain Row SW  
Huntsville, Alabama 35801  
(256) 512-5748

**QUITCLAIM DEED**

THIS QUITCLAIM DEED made and entered into on this 28 day of March, 2024 by and between CITY OF HUNTSVILLE, an Alabama municipal corporation ("Grantor") and BARTLEY LOFTS, LLC, a Delaware 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 City of Huntsville, County of Madison, State of Alabama, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A", AND GRAPHICAL  
DEPICTION ATTACHED HERETO AS EXHIBIT "B"

**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:	308 Fountain Circle, PO Box 308, Huntsville, Alabama 35801
Grantee's Address:	920 Bob Wallace Avenue SW, Suite 320, Huntsville, Alabama 35801
Property Address:	600 Monroe Street, Huntsville, Alabama
Tax Parcel ID No.	17-01-01-2-000-015.000 (portion)
Purchase Price:	N/A

[signature page to follow]

**IN WITNESS WHEREOF**, Grantor has caused this quitclaim to be signed on its behalf by its Mayor and attested by its Clerk , this the 28 day of March, 2024.

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 the above 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 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 said municipal corporation.

Given under my hand this the 28 day of March, 2024.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires:

THIS INFORMATION WAS PREPARED SOLELY FROM INFORMATION PROVIDED TO THE PREPARER OF THIS INSTRUMENT WHO CONDUCTED NO TITLE EXAMINATION AND ISSUED NO TITLE OPINION OR TITLE INSURANCE.

## Exhibit "A"

### Legal Description

#### EASEMENT VACATION #1

A parcel of land situated in LOT 1, CITY CENTRE PHASE THREE (Plat Book 2023 Pages 32-33) and in Section 1, Township 4 South, Range 1 West, of the Huntsville Meridian, Madison County, Alabama, {BEARINGS AND/OR DISTANCES referenced to the Alabama State Plane Coordinate System, East Zone, NAD83(2011)} and being more particularly described as follows:

Commencing at the southeast corner of LOT 1, CITY CENTRE PHASE THREE (Plat Book 2023 Pages 32-33) (N-1537430.53, E-429118.27); thence run North 34 degrees 33 minutes 03 seconds West 11.20 feet to a Public Utility and Drainage Easement (P.U.D.E.) (Plat Book 2023 Pages 32-33) and the Point of Beginning (N-1537439.76, E-429111.92); thence run 29.53 feet along said P.U.D.E. (Plat Book 2023 Pages 32-33) and a curve to the right having a radius of 465.00 feet, a delta angle of 03 degrees 38 minutes 21 seconds, and a chord bearing and distance of South 84 degrees 22 minutes 06 seconds West 29.53 feet to a Utility and Drainage Easement (U&D) (Plat Book 8 Page 23); thence run 49.09 feet along said U&D (Plat Book 8 Page 23) and a curve to the right having a radius of 55.03 feet, a delta angle of 51 degrees 06 minutes 52 seconds, and a chord bearing and distance of North 59 degrees 34 minutes 41 seconds East 47.48 feet to said P.U.D.E. (Plat Book 2023 Pages 32-33); thence run South 28 degrees 39 minutes 32 seconds West 24.10 feet along the said P.U.D.E. (Plat Book 23 Pages 32-33) back to the Point of Beginning;

Said parcel contains 0.011 acres (471 square feet) more or less.

#### EASEMENT VACATION #2

A parcel of land situated in LOT 1, CITY CENTRE PHASE THREE (Plat Book 2023 Pages 32-33) and in Section 1, Township 4 South, Range 1 West, of the Huntsville Meridian, Madison County, Alabama, {BEARINGS AND/OR DISTANCES referenced to the Alabama State Plane Coordinate System, East Zone, NAD83(2011)} and being more particularly described as follows:

Commencing at the centermost corner on the west side of LOT 1, CITY CENTRE PHASE THREE (Plat Book 2023 Pages 32-33) (N-1537678.80, E-428937.74); thence run South 33 degrees 30 minutes 09 seconds West 156.54 feet along the west line of said LOT 1, CITY CENTRE PHASE THREE (Plat Book 2023 Pages 32-33); thence run South 51 degrees 56 minutes 16 seconds East 10.01 feet to a Public Utility and Drainage Easement (P.U.D.E.) (Plat Book 2023 Pages 32-33), and to a Utility and Drainage Easement (U&D) (Plat Book 8 Page 23) and the Point of Beginning (N-1537542.10, E-428859.22); thence run South 64 degrees 16 minutes 08 seconds East 243.02 feet along said U&D (Plat Book 8 Page 23) to said P.U.D.E. (Plat Book 2023 Pages 32-33); thence run 42.43 feet along said P.U.D.E. (Plat Book 2023 Pages 32-33) and a curve to the right having a radius of 465.00 feet, a delta angle of 05 degrees 13 minutes 42 seconds, and a chord bearing and distance of South 89 degrees 20 minutes 40 seconds West 42.42 feet to said U&D (Plat Book 8 Page 23); thence run North 64 degrees 16 minutes 08 seconds West 207.47 feet along said U&D (Plat Book 8 Page 23) to said P.U.D.E. (Plat Book 2023 Pages 32-33); thence run 6.87 feet along said P.U.D.E. (Plat Book 2023 Pages 32-33) and a curve to the right having a radius of 40.00 feet; a delta angle of 09 degrees 50 minutes 48 seconds, and a chord bearing and distance of North 29 degrees 42 minutes 48

