



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 4/11/2024

**File ID:** TMP-4093

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**Department:** Legal

**Subject:**

**Type of Action:** Choose an item.

Ordinance authorizing the vacation of a 5-foot Utility and Drainage Easement Lot 8 Commerce 2000, 11820 South Memorial Parkway. (Chick-Fil-A)

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:** Lot 8 Commerce 2000, 11820 South Memorial Parkway

**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 **Chick-Fil-A, Inc.**, 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    )

**QUITCLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation (the "**Grantor**"), in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **CHICK-FIL-A, INC.**, a Georgia corporation ("**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 EXHIBIT "A" ATTACHED HERETO.**

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

**IN WITNESS WHEREOF**, the Grantor has caused this Quitclaim Deed to be signed on its behalf by its Mayor and attested by its City Clerk, this the 11 day of April, 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 11th day of April, 2024.

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

This instrument prepared by:  
Chick-fil-A, Inc.  
5200 Buffington Road  
Atlanta, Georgia 30349  
Attn: Jordan Johnson, Esq.

**EXHIBIT "A"**

See attached.

## Sketch and Description:

THIS IS NOT A SURVEY

### Legal Description:

A PORTION OF THAT CERTAIN 5.00 FOOT UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 3, A RESUBDIVISION OF LOT 3 OF A RESUBDIVISION OF LOT 8 COMMERCE 2000 SUBDIVISION, AS RECORDED IN PLAT BOOK 37, PAGES 57 AND 58 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 3, A RESUBDIVISION OF LOT 3 OF A RESUBDIVISION OF LOT 8 COMMERCE 2000 SUBDIVISION AS RECORDED IN PLAT BOOK 37, PAGES 57 AND 58 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE RUN N 89°40'06" E ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 16.73 FEET TO THE POINT OF BEGINNING OF A 5.00 FOOT WIDE STRIP OF LAND; THENCE CONTINUE N 89°40'06" E, ALONG SAID NORTH LINE, A DISTANCE OF 266.93 FEET TO POINT LYING ON A PLATTED 10.00 FOOT UTILITY AND DRAINAGE EASEMENT AS SHOWN ON THE AFORESAID PLAT, SAID POINT LYING ON A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 3600.50 FEET, A CHORD BEARING OF S 07°30'42" E, AND A CHORD DISTANCE OF 5.04 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°04'49", FOR AN ARC DISTANCE OF 5.04 FEET; THENCE DEPARTING SAID EASEMENT LINE RUN S 89°40'06" W ALONG A LINE PARALLEL WITH AND 5.00 FEET SOUTHERLY (AS MEASURED PERPENDICULARLY) TO THE AFOREMENTIONED NORTH LINE, A DISTANCE OF 267.52 FEET; THENCE DEPARTING SAID PARALLEL LINE RUN N 00°47'07" W, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

ENCOMPASSING 1,336 SQUARE FEET OR 0.03 ACRE MORE OR LESS.

