



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 9/12/2024

**File ID:** TMP-4583

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of Utility and Drainage Easements, Lots 7, 8 & 9, Sunset on Green Mountain Subdivision. (Burns)

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:** Lots 7, 8 & 9, Sunset on Green Mountain Subdivision

**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 easements; that the applicants have represented to the City of Huntsville that **Alan Clifford Burns, Jr., and Donna P. Burns**, are the owners 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:

STATE OF ALABAMA     )  
COUNTY OF MADISON    )

**QUITCLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **ALAN CLIFFORD BURNS, JR. and DONNA P. BURNS**, husband and wife, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey 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 EXHIBITS A and B ATTACHED HERETO.**

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

**IN WITNESS WHEREOF**, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its City Clerk, this the \_\_\_\_\_ day of \_\_\_\_\_, 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 said 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 document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, 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 day.

GIVEN under my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT PREPARED BY:  
2 The Point, Inc.  
8624 Memorial Parkway SW  
Huntsville, AL 35802  
256.539.9426

**EXHIBIT A**

STATE OF ALABAMA     )  
MADISON COUNTY     )

10' PUBLIC UTILITY AND DRAINAGE EASEMENT (PUDE) VACATION

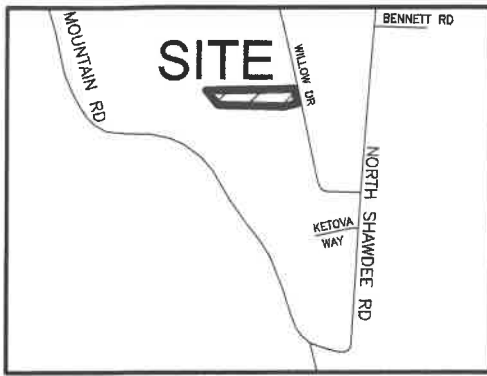
A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERNMOST CORNER OF LOT 9 OF THE FINAL PLAT OF "SUNSET ON GREEN MOUNTAIN PHASE 4" AS RECORDED IN PLAT BOOK 2024 PAGE 160, IN THE OFFICE OF THE JUDGE OF PROBATE OFFICE OF MADISON COUNTY, ALABAMA; THENCE NORTH 76 DEGREES 47 MINUTES 08 SECONDS WEST, 11.13 FEET TO THE POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,500,479.14', EAST: 450,291.63';

THENCE SOUTH 76 DEGREES 31 MINUTES 05 SECONDS WEST, 36.60 FEET TO A POINT;  
THENCE SOUTH 88 DEGREES 46 MINUTES 56 SECONDS WEST, 251.02 FEET TO A POINT;  
THENCE NORTH 88 DEGREES 46 MINUTES 40 SECONDS WEST, 232.52 FEET TO A POINT;  
THENCE NORTH 40 DEGREES 23 MINUTES 14 SECONDS WEST, 0.13 FEET TO A POINT;  
THENCE NORTH 88 DEGREES 46 MINUTES 56 SECONDS EAST, 518.72 FEET TO A POINT;  
THENCE SOUTH 12 DEGREES 49 MINUTES 10 SECONDS EAST, 2.27 FEET TO THE POINT OF BEGINNING.

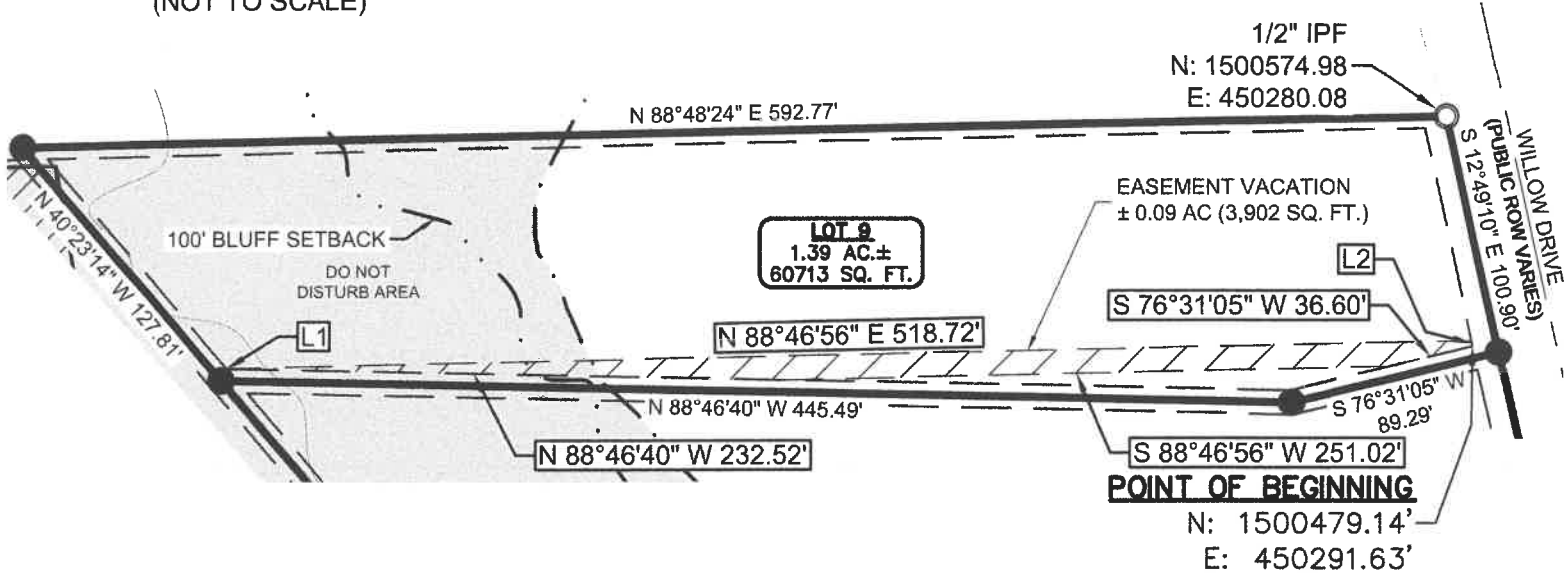
CONTAINING 0.09 ACRES (3,902 SQUARE FEET), MORE OR LESS.