seconds East 6.87 feet; thence run North 35 degrees 04 minutes 04 seconds East 12.16 feet along said Public Utility and Drainage Easement (Plat Book 2023 Pages 32-33) back to the Point of Beginning.

Said parcel contains 0.098 acres (4,265 square feet) more or less.

### EASEMENT VACATION #3

A parcel of land situated in LOT 1, CITY CENTRE PHASE THREE (Plat Book 2023 Pages 32-33) and in Section 1, Township 4 South, Range 1 West, of the Huntsville Meridian, Madison County, Alabama, {BEARINGS AND/OR DISTANCES referenced to the Alabama State Plane Coordinate System, East Zone, NAD83(2011)} and being more particularly described as follows:

Commencing at the northwest corner of LOT 1, CITY CENTRE PHASE THREE (Plat Book 2023 Pages 32-33) (N-1537886.40, E-429029.40); thence run South 38 degrees 44 minutes 03 seconds East 74.08 feet to the eastern boundary of a Drainage Easement (Doc. No. 20040519000082120), and to a Public Utility and Drainage Easement (P.U.D.E.) (Plat 2019-00010161) and the Point of Beginning (N-1537828.61, E-429075.76); thence run South 77 degrees 35 minutes 22 seconds East 49.55 feet along said P.U.D.E. (Plat 2019-00010161); thence run South 63 degrees 59 minutes 14 seconds East 170.83 feet along said P.U.D.E. (Plat 2019-00010161) to a Public Utility and Drainage Easement (P.U.D.E.) (Plat Book 23 Pages 32-33); thence run South 28 degrees 38 minutes 01 seconds West 5.01 feet along the said P.U.D.E. (Plat Book 23 Pages 32-33) to said P.U.D.E. (Plat 2019-00010161); thence run North 63 degrees 59 minutes 14 seconds West 170.00 feet along said P.U.D.E. (Plat 2019-00010161); thence run North 77 degrees 35 minutes 22 seconds West 54.94 feet along said P.U.D.E. (Plat 2019-00010161) to said drainage easement (Doc. No. 20040519000082120); thence run North 62 degrees 32 minutes 43 seconds East 7.80 feet along said drainage easement (Doc. No. 20040519000082120) back to the Point of Beginning;

Said parcel contains 0.026 acres (1,113 square feet) more or less.

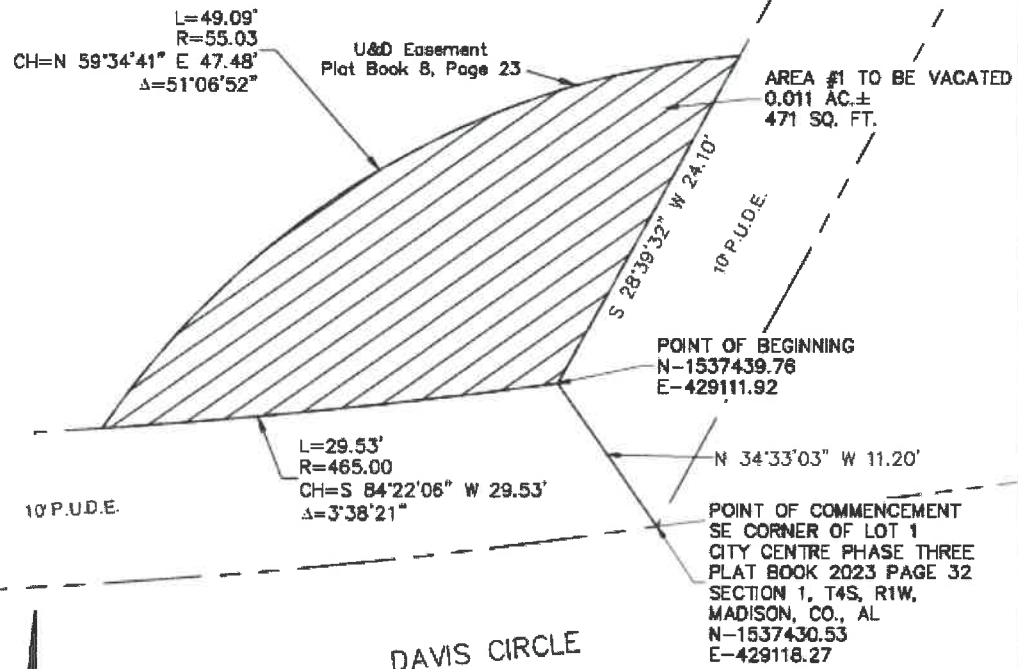
Exhibit “B”

