



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 9/28/2023

File ID: TMP-3398

Department: Legal

Subject:

Type of Action: Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement, Lot 24, Block 4, East Highland, Ward Avenue.

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: 1721 & 1723 Ward Avenue

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 applicants have represented to the City of Huntsville that **Heidi Giang and Quyen Van Long**, 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 **HEIDI GIANG AND QUYEN VAN LONG** 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:

BEING A TRACT OF LAND SITUATED IN A PORTION OF LOT 3A, ACCORDING TO A RESUBDIVISION OF LOT 1 OF BANKSTON THIRD ADDITION AND LOTS 3 AND 4 OF BANKSTON FOURTH ADDITION AND OTHER LANDS AS RECORDED PER PLAT BOOK 39, PAGE 95 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, AND LYING IN A PORTION OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 1 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 5/8 INCH REBAR CAPPED "SMITH ENG. CA00122LS," LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 431 AND ALSO BEING THE NORTHWEST CORNER OF SAID LOT 3A; THENCE RUN ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 431 SOUTH 23 DEGREES 52 MINUTES 11 SECONDS EAST A DISTANCE OF 94.50 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 89 DEGREES 17 MINUTES 45 SECONDS EAST A DISTANCE OF 11.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE CONTINUE SOUTH 89 DEGREES 17 MINUTES 45 SECONDS EAST A DISTANCE OF 417.83 FEET; THENCE SOUTH 23 DEGREES 52 MINUTES 11 SECONDS EAST A DISTANCE OF 11.00 FEET; THENCE NORTH 89 DEGREES 17 MINUTES 45 SECONDS WEST A DISTANCE OF 417.83 FEET; THENCE NORTH 23 DEGREES 52 MINUTES 11 SECONDS WEST A DISTANCE OF 11.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,178 SQUARE FEET OR 0.10 ACRES, MORE OR LESS.

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 28th day of September, 2023.

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 28th day of September, 2023.

Notary Public

THIS INSTRUMENT PREPARED BY:
HALLIBURTON SURVEYING & MAPPING, INC.
412 GOVERNORS DRIVE SW
HUNTSVILLE, AL 35801

Ordinance No. 23-_____ (Cont.)

ADOPTED this the 28th day of September, 2023.

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

APPROVED this the 28th day of September, 2023.

Mayor of the City of
Huntsville, Alabama