



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 9/8/2022

**File ID:** TMP-2028

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**Department:** City Attorney

**Subject:**

**Type of Action:** Approval/Action

Resolution to set a public hearing on the vacation of an alleyway in the Pierre Addition to Viduta and Nolen Avenue; and introduction of a Resolution consenting to an introduction of an Ordinance vacating the alleyway pertaining to the same. (Set October 27, 2022, Regular Council Meeting)

Resolution 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:**

**Address:**

**District:** District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

**Additional Comments:**

**RESOLUTION NO. 22-\_\_\_\_\_**

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

1. That **Sam Bagley, and wife Regina Bagley; Donald Michael Cook, and wife Sandra Marsh Cook; John Piccirillo, and wife Pamela June Piccirillo; Thomas R. Tyler, Jr., and wife Heidi E. Tyler; and, Michael I. Flaherty, and wife Ellen P. Flaherty**, are the sole landowners abutting the property hereinafter described, submitted an application for the vacation of Right-of-way being and lying in Madison County, and being more particularly described as follows (the "Right-of-way" or the "Property"):

**SEE EXHIBIT "A" – "PETITIONS FOR VACATION OF RIGHT-OF-WAY"  
EXHIBIT "B" - "DECLARATIONS OF VACATION OF RIGHT-OF-WAY" and  
EXHIBIT "C" – "PUBLIC HEARING NOTICE"**

2. That a public hearing shall be held for purpose of allowing public comments on the proposed vacation of said Right-of-way at Huntsville City Hall in the Council Chamber, located at 308 Fountain Circle, Huntsville, Alabama 35801, at 5:30 p.m. on Thursday, October 27, 2022; and

3. That notice of the vacation of the Right-of-way has been or shall be provided to all adjacent landowners and any known entities with facilities or equipment lying in said Right-of-way in accordance with Section 23-4-1 *et seq.* of the Code of Alabama, 1975, as amended; and

4. That the Clerk-Treasurer is hereby ordered to have public hearing notice contained in Exhibit "C" attached hereto ("Public Notice"), immediately published in *The Huntsville Times* for four consecutive weeks, with said notice to run beginning on September 18, September 25, October 2, and October 9, 2022.

5. It is hereby ordered that copies of the Public Notice shall be posted on bulletin boards located in the Madison County Courthouse and Huntsville City Hall.

**ADOPTED** this the 8th day of September, 2022.

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

**APPROVED** this the 8th day of September, 2022.

\_\_\_\_\_  
Mayor of the City of  
Huntsville, Alabama

STATE OF ALABAMA     )  
MADISON COUNTY     )

### PETITION FOR VACATION OF RIGHT-OF-WAY


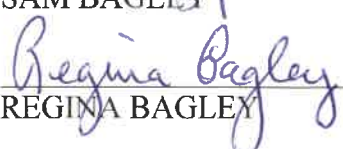
KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned **Sam Bagley, and wife Regina Bagley**, being the owners of all lands abutting the portion or public way described on **Exhibit A** attached hereto and incorporated herein by reference (the "right-of-way"), pursuant to Section 23-4-20 of the Alabama Code of 1975, do hereby petition the City Council of the City of Huntsville, Alabama, to declare the right-of-way vacated and divested out of the public.

The said owners do further represent and warrant that, after vacation of the right-of-way, convenient means of ingress and egress to and from its properties will be afforded to all other property owners by the remaining public ways dedicated to the public for public way purposes.

Accordingly, the undersigned owners respectfully petition and request that the City Council of the City of Huntsville, Alabama, give such notices, set and conduct such public hearings, adopt such resolutions and ordinances, and take such other actions, all as are necessary to vacate the Right-of-way as required by applicable law.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the 20 day of April, 2022.

  
\_\_\_\_\_  
SAM BAGLEY  
  
\_\_\_\_\_  
REGINA BAGLEY

STATE OF ALABAMA     )  
MADISON COUNTY     )

I, the undersigned Notary Public in and for said County in said State, hereby certify that **Sam Bagley, and wife Regina Bagley**, whose names 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 executed the same on the day the same bears date.

GIVEN under my hand and official seal this the 20 day of April, 2022.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 1-31-2025

STATE OF ALABAMA     )  
MADISON COUNTY        )

### PETITION FOR VACATION OF RIGHT-OF-WAY

KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned **Donald Michael Cook, and wife Sandra Marsh Cook**, being the owners of all lands abutting the portion or public way described on **Exhibit A** attached hereto and incorporated herein by reference (the "right-of-way"), pursuant to Section 23-4-20 of the Alabama Code of 1975, do hereby petition the City Council of the City of Huntsville, Alabama, to declare the right-of-way vacated and divested out of the public.

The said owners do further represent and warrant that, after vacation of the right-of-way, convenient means of ingress and egress to and from its properties will be afforded to all other property owners by the remaining public ways dedicated to the public for public way purposes.