Graphical Depiction

(see attached)

# LOT 1 CITY CENTRE PHASE THREE

2.96 AC.±  
129102 SQ. FT.



Scale: 1" = 10'  
Graphic Scale



1. This is not a property boundary survey
2. Coordinates are referenced to the Alabama State Plane Coordinate System, East Zone, NAD83 (2011)

H:\Projects\20\20083.H2 City Centre Phase III\Survey\21121.H3 EV 2024.dwg

## EASEMENT VACATION AREA 1 EXHIBIT

DATE: 1-29-2024

DRAWN BY: B. PROCTOR

SHEET 1 OF 2



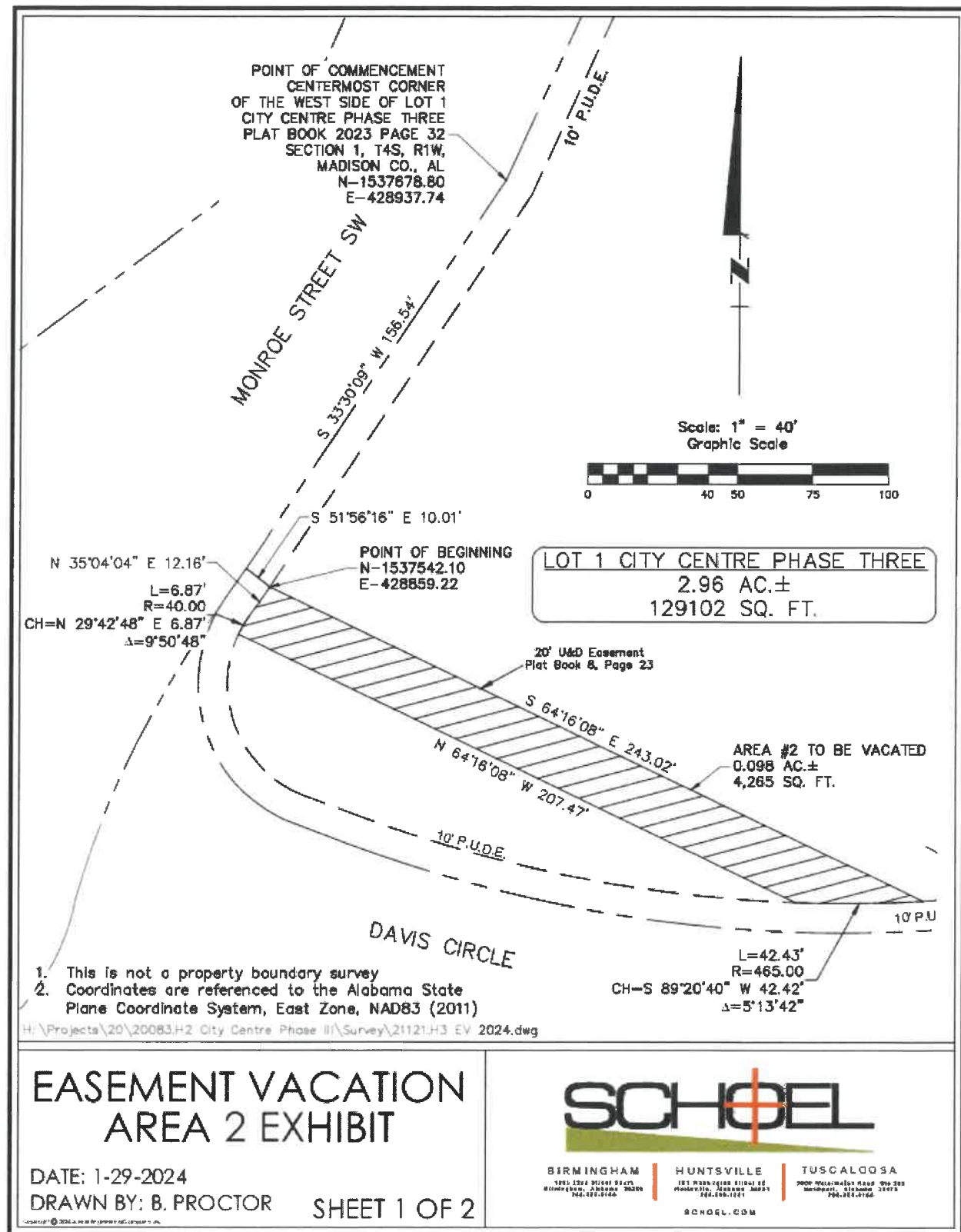
**BIRMINGHAM**  
1201 22nd Street  
Birmingham, Alabama 35204  
205-454-8164