# EXHIBIT B

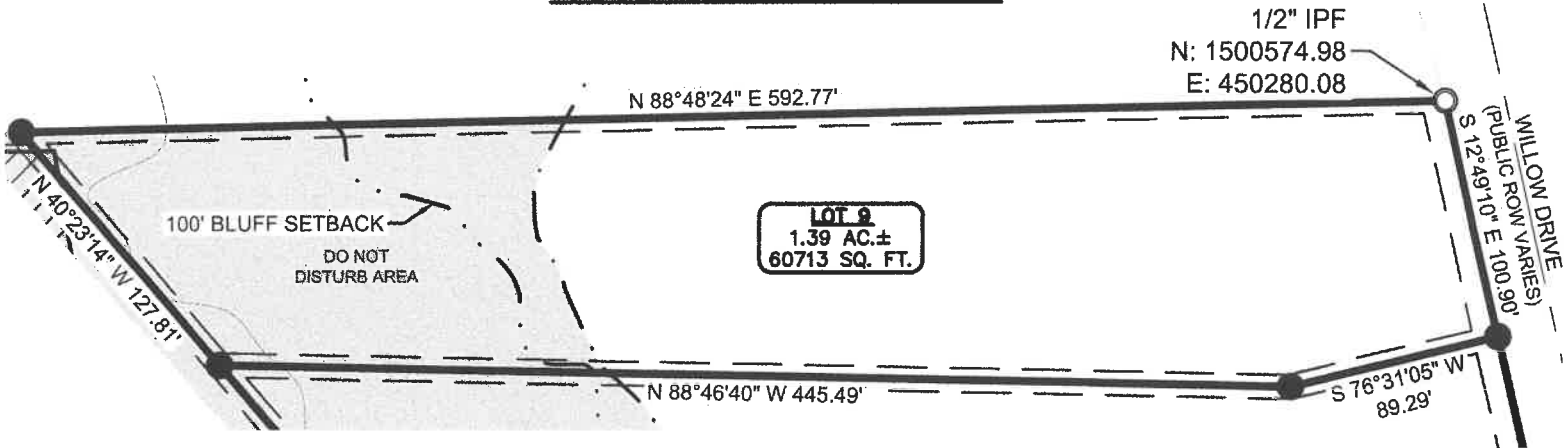


VICINITY MAP  
(NOT TO SCALE)

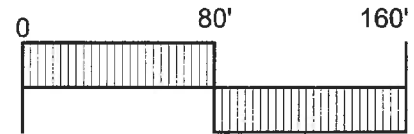
LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	N 40°23'14" W	0.13'
L2	S 12°49'10" E	2.27'



PUDE EASEMENT VACATION



EASEMENT VACATION POST CONDITION



DRAWN BY: JCB

FIELD CREW: BJ

FIELD DATE: 03.18.24

OFFICE DATE: 08.15.24

CHECKED BY: ASM

SHEET: 1 OF 1

JOB NO: 21.247

PUDE EASEMENT VACATION EXHIBIT

**LOT 9 EASEMENT VACATION**

SUNSET ON GREEN MOUNTAIN PHASE 4  
(PLAT BOOK 2024 PAGE 160)

SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST



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

**ADOPTED** this the 12th day of September, 2024.

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

**APPROVED** this the 12th day of September, 2024.

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Mayor of the City of  
Huntsville, Alabama