Accordingly, the undersigned owners respectfully petition and request that the City Council of the City of Huntsville, Alabama, give such notices, set and conduct such public hearings, adopt such resolutions and ordinances, and take such other actions, all as are necessary to vacate the Right-of-way as required by applicable law.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the 20 day of April, 2022.

Donald M. Cook  
DONALD MICHAEL COOK

Sandra Marsh Cook  
SANDRA MARSH COOK

STATE OF ALABAMA     )  
MADISON COUNTY        )

I, the undersigned Notary Public in and for said County in said State, hereby certify that **Donald Michael Cook, and wife Sandra Marsh Cook**, whose names 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 executed the same on the day the same bears date.

GIVEN under my hand and official seal this the 20 day of April, 2022.

Stephen D. Smith  
Notary Public  
My Commission Expires: 1-31-25

STATE OF ALABAMA     )  
MADISON COUNTY        )

### PETITION FOR VACATION OF RIGHT-OF-WAY


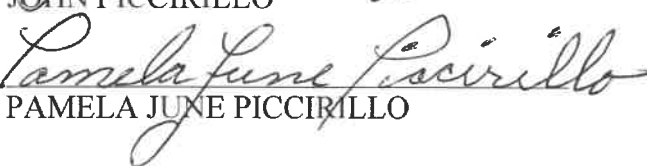
KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned **John Piccirillo, and wife Pamela June Piccirillo**, being the owners of all lands abutting the portion or public way described on **Exhibit A** attached hereto and incorporated herein by reference (the "right-of-way"), pursuant to Section 23-4-20 of the Alabama Code of 1975, do hereby petition the City Council of the City of Huntsville, Alabama, to declare the right-of-way vacated and divested out of the public.

The said owners do further represent and warrant that, after vacation of the right-of-way, convenient means of ingress and egress to and from its properties will be afforded to all other property owners by the remaining public ways dedicated to the public for public way purposes.

Accordingly, the undersigned owners respectfully petition and request that the City Council of the City of Huntsville, Alabama, give such notices, set and conduct such public hearings, adopt such resolutions and ordinances, and take such other actions, all as are necessary to vacate the Right-of-way as required by applicable law.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the 27<sup>th</sup> day of June, 2022.

  
JOHN PICCIRILLO  
  
PAMELA JUNE PICCIRILLO

STATE OF ALABAMA     )  
MADISON COUNTY        )

I, the undersigned Notary Public in and for said County in said State, hereby certify that **John Piccirillo, and wife Pamela June Piccirillo**, whose names 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 executed the same on the day the same bears date.

GIVEN under my hand and official seal this the 27<sup>th</sup> day of June, 2022.

  
Notary Public  
My Commission Expires: 1-31-2025

STATE OF ALABAMA     )  
 MADISON COUNTY     )

### PETITION FOR VACATION OF RIGHT-OF-WAY

KNOW ALL PERSONS BY THESE PRESENTS:


That the undersigned **Thomas R. Tyler, Jr., and wife Heidi E. Tyler**, being the owners of all lands abutting the portion or public way described on **Exhibit A** attached hereto and incorporated herein by reference (the "right-of-way"), pursuant to Section 23-4-20 of the Alabama Code of 1975, do hereby petition the City Council of the City of Huntsville, Alabama, to declare the right-of-way vacated and divested out of the public.

The said owners do further represent and warrant that, after vacation of the right-of-way, convenient means of ingress and egress to and from its properties will be afforded to all other property owners by the remaining public ways dedicated to the public for public way purposes.

Accordingly, the undersigned owners respectfully petition and request that the City Council of the City of Huntsville, Alabama, give such notices, set and conduct such public hearings, adopt such resolutions and ordinances, and take such other actions, all as are necessary to vacate the Right-of-way as required by applicable law.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the 27<sup>th</sup> day of June, 2022.

  
 THOMAS R. TYLER, JR.

  
 HEIDI E. TYLER

STATE OF ALABAMA     )  
 MADISON COUNTY     )

I, the undersigned Notary Public in and for said County in said State, hereby certify that **Thomas R. Tyler, Jr., and wife Heidi E. Tyler**, whose names 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 executed the same on the day the same bears date.

GIVEN under my hand and official seal this the 27<sup>th</sup> day of June, 2022.

  
 Notary Public

My Commission Expires: 1-31-2025

STATE OF ALABAMA     )  
MADISON COUNTY        )

### PETITION FOR VACATION OF RIGHT-OF-WAY

KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned **Michael I. Flaherty, and wife Ellen P. Flaherty**, being the owners of all lands abutting the portion or public way described on **Exhibit A** attached hereto and incorporated herein by reference (the "right-of-way"), pursuant to Section 23-4-20 of the Alabama Code of 1975, do hereby petition the City Council of the City of Huntsville, Alabama, to declare the right-of-way vacated and divested out of the public.

The said owners do further represent and warrant that, after vacation of the right-of-way, convenient means of ingress and egress to and from its properties will be afforded to all other property owners by the remaining public ways dedicated to the public for public way purposes.