### Abbreviation Legend:

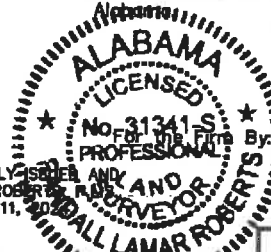
(A) - ACTUAL	A - DELTA	(A) - GRID (STATE PLANE)	(P) - PLAT	PT - POINT OF TANGENCY
APPROX - APPROXIMATE	(D) - DEED	GOVT - GOVERNMENT	PLB - PLAT BOOK	R1E - RANGE 1 EAST
AVG - AVERAGE	(DE) - DEED EXCEPTION	IR - IRON PIPE	PC - POINT OF CURVATURE	R - RADIUS
(BB) - BEARING BASIS	DEPT - DEPARTMENT	R - IRON ROD	PCG - POINT OF COMPOUND CURVATURE	RAD - RADIAL
BLDG - BUILDING	D/U - DRAINAGE AND UTILITY	IR&C - IRON REBAR & CAP	PCP - PERMANENT CONTROL POINT	REC - RECOVERED
BM - BENCH MARK	ELEV - ELEVATION	L - ARC LENGTH	PG - PAGE	REV - REVISION
(C) - CALCULATED	EDP - EDGE OF PAVEMENT	LB# - LICENSED BUSINESS NUMBER	PGS - PAGES	RP - RADIUS POINT
CB - CHORD	ESMT - EASEMENT	(N) - NAIL AND DISK	PI - POINT OF INTERSECTION	R/W - RIGHT-OF-WAY
CCR # - CERTIFIED CORNER RECORD NUMBER	FF - FINISH FLOOR	N & D - NATIONAL GEODETIC SURVEY	POB - POINT OF BEGINNING	SEC 7 - SECTION 7
C/L - CENTERLINE	FND - FOUND	NR - NON-RADIAL	POC - POINT OF COMMENCEMENT	SQ - SQUARE FEET
CM - CONCRETE MONUMENT		NSI - NO SURVEYOR IDENTIFICATION	POL - POINT ON LINE	SQ FT - SQUARE FEET
CONC - CONCRETE		NT - NON-TANGENT	PRC - POINT OF REVERSE CURVATURE	TB - TANGENT BEARING
COR - CORNER		OR - OFFICIAL RECORDS	PRM - PERMANENT REFERENCE MONUMENT	TSS - TOWNSHIP 5 SOUTH
		ORR - OFFICIAL RECORDS BOOK		(TYP) - TYPICAL
				UE - UTILITY EASEMENT
				W/ - WITH

### Surveyor's Notes:

- COPIES OF THIS SKETCH AND DESCRIPTION ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF AN ALABAMA PROFESSIONAL LAND SURVEYOR.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- BEARINGS SHOWN HEREON ARE RELATIVE TO THE NORTH LINE OF LOT 3, ACCORDING TO A RESUBDIVISION OF LOT 3 OF A RESUBDIVISION OF LOT 8 COMMERCE 2000 SUBDIVISION PLAT BOOK 37, PAGES 57 AND 58 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA, AS BEING N89°40'06"E.
- THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR PER THE CLIENT'S REQUEST.
- THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OR OPINION OF TITLE. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED.
- THIS IS NOT A BOUNDARY SURVEY. THIS SKETCH AND DESCRIPTION WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR. NO FIELD SURVEY WAS PERFORMED TO DEFINE OWNERSHIP.

### Surveyor's Certification:

I hereby certify that the attached "Sketch and Description" of the hereon-described property is true and correct to the best of my knowledge, information and belief as prepared under my direction on March 11, 2024. I further certify that this "Sketch and Description" meets the standards of practice for surveying in the state of Alabama.



THIS DOCUMENT ORIGINALLY ISSUED AND SEALED BY RANDALL L. ROBERTS, LICENSE #31341, ON MARCH 11, 2024.

Randall L. Roberts  
Professional Land Surveyor  
Survey License No. 31341

NOT VALID WITHOUT  
SHEETS 1 AND 2 OF 2.

Date: 3/11/24 Job No. C291117  
Drawn by: RDB Scale: N/A File: C291117 SOD 8.DWG



Building Better  
Communities Together

600 West Fulton Street  
Sanford, FL 32771  
Ph: 407.322.6841

www.cphcorp.com

State of Alabama License:  
Surveyor No. CA-909LS

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EASEMENT VACATION  
SECTION 7-TOWNSHIP 5 SOUTH-RANGE 1 EAST  
MADISON COUNTY, ALABAMA

