



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 2/8/2024

**File ID:** TMP-3825

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement, East of Holladay Road, Inverness Springs Phase 2 Subdivision.

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:** East of Holladay Road, Inverness Springs Phase 2 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 easement; that the applicant has represented to the City of Huntsville that **Elite Properties and Development, LLC**, is the owner of the property across which said easement lies; that said easement, or the portion being vacated, is not presently used and is 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 easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

**STATE OF ALABAMA**

**COUNTY OF LIMESTONE**

**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 **ELITE PROPERTIES AND DEVELOPMENT, LLC**, 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 Limestone, State of Alabama, to-wit:

**Drainage Easement Vacation Legal Description:**

COMMENCING AT A CAPPED ½ INCH REBAR STAMPED "MORELL CA-742-LS" LOCATED AT THE SOUTHEAST CORNER OF LOT 65 OF THE FINAL PLAT OF INVERNESS SPRINGS, PHASE 2 AS RECORDED IN PLAT BOOK K, PAGES 370-372 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT:

THENCE FROM THE POINT OF BEGINNING RUN SOUTH 00 DEGREES 37 MINUTES 51 SECONDS WEST FOR A DISTANCE OF 266.27 FEET TO A CAPPED ½ INCH REBAR STAMPED "MORELL CA-742-LS";

THENCE RUN SOUTH 89 DEGREES 51 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 839.34 FEET TO A CAPPED ½ INCH REBAR STAMPED "MORELL CA-742-LS";

THENCE RUN SOUTH 75 DEGREES 37 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 63.98 FEET TO A CAPPED ½ INCH REBAR STAMPED "MORELL CA-742-LS";

THENCE RUN NORTH 88 DEGREES 55 MINUTES 19 SECONDS WEST FOR A DISTANCE OF 252.49 FEET TO A POINT;

THENCE RUN NORTH 00 DEGREES 37 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 53.47 FEET TO A POINT;

THENCE RUN NORTH 80 DEGREES 04 MINUTES 35 SECONDS EAST FOR A DISTANCE OF 89.59 FEET TO A POINT;

THENCE RUN NORTH 00 DEGREES 37 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 477.20 FEET TO A POINT;

THENCE RUN NORTH 89 DEGREES 22 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 387.58 FEET TO A POINT;

THENCE RUN NORTH 00 DEGREES 37 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 190.00 FEET TO A POINT;

THENCE RUN SOUTH 89 DEGREES 22 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 125.00 FEET TO A POINT;

THENCE RUN SOUTH 00 DEGREES 37 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 140.00 FEET TO A POINT;

THENCE RUN SOUTH 89 DEGREES 22 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 137.50 FEET TO A POINT;

THENCE RUN NORTH 00 DEGREES 37 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 140.00 FEET TO A POINT;

THENCE RUN SOUTH 89 DEGREES 22 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 246.68 FEET TO A POINT;

THENCE RUN SOUTH 00 DEGREES 37 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 120.00 FEET TO A POINT;

THENCE RUN SOUTH 89 DEGREES 22 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 121.60 FEET TO A POINT;

THENCE RUN SOUTH 00 DEGREES 37 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 90.00 FEET TO A POINT;

THENCE RUN NORTH 89 DEGREES 22 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 121.60 FEET TO A POINT;

THENCE RUN SOUTH 00 DEGREES 37 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 330.00 FEET TO A POINT;

THENCE RUN SOUTH 89 DEGREES 22 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 304.00 FEET TO A POINT;

THENCE RUN NORTH 00 DEGREES 37 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 175.00 FEET TO A POINT;

THENCE RUN SOUTH 89 DEGREES 22 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 121.60 FEET TO A POINT;

THENCE RUN SOUTH 00 DEGREES 37 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 175.00 FEET TO A POINT;

THENCE RUN SOUTH 89 DEGREES 22 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 243.20 FEET TO A POINT;

THENCE RUN NORTH 00 DEGREES 37 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 175.00 FEET TO A POINT;

THENCE RUN SOUTH 89 DEGREES 22 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 75.08 FEET TO A POINT;

THENCE RUN SOUTH 00 DEGREES 37 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 80.00 FEET TO A CAPPED ½ INCH REBAR STAMPED "MORELL CA-742-LS";

THENCE RUN SOUTH 89 DEGREES 22 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 200.00 FEET AND BACK TO THE POINT OF BEGINNING;

SAID EASEMENT CONTAINS 8.79 ACRES +/-.

**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 8th day of February, 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 8th day of February, 2024.

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

THIS INSTRUMENT PREPARED BY:  
***Morell Engineering, Inc.***  
***711 East Hobbs Street***  
***Athens, Alabama 35611***

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

**ADOPTED** this the 8th day of February, 2024.

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

**APPROVED** this the 8th day of February, 2024 .

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Mayor of the City of  
Huntsville, Alabama