Accordingly, the undersigned owners respectfully petition and request that the City Council of the City of Huntsville, Alabama, give such notices, set and conduct such public hearings, adopt such resolutions and ordinances, and take such other actions, all as are necessary to vacate the Right-of-way as required by applicable law.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the 27<sup>th</sup> day of June, 2022.

Michael I. Flaherty  
MICHAEL I. FLAHERTY

Ellen P. Flaherty  
ELLEN P. FLAHERTY

STATE OF ALABAMA     )  
MADISON COUNTY        )

I, the undersigned Notary Public in and for said County in said State, hereby certify that **Michael I. Flaherty, and wife Ellen P. Flaherty**, whose names 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 executed the same on the day the same bears date.

GIVEN under my hand and official seal this the 27<sup>th</sup> day of June, 2022.

[Signature]  
Notary Public  
My Commission Expires: 1-31-2025

STATE OF ALABAMA

COUNTY OF MADISON

**DECLARATION OF VACATION OF RIGHT-OF-WAY**

KNOW ALL MEN BY THESE PRESENTS: That the undersigned Sam Bagley and wife Regina Bagley desiring to vacate that certain right-of-way hereinafter described, say as follows:

1. That the said Owners are the owners of all the land abutting the hereinafter described right-of-way; and
2. WHEREAS, convenient and reasonable means of ingress and egress are available to the owners of the surrounding property; and
3. WHEREAS, the said right-of-way, hereinafter described, is situated within the corporate limits of the City of Huntsville, Alabama, and was heretofore dedicated to said City; and
4. WHEREAS, the undersigned, by this instrument, declare their intent to vacate the said right-of-way, hereinafter described; and
5. WHEREAS, it may be necessary for the City of Huntsville, Alabama to retain an easement for utilities and drainage over the real estate described below.

NOW, THEREFORE, the undersigned, as the owners of all property abutting the said right-of-way hereinafter described, do hereby petition and urge that the City Council of the City of Huntsville, Alabama, adopt a resolution hereby declaring said easement vacated and assenting to the vacation of the following described right-of-way, being described, as follows:

STATE OF ALABAMA  
MADISON COUNTY

0.06 ACRES  
(2552.0 SQ. FT.)

EAST HALF OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES



10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE NORTHEAST CORNER OF LOT 6 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 36 MINUTES 51 SECONDS EAST 9.96 FEET TO A 1/2" CAPPED REBAR FOUND AT THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, SOUTH 88 DEGREES 17 MINUTES 25 SECONDS EAST 10.01 FEET TO A 1/2" CAPPED REBAR FOUND AT THE NORTHWEST CORNER OF LOT 5 OF PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 01 DEGREES 07 MINUTES 03 SECONDS WEST 69.97 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE SOUTH 01 DEGREES 06 MINUTES 07 SECONDS WEST 184.58 FEET TO A 1/2" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 1 OF SAID PIERRE ADDITION TO TOWN OF VIDUTA; THENCE SOUTH 83 DEGREES 53 MINUTES 36 SECONDS WEST 10.05 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE NORTH 01 DEGREES 05 MINUTES 14 SECONDS EAST 185.94 FEET TO A 1/2" REBAR FOUND; THENCE NORTH 01 DEGREES 07 MINUTES 20 SECONDS EAST 69.99 FEET TO THE POINT OF BEGINNING, CONTAINING 0.06 ACRES (2552.0 SQ. FT.), MORE OR LESS.

The above-described property shall remain subject to an easement for utilities and drainage in favor of the City of Huntsville, Alabama.

IN WITNESS WHEREOF, the undersigned owners of all property abutting said right-of-way hereinabove described, have caused this instrument to be executed, on this \_\_\_\_ day of \_\_\_\_\_, 2022.

By: [Signature]  
Owner

By: Regina Bagley  
Owner

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that Sam Bagley, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same on the day the same bears date.

Given under my hand and official seal of office, this the 20 day of April, 2022.

[Signature]  
Notary Public  
My Commission Expires:  
1-31-2025

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that Regina Bagley, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same on the day the same bears date.

Given under my hand and official seal of office, this the 20 day of April, 2022.

[Signature]  
Notary Public  
My Commission Expires:  
1-31-2025

STATE OF ALABAMA

COUNTY OF MADISON

**DECLARATION OF VACATION OF RIGHT-OF-WAY**

KNOW ALL MEN BY THESE PRESENTS: That the undersigned Donald Michael Cook and wife Sandra Marsh Cook desiring to vacate that certain right-of-way hereinafter described, say as follows:

1. That the said Owners are the owners of all the land abutting the hereinafter described right-of-way; and
2. WHEREAS, convenient and reasonable means of ingress and egress are available to the owners of the surrounding property; and
3. WHEREAS, the said right-of-way, hereinafter described, is situated within the corporate limits of the City of Huntsville, Alabama, and was heretofore dedicated to said City; and
4. WHEREAS, the undersigned, by this instrument, declare their intent to vacate the said right-of-way, hereinafter described; and
5. WHEREAS, it may be necessary for the City of Huntsville, Alabama to retain an easement for utilities and drainage over the real estate described below.

