



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

---

**Meeting Type:** City Council Regular Meeting **Meeting Date:** 10/10/2024

**File ID:** TMP-4690

---

**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Ordinance vacating a Utility and Drainage Easement between Lots 1 and 2, Cloud Nine Subdivision. (Walton)

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:** 14346 South Shawdee Road

**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 **Peter Walton and Cheryl Walton**, 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, 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 **PETER WALTON AND CHERYL WALTON**, 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:

All that part of Section 23, Township 5 South, Range 1 East, of the Huntsville Meridian, more particularly described as beginning at a point that is South 43 degrees 27 minutes 59 seconds West 10.01 from Northeast corner of Lot 1 and the Northwest corner of Lot 2, of Cloud Nine Three Subdivision, recorded in Document #20111003000522730, in the Office of the Judge of Probate, Madison County, Alabama.

Thence from the true point of beginning North 49 degrees 13 minutes 38 seconds West 5.01 feet to a point; Thence South 43 degrees 27 minutes 59 seconds West 952.94 feet to a point; Thence South 88 degrees 28 minutes 00 seconds East 13.44 feet to a point; Thence North 43 degrees 27 seconds 59 minutes East 944.43 feet to a point; Thence North 49 degrees 13 minutes 38 seconds West 5.01 feet to the point of beginning.

Subject to all rights of ways and easements recorded or unrecorded.

**TO HAVE AND TO HOLD** unto the said Grantee, its successors and assigns forever, all of Grantor's right, title, interest and claim in and to the above described real estate.

[ALL SIGNATURES APPEAR ON THE FOLLOWING PAGE]

**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, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**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 SHAUNDRIKA 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 \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Pursuant to and in accordance with Section 40-22-1 of the *Code of Alabama (1975)*, the following information is offered in lieu of submitting Form RT-1:

Date of Transfer: \_\_\_\_\_, 2024  
Grantor's Address: 308 Fountain Circle, Huntsville, AL 35801  
Grantee's Address: 306 Spring Valley Ct, Huntsville, AL 35802  
Property Address: Vacation of easement at 14346 South Shawdee Road SE, Huntsville, AL 35803  
Purchase Price: \$0 – Nominal value for vacation of easement

THIS INSTRUMENT WAS PREPARED BASED UPON INFORMATION PROVIDED BY THE GRANTEE. NO TITLE EXAMINATION HAS BEEN PERFORMED BY THE PREPARER OF THIS DEED AND NO OPINION HAS BEEN EXPRESSED OR RENDERED WITH RESPECT TO THE TITLE OR LEGAL DESCRIPTION OF THE ABOVE DESCRIBED REAL PROPERTY.

This instrument was prepared by: MATTHEW R. HARRISON, HARRISON & GAMMONS, P.C., 2430 L&N Drive, Huntsville, AL 35801, 256-533-7711 (HG)

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

**ADOPTED** this the 10th day of October, 2024.

---

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

**APPROVED** this the 10th day of October, 2024.

---

Mayor of the City of  
Huntsville, Alabama