



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 9/26/2024

File ID: TMP-4645

Department: Legal

Subject:

Type of Action: Approval/Action

Ordinance authorizing the vacation of a Utility and Drainage Easement between Lots 66 and 67, Watson Grande Preserve Subdivision, Phase 6. (Gregory)

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: Lots 66 and 67, Watson Grande Preserve Subdivision, Phase 6

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 **Aaron Gregory**, 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

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF HUNTSVILLE, a municipal corporation, hereinafter referred to as Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by AARON GREGORY, hereinafter referred to as Grantee, the receipt whereof is hereby acknowledged, and other good and valuable consideration, does hereby remise, release, quitclaim and convey unto the said Grantee all of its right, title, interest, and claim in and to the easements upon the following described real estate situated in the County of Madison, State of Alabama, to-wit:

See attached EXHIBIT "A," which is hereby incorporated herein.

TO HAVE AND TO HOLD the same unto the said Grantee, his heirs and assigns, forever.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its behalf by its Mayor and attested by its City Clerk, this _____ day of _____, 2024.

**CITY OF HUNTSVILLE, ALABAMA,
an Alabama 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, an Alabama 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 this instrument, they, as such officers and with full authority, executed the same for and as the act of said City of Huntsville, an Alabama municipal corporation, as of the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 2024.

NOTARY PUBLIC
My commissioner 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:

Grantor's Address:	Post Office Box 308, Huntsville, Alabama 35804
Grantee's Address:	16 Abby Glen Way, Gurley, Alabama 35748
Property Address:	.44 acres +/- part of Lots 66 and 67, Watson Grande Preserve
Value:	NO VALUE

THIS INSTRUMENT PREPARED BY:

Samuel H. Givhan
Lanier Ford Shaver & Payne, P.C.
2101 Clinton Avenue West
Huntsville, Alabama 35805
Telephone: 256.535.1100

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EXHIBIT "A"

BEING A TRACT OF LAND SITUATED IN A PART OF LOTS 66 AND 67, ACCORDING TO THE PLAT OF PHASE 6 AT MCMULLEN COVE, AS RECORDED IN BOOK 2023 PAGE 263 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2 INCH CAPPED REBAR LABELED "2 POINTS 1176LS" BEING THE SOUTHEAST CORNER OF SAID LOT 66;

THENCE RUN NORTH 26 DEGREES 01 MINUTE 18 SECONDS EAST A DISTANCE OF 10.03 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 59 DEGREES 49 MINUTES 12 SECONDS WEST A DISTANCE OF 5.01 FEET;

THENCE NORTH 26 DEGREES 01 MINUTE 18 SECONDS EAST A DISTANCE OF 1935.45 FEET;

THENCE SOUTH 65 DEGREES 53 MINUTES 55 SECONDS EAST A DISTANCE OF 10.01 FEET;

THENCE SOUTH 26 DEGREES 01 MINUTE 18 SECONDS WEST A DISTANCE OF 1936.52 FEET;

THENCE NORTH 59 DEGREES 49 MINUTES 12 SECONDS WEST A DISTANCE OF 5.01 FEET TO THE POINT OF BEIGINNING.

SAID DESCRIBED TRACT CONTAINS 19,360 SQUARE FEET OR 0.44 ACRES, MORE OR LESS.

Ordinance No. 24-_____ (Cont.)

ADOPTED this the 26th day of September, 2024.

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

APPROVED this the 26th day of September, 2024.

Mayor of the City of
Huntsville, Alabama