NOW, THEREFORE, the undersigned, as the owners of all property abutting the said right-of-way hereinafter described, do hereby petition and urge that the City Council of the City of Huntsville, Alabama, adopt a resolution hereby declaring said easement vacated and assenting to the vacation of the following described right-of-way, being described, as follows:

STATE OF ALABAMA  
MADISON COUNTY

0.06 ACRES  
(2548.1 SQ. FT.)

WEST HALF OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES

10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2 AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE NORTHEAST CORNER OF LOT 6 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 36 MINUTES 51 SECONDS EAST 9.96 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE SOUTH 01 DEGREES 07 MINUTES 20 SECONDS WEST 69.99 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 01 DEGREES 05 MINUTES 14 SECONDS WEST 185.94 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE SOUTH 86 DEGREES 17 MINUTES 53 SECONDS WEST 9.98 FEET TO THE POINT OF BEGINNING, CONTAINING 0.06 ACRES (2548.1 SQ. FT.), MORE OR LESS.

The above-described property shall remain subject to an easement for utilities and drainage in favor of the City of Huntsville, Alabama.

IN WITNESS WHEREOF, the undersigned owners of all property abutting said right-of-way hereinabove described, have caused this instrument to be executed, on this 20 day of April, 2022.

By: Donald M. Cook  
Owner

By: Sandra Marsh Cook  
Owner

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that Donald M. Cook, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same on the day the same bears date.

Given under my hand and official seal of office, this the 20 day of April, 2022.

Allyson D. Smith  
Notary Public  
My Commission Expires:  
1-31-2025

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that Sandra Marsh Cook, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same on the day the same bears date.

Given under my hand and official seal of office, this the 20 day of April, 2022.

Allyson D. Smith  
Notary Public  
My Commission Expires:  
1-31-2025

STATE OF ALABAMA

COUNTY OF MADISON

**DECLARATION OF VACATION OF RIGHT-OF-WAY**

KNOW ALL MEN BY THESE PRESENTS: That the undersigned John Piccirillo and wife Pamela June Piccirillo desiring to vacate that certain right-of-way hereinafter described, say as follows:

1. That the said Owners are the owners of all the land abutting the hereinafter described right-of-way; and
2. WHEREAS, convenient and reasonable means of ingress and egress are available to the owners of the surrounding property; and
3. WHEREAS, the said right-of-way, hereinafter described, is situated within the corporate limits of the City of Huntsville, Alabama, and was heretofore dedicated to said City; and
4. WHEREAS, the undersigned, by this instrument, declare their intent to vacate the said right-of-way, hereinafter described; and
5. WHEREAS, it may be necessary for the City of Huntsville, Alabama to retain an easement for utilities and drainage over the real estate described below.

NOW, THEREFORE, the undersigned, as the owners of all property abutting the said right-of-way hereinafter described, do hereby petition and urge that the City Council of the City of Huntsville, Alabama, adopt a resolution hereby declaring said easement vacated and assenting to the vacation of the following described right-of-way, being described, as follows:

EAST PORTION OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES 10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE

PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE SOUTHEAST CORNER OF LOT 8 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 27 MINUTES 07 SECONDS EAST 19.97 TO A 1/2" CAPPED REBAR FOUND AT THE NORTHWEST CORNER OF LOT 5 OF SAID PIERRE ADDITION TO THE TOWN IF VIDUTA AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, SOUTH 01 DEGREES 07 MINUTES 03 SECONDS WEST 69.97 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE NORTH 88 DEGREES 22 MINUTES 23 SECONDS WEST 10.02 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE NORTH 01 DEGREES 07 MINUTES 20 SECONDS EAST 69.99 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE SOUTH 88 DEGREES 17 MINUTES 25 SECONDS EAST 10.01 FEET TO THE POINT OF BEGINNING, CONTAINING 0.02 ACRES (700.8 SQ. FT.), MORE OR LESS.

The above-described property shall remain subject to an easement for utilities and drainage in favor of the City of Huntsville, Alabama.

IN WITNESS WHEREOF, the undersigned owners of all property abutting said right-of-way hereinabove described, have caused this instrument to be executed, on this 27<sup>th</sup> day of June, 2022.

By: John Piccirillo  
Owner

By: Camela June Piccirillo  
Owner

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that John Piccirillo, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same on the day the same bears date.

Given under my hand and official seal of office, this the 27<sup>th</sup> day of June, 2022.

Notary Public  
My Commission Expires:  
1-31-2025

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that Camela June Piccirillo, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same on the day the same bears date.

Given under my hand and official seal of office, this the 27<sup>th</sup> day of June, 2022.