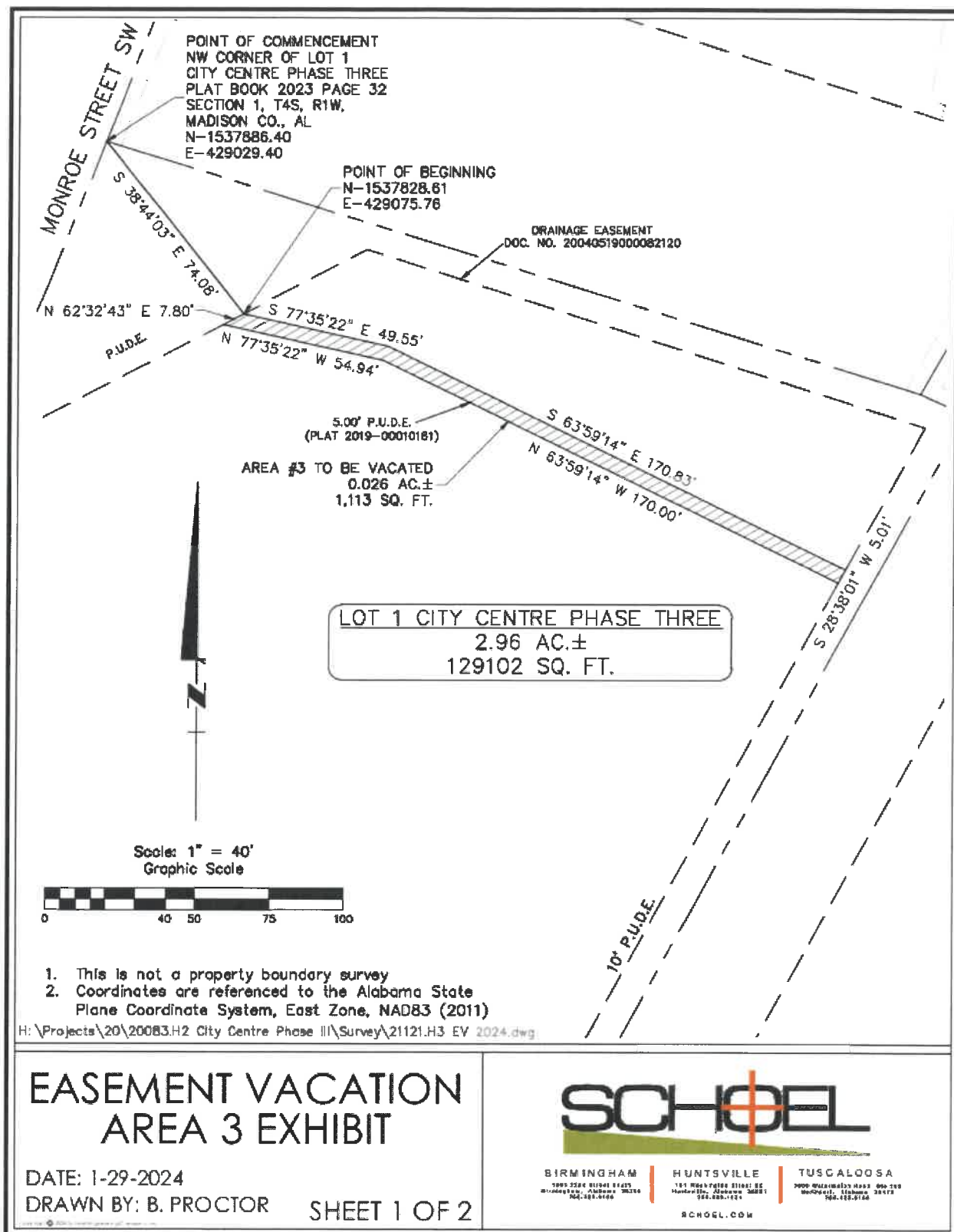
**HUNTSVILLE**  
101 Westgate Drive SE  
Huntsville, Alabama 35891  
256-496-1151

**TUSCALOOSA**  
2909 University Road, Box 388  
Tuscaloosa, Alabama 35472  
205-883-8164

SCHOL.COM







**Ordinance No. 24-**\_\_\_\_\_ (Cont.)

**ADOPTED** this the 28th day of March, 2024.

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

**APPROVED** this the 28th day of March, 2024.

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Mayor of the City of  
Huntsville, Alabama