

## **RESOLUTION NO. 23-534**

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

1. That the East Huntsville Baptist Church of Huntsville, Alabama, is the sole landowner abutting the property hereinafter described, made application for the vacation of a portion of that certain Alleyway more particularly described as follows (the “Alleyway” or the “Property”):

**See Exhibit “A” attached hereto and incorporated herein.**

2. That notice of the vacation of the Alleyway has been given as required by Section 23-4-1 *et seq.* of the Code of Alabama, 1975, as amended, and a public hearing held for purposes of allowing public comments on the proposed vacation before the City Council.

3. That after vacation of the designated portion of Alleyway and all public rights therein, convenient and reasonable means of ingress and egress to and from the respective property will be afforded to all property owners owning property in or near the Alleyway by the remaining streets, avenues, and highways.

4. That in the judgment and opinion of the City Council of the City of Huntsville that it is in the public interest and necessary and expedient that the City vacate the designated portion of Alleyway and that the vacation of the designated portion of Alleyway is in the best interests of the citizens of the City in that same will contribute to the health and general welfare of the citizens of the City of Huntsville, Alabama.

5. That the filing of the resolution with the Judge of Probate of Madison County, Alabama, shall operate as a declaration of the City’s vacation of that portion of the Alleyway as described herein and shall divest all public rights and liabilities, including any rights which may have been acquired by prescription, in that part of the Alleyway. Title and all public rights shall vest in the abutting landowner, East Huntsville Baptist Church of Huntsville, Alabama.

6. That notice of this resolution shall be published in *The Speakin’ Out News* no later than fourteen (14) days from the date hereof.

**NOW THEREFORE**, be it resolved by the City Council of the City of Huntsville that they do hereby assent to the said vacation of the herein described portion of Alleyway and that the above described Property be and the same is hereby vacated and annulled and all public rights therein divested of the Property.

**RESOLUTION NO. 23-534 (Cont.)**

**ADOPTED** this the 24th day of August, 2023.

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

**APPROVED** this the 24th day of August, 2023.

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Mayor of the City of Huntsville,  
Alabama

## **EXHIBIT A**

### **Alleyway Vacation**

All that part of Section 30, Township 3 South, Range 1 East of the Huntsville Meridian and all that part of the A. W. Newson's Fairview Addition to the City of Huntsville as recorded in Plat Book 1, Page 131 in the Office of the Judge of Probate, Madison County, Alabama, more particularly described as beginning at a 1" pipe found at the northwest corner of Lot 38, Block 15, and on the south edge of a 15' alley; Thence from the True Point of Beginning and along the South line of said 15' alley and along the North property line of Lots 38, 40, 42, 44, 46 due East 211.55 feet to a point on the West acquired Right of Way for Maysville Road (Probate Case No. 17648); Thence along the West Right of Way North 00 degrees 16 minutes 09 seconds West 15.00 feet to a point; Thence leaving said Right of Way and along the North edge of said alley and along the South property line for Lots 45, 43, 41, 39, 37 due West 211.48 feet to the Southwest corner of Lot 37, Block 15; Thence due South 15.00 feet to the Point of Beginning and containing 3,162.6 square feet more or less.

SUBJECT TO all Right of Ways and any easements recorded or unrecord.