



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

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

File ID: TMP-2822

Department: Legal

Subject:

Type of Action: Approval/Action

Ordinance authorizing the vacation of a portion of a Utility and Drainage Easement, Lot 23, River Cove Subdivision, 9000 Two Mules Circle. (Thomas)

Type of Document: 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: Lot 23, River Cove Subdivision, 9000 Two Mules Circle.

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 portion of a utility and drainage easement; that the applicants have represented to the City of Huntsville that **Trey Thomas and Matika Thomas**, 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 and NO/100 Dollars (\$10.00) in hand paid by **TREY THOMAS AND MATIKA THOMAS, a married couple** (hereinafter referred to as "Grantees"), and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, grant, convey unto the Grantees, 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:

Commencing at the Northeast Corner of Lot 23, according to the plat of River Cove Subdivision, Phase 1, as recorded in Document File Number 2017 - 572040, in the Probate Records Office of Madison County, Alabama; thence along the East boundary Line of said Lot 23, South 32°10'29" West, a distance of 18.80' to a point on said line; thence leaving said line and along a 15 foot U & D Easement, North 87°55'17" West, a distance of 75.78' to the POINT OF BEGINNING of a 5' x 28' Vacation of a Portion of said 15' U & D Easement; thence from the Point of beginning, continue along said easement line, North 87°55'17" West, a distance of 28.00' to a point on said line; thence leaving said line, North 02°04'43" East, a distance of 5.00' to a point; thence South 87°55'17" East, a distance of 28.00' to a point; thence South 02°04'43" West, a distance of 5.00' to the POINT OF BEGINNING; said described tract containing 0.0032 Acres or 140.00 Square Feet, more or less.

TO HAVE AND TO HOLD unto the said Grantees, their heirs, 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 13th day of April, 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 date.

Subscribed and sworn to before me this 13th day of April 2023.

NOTARY PUBLIC

[NOTARIAL SEAL]

My Commission Expires: _____

This Instrument Prepared By:
Deanna S. Smith
CHARLES RAY, PC
200 West Side Square, Suite 50
Huntsville, AL 35801

SURVEY FOR SUBDIVISION
REQUESTED BY DAVID BECK
REFERENCE: INMARS
TYPE OF SURVEY: LOT SURVEY & PLOT PLAT
DATE OF FIELD SURVEY: OCTOBER 18, 2022
OFFICE WORK RECEIVED: OCTOBER 18, 2022
NO. OF PLOTS: 10
NO. OF CORNERS: 10
FIELD BY: W. H. DODD, JR.
LENS IS LAND SURVEYING, INC.
2897 READY SURVEY RD
TONEY, AL 35773
OFF. 1-256-759-6400 FAX 1-256-628-2014
FAX/MAIL: LEWIS@LANDSURVEYING.COM

Ordinance No. 23-_____ **(Cont.)**

ADOPTED this the 13th day of April, 2023.

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

APPROVED this the 13th day of April, 2023.

Mayor of the City of
Huntsville, Alabama