Notary Public  
My Commission Expires:  
1-31-2025



STATE OF ALABAMA

COUNTY OF MADISON

**DECLARATION OF VACATION OF RIGHT-OF-WAY**

KNOW ALL MEN BY THESE PRESENTS: That the undersigned Thomas R. Tyler, Jr. and wife Heidi E. Tyler desiring to vacate that certain right-of-way hereinafter described, say as follows:

1. That the said Owners are the owners of all the land abutting the hereinafter described right-of-way; and
2. WHEREAS, convenient and reasonable means of ingress and egress are available to the owners of the surrounding property; and
3. WHEREAS, the said right-of-way, hereinafter described, is situated within the corporate limits of the City of Huntsville, Alabama, and was heretofore dedicated to said City; and
4. WHEREAS, the undersigned, by this instrument, declare their intent to vacate the said right-of-way, hereinafter described; and
5. WHEREAS, it may be necessary for the City of Huntsville, Alabama to retain an easement for utilities and drainage over the real estate described below.

NOW, THEREFORE, the undersigned, as the owners of all property abutting the said right-of-way hereinafter described, do hereby petition and urge that the City Council of the City of Huntsville, Alabama, adopt a resolution hereby declaring said easement vacated and assenting to the vacation of the following described right-of-way, being described, as follows:

STATE OF ALABAMA  
MADISON COUNTY

0.05 ACRES  
(2101.9 SQ. FT.)

EAST PORTION OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES

10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE SOUTHEAST CORNER OF LOT 8 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 27 MINUTES 07 SECONDS EAST 19.97 TO A 1/2" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 7 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 88 DEGREES 17 MINUTES 25 SECONDS WEST 10.01 FEET TO A POINT; THENCE NORTH 01 DEGREES 34 MINUTES 35 SECONDS EAST 210.05 FEET TO A POINT; THENCE SOUTH 88 DEGREES 26 MINUTES 02 SECONDS EAST 10.00 FEET TO THE NORTHWEST CORNER OF LOT 7 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 01 DEGREES 34 MINUTES 24 SECONDS WEST 210.08 FEET TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES (2101.9 SQ. FT.), MORE OR LESS.

The above-described property shall remain subject to an easement for utilities and drainage in favor of the City of Huntsville, Alabama.

IN WITNESS WHEREOF, the undersigned owners of all property abutting said right-of-way hereinabove described, have caused this instrument to be executed, on this 27<sup>th</sup> day of June, 2022.

By: Thomas R. Tyler  
Owner

By: Heidi E. Tyler  
Owner

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that Thomas R. Tyler Jr, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same on the day the same bears date.

Given under my hand and official seal of office, this the 27<sup>th</sup> day of June, 2022.

Heidi E. Tyler  
Notary Public  
My Commission Expires:  
1-31-2025

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that Heidi E. Tyler, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same on the day the same bears date.

Given under my hand and official seal of office, this the 27<sup>th</sup> day of June, 2022.

Heidi E. Tyler  
Notary Public  
My Commission Expires:  
1-31-2025

STATE OF ALABAMA

COUNTY OF MADISON

**DECLARATION OF VACATION OF RIGHT-OF-WAY**

KNOW ALL MEN BY THESE PRESENTS: That the undersigned Michael I. Flaherty and wife Ellen P. Flaherty desiring to vacate that certain right-of-way hereinafter described, say as follows:

1. That the said Owners are the owners of all the land abutting the hereinafter described right-of-way; and
2. WHEREAS, convenient and reasonable means of ingress and egress are available to the owners of the surrounding property; and
3. WHEREAS, the said right-of-way, hereinafter described, is situated within the corporate limits of the City of Huntsville, Alabama, and was heretofore dedicated to said City; and
4. WHEREAS, the undersigned, by this instrument, declare their intent to vacate the said right-of-way, hereinafter described; and
5. WHEREAS, it may be necessary for the City of Huntsville, Alabama to retain an easement for utilities and drainage over the real estate described below.

NOW, THEREFORE, the undersigned, as the owners of all property abutting the said right-of-way hereinafter described, do hereby petition and urge that the City Council of the City of Huntsville, Alabama, adopt a resolution hereby declaring said easement vacated and assenting to the vacation of the following described right-of-way, being described, as follows:

STATE OF ALABAMA  
MADISON COUNTY

0.05 ACRES  
(2096.7 SQ. FT.)

WEST PORTION OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES

10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE SOUTHEAST CORNER OF LOT 8 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 33 MINUTES 58 SECONDS EAST 210.09 FEET TO THE NORTHEAST CORNER OF LOT 12 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 26 MINUTES 02 SECONDS EAST 10.00 FEET TO A POINT; THENCE SOUTH 01 DEGREES 34 MINUTES 35 SECONDS WEST 210.05 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE NORTH 88 DEGREES 36 MINUTES 51 SECONDS WEST 9.96 FEET TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES (2096.7 SQ. FT.), MORE OR LESS.

The above-described property shall remain subject to an easement for utilities and drainage in favor of the City of Huntsville, Alabama.

IN WITNESS WHEREOF, the undersigned owners of all property abutting said right-of-way hereinabove described, have caused this instrument to be executed, on this 27<sup>th</sup> day of June, 2022.

