



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 11/7/2024

File ID: TMP-4790

Department: Legal

Subject:

Type of Action: Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement, Lot 4, Legacy Cove. (Izzo)

Ordinance No.

Finance Information:

Account Number: TBD

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: 109 Legacy Cove Drive

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 applicants have represented to the City of Huntsville that **Lindsay N. Izzo and Alexander D. Izzo, a married couple**, , are the owners 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, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **Lindsay N. Izzo and Alexander D. Izzo, a married couple** 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:

ALL THAT PART OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 2 WEST, OF THE HUNTSVILLE MERIDIAN, MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT THAT IS NORTH 87 DEGREES 44 MINUTES 15 SECONDS WEST 5.00 FEET FROM THE NORTHEAST CORNER OF LOT 4, OF LEGACY COVE SUBDIVISION PHASE 1, RECORDED IN DOCUMENT # 20061027000734990, IN THE OFFICE OF JUDGE OF PROBATE, MADISON COUNTY, ALABAMA

THENCE FROM THE TRUE POINT OF BEGINNING NORTH 87 DEGREES 44 MINUTES 15 SECONDS WEST 10.00 FEET TO A POINT

THENCE SOUTH 02 DEGREES 12 MINUTES 46 SECONDS WEST 92.00 FEET TO A POINT

THENCE SOUTH 87 DEGREES 44 MINUTES 15 SECONDS EAST 10.00 FEET TO A POINT

THENCE NORTH 02 DEGREES 12 MINUTES 46 SECONDS EAST 92.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 920 SQUARE FEET

NOTWITHSTANDING THE FOREGOING, THE CITY OF HUNTSVILLE DOES HEREBY RESERVE A PERPETUAL AND NON-EXCLUSIVE FIVE-FOOT BUFFER EASEMENT TAKEN EVENLY OFF THE EASTERN BOUNDARY FOR THE PURPOSE OF MAINTAINING VEGETATION, INSTALLING, OPERATING, INSPECTING, MAINTAINING, REPAIRING, AND REPLACING UTILITIES (INCLUDING, BUT NOT LIMITED TO, WATER, SEWER, ELECTRICITY, GAS, TELECOMMUNICATIONS), DRAINAGE SYSTEMS, AND RELATED INFRASTRUCTURE IMPROVEMENTS.

SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS RECORDED
OR UNRECORDED.

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

Grantors' Names & Mailing Address:

City of Huntsville, AL by Tommy Battle, Mayor
305 Fountain Cir SW
Huntsville, AL 35801

Grantee's Name & Mailing Address:

Lindsay N. Izzo and Alexander D. Izzo
109 Legacy Cove Drive
Madison, AL 35756

Property Address:

109 Legacy Cove Drive
Madison, AL 35756

Date of Conveyance: _____, 2024

Actual Value of Property: \$5,000.00

This instrument prepared by:

WILLIAM S. PYLANT
PYLANT ESTATE LAW, LLC
229 East Side Square
Huntsville, AL 35801
(256) 529-4747
will@pylantestatelaw.com

Ordinance No. 24-_____ (Cont.)

ADOPTED this the 7th day of November, 2024.

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

APPROVED this the 7th day of November, 2024.

Mayor of the City of
Huntsville, Alabama