



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 4/27/2023

File ID: TMP-2889

Department: Legal

Subject:

Type of Action: Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement, Pavillion Subdivision Phase 4, Bailey Cove Road. (Campbell and Mance)

Type of Document: 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: Pavillion Subdivision Phase 4, Bailey Cove Road.

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 a utility and drainage easement; that the applicant has represented to the City of Huntsville that **Campbell and Mance Resources, 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 MADISON)

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, **CITY OF HUNTSVILLE, ALABAMA, an Alabama municipal corporation**, hereinafter referred to as “Grantor”, in consideration of the sum of TEN DOLLARS (\$10.00), in hand paid to it by **CAMPBELL AND MANCE RESOURCES, LLC, an Alabama limited liability company**, hereinafter referred to as “Grantee”, and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim and convey unto the said 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 attached exhibit “A”

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

IN WITNESS WHEREOF, the Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Interim City Clerk, on this the 27th day of April, 2023.

ATTEST:

**CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation**

By: _____
Shaundrika Edwards, City Clerk

By: _____
Tommy Battle, Mayor

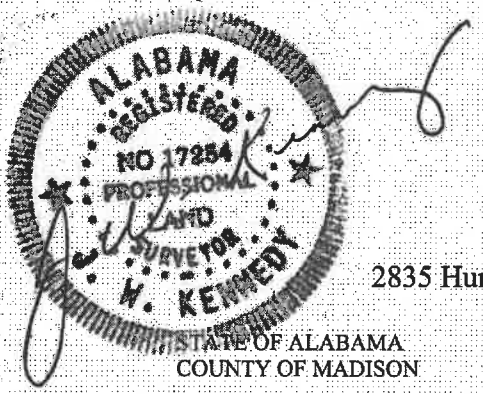
STATE OF ALABAMA)
 :
COUNTY OF MADISON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **TOMMY BATTLE** and **SHAUNDRINKA EDWARDS**, whose names as Mayor and 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 instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the 27th day of April, 2023.

Notary Public
My Commission Expires: _____

This instrument was prepared by:
Matthew R. Harrison
HARRISON GAMMONS, P.C.
2430 L&N Drive
Huntsville, AL 35801
1-256-533-7711



J.W. Kennedy
And Associates, P.C.

2835 Huntsville Highway, Fayetteville, Tennessee, 37334
931-307-1066

I, J.W. KENNEDY, A LICENSED LAND SURVEYOR IN THE STATE OF ALABAMA HEREBY
CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE CENTER OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 1 EAST OF THE
HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA; THENCE, NORTH 89 DEGREES 27 MINUTES
32 SECONDS EAST, A DISTANCE OF 1665.18 FEET TO A CONCRETE MONUMENT FOUND; THENCE,
SOUTH 88 DEGREES 32 MINUTES 29 SECONDS EAST, A DISTANCE OF 79.10 FEET TO A POINT; THENCE,
NORTH 20 DEGREES 53 MINUTES 15 SECONDS EAST, A DISTANCE OF 10.60 FEET TO A POINT, SAID
POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PROPERTY;

THENCE FROM THE POINT OF BEGINNING, NORTH 88 DEGREES 32 MINUTES 29 SECONDS
WEST, A DISTANCE OF 192.38 FEET TO A POINT;
THENCE, NORTH 17 DEGREES 34 MINUTES 30 SECONDS WEST, A DISTANCE OF 215.97 FEET
TO A POINT;
THENCE, NORTH 05 DEGREES 02 MINUTES 01 SECONDS EAST, A DISTANCE OF 44.88 FEET TO
A POINT;
THENCE, NORTH 13 DEGREES 33 MINUTES 59 SECONDS EAST, A DISTANCE OF 21.76 FEET TO
A POINT;
THENCE, SOUTH 88 DEGREES 08 MINUTES 32 SECONDS EAST, A DISTANCE OF 55.30 FEET TO
A POINT;
THENCE, SOUTH 19 DEGREES 08 MINUTES 07 SECONDS EAST, A DISTANCE OF 177.30 FEET TO
A POINT;
THENCE, SOUTH 71 DEGREES 25 MINUTES 02 SECONDS EAST, A DISTANCE OF 91.70 FEET TO
A POINT;
THENCE, NORTH 28 DEGREES 58 MINUTES 23 SECONDS EAST, A DISTANCE OF 93.39 FEET TO
A POINT;
THENCE, SOUTH 80 DEGREES 41 MINUTES 03 SECONDS EAST, A DISTANCE OF 122.72 FEET TO
A POINT;
THENCE, NORTH 24 DEGREES 55 MINUTES 25 SECONDS EAST, A DISTANCE OF 88.71 FEET TO
A POINT;
THENCE, SOUTH 86 DEGREES 50 MINUTES 39 SECONDS EAST, A DISTANCE OF 59.22 FEET TO
A POINT;
THENCE, SOUTH 24 DEGREES 55 MINUTES 25 SECONDS WEST, A DISTANCE OF 152.41 FEET TO
A POINT;
THENCE, NORTH 80 DEGREES 41 MINUTES 03 SECONDS WEST, A DISTANCE OF 114.74 FEET
TO A POINT;
THENCE, SOUTH 20 DEGREES 53 MINUTES 15 SECONDS WEST, A DISTANCE OF 104.37 FEET TO
THE POINT OF BEGINNING AND CONTAINING 1.17 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS RECORDED OR UNRECORDED FOR PUBLIC UTILITIES AND/OR
RIGHTS OF WAY.

THE PROPERTY DESCRIBED HEREIN BEING A PORTION OF THAT PROPERTY DESCRIBED IN
DOCUMENT NUMBER: 2019-5533 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE,
MADISON COUNTY, ALABAMA.

I FURTHER STATE THAT THE ABOVE DESCRIBED SURVEY AND PLAT HAVE BEEN
PERFORMED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF
PRACTICE FOR LAND SURVEYING IN THE STATE OF ALABAMA, TO THE BEST OF MY KNOWLEDGE,
INFORMATION AND BELIEF.

Ordinance No. 23-_____ **(Cont.)**

ADOPTED this the 27th day of April, 2023.

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

APPROVED this the 27th day of April, 2023.

Mayor of the City of
Huntsville, Alabama