By: Michael J. Flaherty  
Owner

By: Ellen P. Flaherty  
Owner

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that Michael J. Flaherty, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same on the day the same bears date.

Given under my hand and official seal of office, this the 27<sup>th</sup> day of June, 2022.

Mark D. Thibault  
Notary Public  
My Commission Expires:  
1-31-2025

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that Ellen P. Flaherty, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same on the day the same bears date.

Given under my hand and official seal of office, this the 27<sup>th</sup> day of June, 2022.

Mark D. Thibault  
Notary Public  
My Commission Expires:  
1-31-2025

**(Public Hearing Notice to be Published)**

In accordance with Section 23-4-1 et seq. of the Code of Alabama, 1975, as amended, you are hereby notified of a public hearing to be held at Huntsville City Hall in the Council Chamber, located at 308 Fountain Circle, Huntsville, Alabama 35801, at 5:30 p.m. on Thursday, October 27, 2022.

The purpose of the hearing is to receive public comments on an application submitted by the City of Huntsville for the vacation of Right-of-way along Viduta and Nolen Avenue which is more particularly described as follows:

(Bagley)

STATE OF ALABAMA  
MADISON COUNTY

0.06 ACRES  
(2552.0 SQ. FT.)

EAST HALF OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES 10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE NORTHEAST CORNER OF LOT 6 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 36 MINUTES 51 SECONDS EAST 9.96 FEET TO A ½" CAPPED REBAR FOUND AT THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, SOUTH 88 DEGREES 17 MINUTES 25 SECONDS EAST 10.01 FEET TO A ½" CAPPED REBAR FOUND AT THE NORTHWEST CORNER OF LOT 5 OF PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 01 DEGREES 07 MINUTES 03 SECONDS WEST 69.97 FEET TO A ½" CAPPED REBAR FOUND; THENCE SOUTH 01 DEGREES 06 MINUTES 07 SECONDS WEST 184.58 FEET TO A ½" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 1 OF SAID PIERRE ADDITION TO TOWN OF VIDUTA; THENCE SOUTH 83 DEGREES 53 MINUTES 36 SECONDS WEST 10.05 FEET TO A ½" CAPPED REBAR FOUND; THENCE NORTH 01 DEGREES 05 MINUTES 14 SECONDS EAST 185.94 FEET TO A ½" REBAR FOUND; THENCE NORTH 01 DEGREES 07 MINUTES 20 SECONDS EAST 69.99 FEET TO THE POINT OF BEGINNING, CONTAINING 0.06 ACRES (2552.0 SQ. FT.), MORE OR LESS.

(Cook)

0.06 ACRES  
(2548.1 SQ. FT.)

WEST HALF OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES 10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8"

CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2 AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE NORTHEAST CORNER OF LOT 6 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 36 MINUTES 51 SECONDS EAST 9.96 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE SOUTH 01 DEGREES 07 MINUTES 20 SECONDS WEST 69.99 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 01 DEGREES 05 MINUTES 14 SECONDS WEST 185.94 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE SOUTH 86 DEGREES 17 MINUTES 53 SECONDS WEST 9.98 FEET TO THE POINT OF BEGINNING, CONTAINING 0.06 ACRES (2548.1 SQ. FT.), MORE OR LESS.

(Piccirillo)

EAST PORTION OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 1/2" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES 10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE SOUTHEAST CORNER OF LOT 8 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 27 MINUTES 07 SECONDS EAST 19.97 TO A 1/2" CAPPED REBAR FOUND AT THE NORTHWEST CORNER OF LOT 5 OF SAID PIERRE ADDITION TO THE TOWN IF VIDUTA AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, SOUTH 01 DEGREES 07 MINUTES 03 SECONDS WEST 69.97 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE NORTH 88 DEGREES 22 MINUTES 23 SECONDS WEST 10.02 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE NORTH 01 DEGREES 07 MINUTES 20 SECONDS EAST 69.99 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE SOUTH 88 DEGREES 17 MINUTES 25 SECONDS EAST 10.01 FEET TO THE POINT OF BEGINNING, CONTAINING 0.02 ACRES (700.8 SQ. FT.), MORE OR LESS.

(Tyler)

0.05 ACRES  
(2101.9 SQ. FT.)

EAST PORTION OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 1/2" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES 10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE



TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE SOUTHEAST CORNER OF LOT 8 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 27 MINUTES 07 SECONDS EAST 19.97 TO A 1/2" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 7 OF SAID PIERRE ADDITION TO THE TOWN IF VIDUTA AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 88 DEGREES 17 MINUTES 25 SECONDS WEST 10.01 FEET TO A POINT; THENCE NORTH 01 DEGREES 34 MINUTES 35 SECONDS EAST 210.05 FEET TO A POINT; THENCE SOUTH 88 DEGREES 26 MINUTES 02 SECONDS EAST 10.00 FEET TO THE NORTHWEST CORNER OF LOT 7 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 01 DEGREES 34 MINUTES 24 SECONDS WEST 210.08 FEET TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES (2101.9 SQ. FT.), MORE OR LESS.

