



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 4/13/2023

File ID: TMP-2775

Department: Legal

Subject:

Type of Action: Approval/Action

Utility and Drainage Easement; Grantors: Mansour Azizkhani and wife Marzieh Keifi Azizkhani; Acquired 2/23/2023.

Type of Document: Choose an item.

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: 6 Ashbury Road

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

Additional Comments:

STATE OF ALABAMA
COUNTY OF MADISON

Deed Book 2023 Page 6185
Madison County, Alabama
Frank Barger, PROBATE JUDGE
Recorded: 2/23/2023 8:34:21 AM
Tran: 642829
S.T. 25
No Tax Collected

UTILITY AND DRAINAGE EASEMENT

THIS CONVEYANCE made and entered into on this 20 day of February, 2023, by and between **MANSOUR AZIZKHANI & WIFE MARZIEH KEIFI AZIZKHANI**, as Grantor, and the **CITY OF HUNTSVILLE**, a municipal corporation within the State of Alabama, as Grantee.

WITNESSETH: That the Grantor for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable considerations to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has this day given, granted, bargained, sold and conveyed and does by these presents give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, a perpetual easement for utilities, drainage and sanitary sewer on, over, along, across, under and through the lands of the Grantor situated in Madison County, Alabama, particularly described as follows:

A PUBLIC UTILITY AND DRAINAGE EASEMENT TO BE DEDICATED, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PART OF LOT 11, BLOCK 6 OF WAKEFIELD SUBDIVISION AS RECORDED IN PLAT BOOK 11, PAGE 69, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID LOT 11 NORTH 80 DEGREES 04 MINUTES EAST, 86.08 FEET; THENCE LEAVING SAID BOUNDARY, SOUTH 13 DEGREES 34 MINUTES 56 SECONDS EAST, 5.01 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT.

for the establishment, construction, installation, maintenance, repair, operation, use, replacement, relocating, upgrading, changing the size of and/or removal, at all or any time(s), of such improvements, facilities, equipment, fixtures, and appurtenances as may be necessary for the provision of electricity, telephone, cable television, communication and information services, water, gas, sanitary sewer and storm drainage, and any and all utilities together with the unimpaired right of entry and re-entry from time to time as occasion may require; the right to control, channel and/or discharge stormwater; the right to maintain said easement granted clear of trees, undergrowth and brush; and other purposes not inconsistent with the rights herein granted, with all the rights and privileges necessary or convenient for the full enjoyment and use thereof, for all the purposes above stated.

TO HAVE AND TO HOLD the above-described rights, privileges, and easement unto the City of Huntsville, a municipal corporation, and to its successors and assigns, forever.

Grantor does hereby covenant with and represent unto Grantee, its successors and assigns, that Grantor is lawfully seized in fee of the tracts or parcels of land above described; that the same are free of encumbrances except for ad valorem taxes, easements, rights of way and restrictions of record; and that it will warrant and defend the title to the same unto Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantors have hereunto set Grantors' hands and seals on this 20th day of Feb. 2023.

GRANTOR:


MANSOUR AZIZKHANI


MARZIEH KEIFI AZIZKHANI

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a Notary Public in and for said State at Large, hereby certify that **MANSOUR AZIZKHANI & WIFE MARZIEH KEIFI AZIZKHANI**, whose names 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 said instrument, they executed the same freely and voluntarily on the day the same bears date.

Given under my hand and official seal on the 20th day of Feb. 2023.


Notary Public
My Commission Expires:

My Commission Expires 07/23/2023



The Grantor does hereby attest, to the best of Grantor's knowledge and belief that the information contained in this document, including the purchase price which can be verified by tax assessment, is true and accurate. The undersigned Grantor further understands that any false statements may result in the imposition of the penalty indicated in Code of Alabama (1975) 40-22-1 (h).

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Grantor's address: Madison County, Alabama

Part of PPIN;

No Value

Date of transfer: Feb 20, 2023

This Instrument Prepared By:
A. Mac Martinson, Esq.
Martinson & Beason, P.C.
Attorneys at Law
115 North Side Square
Huntsville, Alabama 35801
(256) 533-1667 File: 011305-01