

ORDINANCE NO. 13-\_\_\_\_\_

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 a vacation of a portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that Watercross Development, LLC, an Alabama limited liability company, is the owner of the property across which said easement lies; that said easement or 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 WATERCRESS DEVELOPMENT, LLC, an Alabama limited liability company, 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 following described real estate situated in the County of Madison, State of Alabama, to wit:

ALL THAT PART OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT LOCATED SOUTH 01 DEGREES 34 MINUTES 37 SECONDS WEST, 185.78 FEET AND SOUTH 88 DEGREES 25 MINUTES 30 SECONDS EAST, 16.41 FEET FROM THE NORTHWEST CORNER OF PARCEL 2 OF WATERCRESS PHASE 1 AS RECORDED IN DOCUMENT NUMBER 20100426000209640;

THENCE FROM THE POINT OF BEGINNING SOUTH 88 DEGREES 25 MINUTES 30 SECONDS EAST, A DISTANCE OF 20.42 FEET TO A POINT;

THENCE SOUTH 01 DEGREES 08 MINUTES 39 SECONDS WEST, A DISTANCE OF 106.49 FEET TO A POINT;

THENCE SOUTH 08 DEGREES 31 MINUTES 49 SECONDS WEST, A DISTANCE OF 96.34 FEET TO A POINT;

THENCE NORTH 00 DEGREES 15 MINUTES 28 SECONDS EAST, A DISTANCE OF 100.34 FEET TO A POINT;

THENCE NORTH 88 DEGREES 43 MINUTES 54 SECONDS WEST, A DISTANCE OF 6.15 FEET TO A POINT;

THENCE NORTH 00 DEGREES 57 MINUTES 30 SECONDS EAST, A DISTANCE OF 101.84 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.06 ACRES MORE OR LESS.

SUBJECT TO RESTRICTIONS OF RECORD.

TO HAVE AND TO HOLD the same unto the said grantee and to its successors and assigns forever.

IN WITNESS WHEREOF, the said grantor has caused this instrument to be executed by its duly authorized officer this the 10 day of January, 2013.

THE CITY OF HUNTSVILLE,  
a municipal corporation

By: \_\_\_\_\_ (SEAL)  
Tommy Battle  
Its: Mayor

ATTEST:

By: \_\_\_\_\_  
Charles E. Hagood  
Its: City Clerk Treasurer

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 Charles E. Hagood, whose names as Mayor and City Clerk Treasurer of the City of Huntsville, a municipal corporation are signed to the foregoing instrument, and who are known me, acknowledged before me on this day that, being informed of the contents of the instrument, they, in their capacity as such officers, 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 10th day of January, 2013.

(SEAL)

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

This instrument prepared by: Paul B. Sealey, Lanier Ford Shaver & Payne P.C.  
2101 West Clinton Avenue, Ste. 101, Huntsville, Alabama 35805, Telephone: (256) 535-1100  
S:\PBS\National Bank of Commerce\Watercress Development, LLC (A) (Texas Roadhouse)\Deed for U & D Vacation from City of Hav wpd



Ordinance No. 13-\_\_\_\_\_ (Cont.)  
Watercross Development, LLC

ADOPTED this the 10th day of January, 2013.

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

APPROVED this the 10th day of January, 2013.

\_\_\_\_\_  
Mayor of the City of  
Huntsville, Alabama