(Flaherty)

0.05 ACRES  
(2096.7 SQ. FT.)

WEST PORTION OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 1/2" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES 10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE SOUTHEAST CORNER OF LOT 8 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 33 MINUTES 58 SECONDS EAST 210.09 FEET TO THE NORTHEAST CORNER OF LOT 12 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 26 MINUTES 02 SECONDS EAST 10.00 FEET TO A POINT; THENCE SOUTH 01 DEGREES 34 MINUTES 35 SECONDS WEST 210.05 FEET TO A 1/2" CAPPED REBAR FOUND; THENCE NORTH 88 DEGREES 36 MINUTES 51 SECONDS WEST 9.96 FEET TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES (2096.7 SQ. FT.), MORE OR LESS.

The above described property shall remain subject to any easement for utilities and drainage in favor of the City of Huntsville, Alabama.

This notice is being sent by United States mail at least 30 days prior to the scheduled hearing to all abutting owners, if any, and to all entities know to have facilities or equipment within the public Right-of-way of the street to be vacated, as their names and addresses appear on roll in the Madison County Revenue Commissioner's office or Madison County Tax Assessor's office, and shall be posted at the Madison County Courthouse and at Huntsville City Hall. Any citizen alleging to be affected by the proposed vacation may submit a written objection to the City Council or may request an opportunity to be heard at the public hearing held as required by law, any such objection or request may be directed to: Attn: Thomas Nunez, City Planning Department, 308 Fountain Circle, 2nd Floor, Huntsville, Alabama 35801 or [thomas.nunez@huntsvilleal.gov](mailto:thomas.nunez@huntsvilleal.gov).

**RESOLUTION NO. 22-\_\_\_\_\_**

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

1. That **Sam Bagley, and wife Regina Bagley; Donald Michael Cook, and wife Sandra Marsh Cook; John Piccirillo, and wife Pamela June Piccirillo; Thomas R. Tyler, Jr., and wife Heidi E. Tyler; and, Michael I. Flaherty, and wife Ellen P. Flaherty,** are the sole landowners abutting the property hereinafter described, made application for the vacation of that certain Right-of-Way more particularly described as follows (the "Right-of-Way" or the "Property"):

**See Exhibit "A" attached hereto and incorporated herein.**

2. That notice of the vacation of the Right-of-Way 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 Right-of-Way 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 Right-of-Way 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 Right-of-Way and that the vacation of the designated portion of Right-of-Way 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 Right-of-Way 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 Right-of-Way. Title and all public rights shall vest in the abutting landowners, **Sam Bagley, and wife Regina Bagley; Donald Michael Cook, and wife Sandra Marsh Cook; John Piccirillo, and wife Pamela June Piccirillo; Thomas R. Tyler, Jr., and wife Heidi E. Tyler; and, Michael I. Flaherty, and wife Ellen P. Flaherty.**

6. That notice of this resolution shall be published in *The Huntsville Times* 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 Right-of-Way and that the above described Property be and the same is hereby vacated and annulled and all public rights therein divested of the Property, with the City of Huntsville retaining a public utility and drainage Easements over, across and under subject property.

**ADOPTED** this the 27th day of October, 2022.

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President of the City Council  
City of Huntsville, Alabama

**APPROVED** this the 27th day of October, 2022.

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TOMMY BATTLE  
Mayor of the City of Huntsville, Alabama

## EXHIBIT A

STATE OF ALABAMA  
MADISON COUNTY

0.06 ACRES  
(2552.0 SQ. FT.)

EAST HALF OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES 10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE NORTHEAST CORNER OF LOT 6 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 36 MINUTES 51 SECONDS EAST 9.96 FEET TO A ½" CAPPED REBAR FOUND AT THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, SOUTH 88 DEGREES 17 MINUTES 25 SECONDS EAST 10.01 FEET TO A ½" CAPPED REBAR FOUND AT THE NORTHWEST CORNER OF LOT 5 OF PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 01 DEGREES 07 MINUTES 03 SECONDS WEST 69.97 FEET TO A ½" CAPPED REBAR FOUND; THENCE SOUTH 01 DEGREES 06 MINUTES 07 SECONDS WEST 184.58 FEET TO A ½" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 1 OF SAID PIERRE ADDITION TO TOWN OF VIDUTA; THENCE SOUTH 83 DEGREES 53 MINUTES 36 SECONDS WEST 10.05 FEET TO A ½" CAPPED REBAR FOUND; THENCE NORTH 01 DEGREES 05 MINUTES 14 SECONDS EAST 185.94 FEET TO A ½" REBAR FOUND; THENCE NORTH 01 DEGREES 07 MINUTES 20 SECONDS EAST 69.99 FEET TO THE POINT OF BEGINNING, CONTAINING 0.06 ACRES (2552.0 SQ. FT.), MORE OR LESS.