SKETCH AND DESCRIPTION

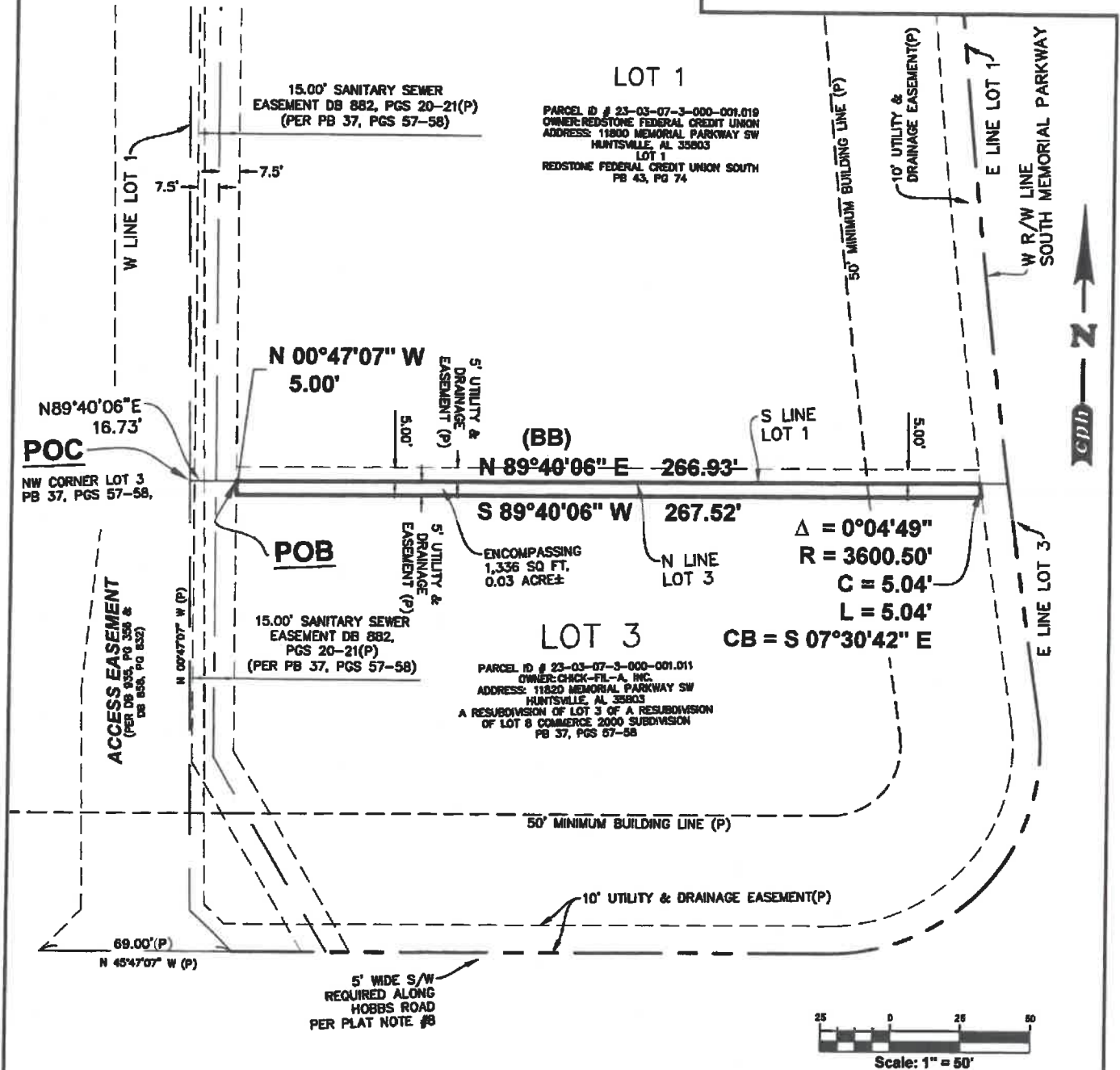
Sheet

1

1 of 2

# Sketch and Description:

THIS IS NOT A SURVEY



NOT VALID WITHOUT  
SHEETS 1 AND 2 OF 2.

Date: 3/11/24

Job No. C291117

Drawn by: RDB

Scale: 1"=50'

File: C291117  
SOD S.DWG



**Building Better  
Communities Together**

600 West Fulton Street  
Sanford, FL 32771  
Ph: 407.322.6841

State of Alabama License:  
Surveyor No. CA-809LS

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**EASEMENT VACATION**  
SECTION 7-TOWNSHIP 5 SOUTH-RANGE 1 EAST  
MADISON COUNTY, ALABAMA

**SKETCH AND DESCRIPTION**

Sheet

**2**

2 of 2

www.cphcorp.com

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

**ADOPTED** this the 11th day of April, 2024.

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

**APPROVED** this the 11th day of April, 2024 .

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Mayor of the City of  
Huntsville, Alabama