## EXHIBIT A

STATE OF ALABAMA  
MADISON COUNTY

0.06 ACRES  
(2548.1 SQ. FT.)

WEST HALF OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES 10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2 AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE NORTHEAST CORNER OF LOT 6 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 36 MINUTES 51 SECONDS EAST 9.96 FEET TO A ½" CAPPED REBAR FOUND; THENCE SOUTH 01 DEGREES 07 MINUTES 20 SECONDS WEST 69.99 FEET TO A ½" REBAR FOUND; THENCE SOUTH 01 DEGREES 05 MINUTES 14 SECONDS WEST 185.94 FEET TO A ½" CAPPED REBAR FOUND; THENCE SOUTH 86 DEGREES 17 MINUTES 53 SECONDS WEST 9.98 FEET TO THE POINT OF BEGINNING, CONTAINING 0.06 ACRES (2548.1 SQ. FT.), MORE OR LESS.

EXHIBIT A

EAST PORTION OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES 10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE SOUTHEAST CORNER OF LOT 8 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 27 MINUTES 07 SECONDS EAST 19.97 TO A ½" CAPPED REBAR FOUND AT THE NORTHWEST CORNER OF LOT 5 OF SAID PIERRE ADDITION TO THE TOWN IF VIDUTA AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, SOUTH 01 DEGREES 07 MINUTES 03 SECONDS WEST 69.97 FEET TO A ½" CAPPED REBAR FOUND; THENCE NORTH 88 DEGREES 22 MINUTES 23 SECONDS WEST 10.02 FEET TO A ½" CAPPED REBAR FOUND; THENCE NORTH 01 DEGREES 07 MINUTES 20 SECONDS EAST 69.99 FEET TO A ½" CAPPED REBAR FOUND; THENCE SOUTH 88 DEGREES 17 MINUTES 25 SECONDS EAST 10.01 FEET TO THE POINT OF BEGINNING, CONTAINING 0.02 ACRES (700.8 SQ. FT.), MORE OR LESS.

## EXHIBIT A

STATE OF ALABAMA  
MADISON COUNTY

0.05 ACRES  
(2101.9 SQ. FT.)

EAST PORTION OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES 10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE SOUTHEAST CORNER OF LOT 8 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 27 MINUTES 07 SECONDS EAST 19.97 TO A ½" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 7 OF SAID PIERRE ADDITION TO THE TOWN IF VIDUTA AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 88 DEGREES 17 MINUTES 25 SECONDS WEST 10.01 FEET TO A POINT; THENCE NORTH 01 DEGREES 34 MINUTES 35 SECONDS EAST 210.05 FEET TO A POINT; THENCE SOUTH 88 DEGREES 26 MINUTES 02 SECONDS EAST 10.00 FEET TO THE NORTHWEST CORNER OF LOT 7 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 01 DEGREES 34 MINUTES 24 SECONDS WEST 210.08 FEET TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES (2101.9 SQ. FT.), MORE OR LESS.

EXHIBIT A

STATE OF ALABAMA  
MADISON COUNTY

0.05 ACRES  
(2096.7 SQ. FT.)

WEST PORTION OF A 20 FOOT ALLEY:

ALL THAT PART OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" REBAR FOUND PURPORTED AS BEING THE SOUTHEAST CORNER OF LOT 19 OF A RESUBDIVISION OF LOTS 13, 15, 17 AND 19 PIERRE ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 22 AS RECORDED IN DOCUMENT NUMBER 20160629000358560 IN THE PROBATE RECORDS OF SAID MADISON COUNTY, THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.72 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 86 DEGREES 05 MINUTES 42 SECONDS EAST 4.88 FEET TO A POINT; THENCE NORTH 85 DEGREES 10 MINUTES 52 SECONDS EAST 21.53 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 2 OF PIERRE ADDITION TO THE TOWN OF VIDUTA ON MONTE SANO AS RECORDED IN PLAT BOOK 1, PAGE 22 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 2, NORTH 84 DEGREES 41 MINUTES 18 SECONDS EAST 138.91 FEET TO A 5/8" CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 05 MINUTES 37 SECONDS EAST 256.81 FEET TO A NAIL FOUND IN A TREE AT THE SOUTHEAST CORNER OF LOT 8 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA AND BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 33 MINUTES 58 SECONDS EAST 210.09 FEET TO THE NORTHEAST CORNER OF LOT 12 OF SAID PIERRE ADDITION TO THE TOWN OF VIDUTA; THENCE SOUTH 88 DEGREES 26 MINUTES 02 SECONDS EAST 10.00 FEET TO A POINT; THENCE SOUTH 01 DEGREES 34 MINUTES 35 SECONDS WEST 210.05 FEET TO A ½" CAPPED REBAR FOUND; THENCE NORTH 88 DEGREES 36 MINUTES 51 SECONDS WEST 9.96 FEET TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES (2096.7 SQ. FT.), MORE OR LESS.