

RESOLUTION NO. 13-_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, ALABAMA:

WHEREAS, the Twickenham Square Venture, LLC, is the owner of all the land abutting a right-of-way lying within the City of Huntsville, Alabama, which right-of-way is described as follows, to-wit: .

SEE EXHIBIT "A"

WHEREAS, the owner has executed a declaration of their intent and desire that the right-of-way above described be abandoned by the City of Huntsville; and it desires to divest any and all right, title and interest which the public may have in and to said right-of-way so described, acquired by virtue of the dedication of said right-of-way to the City of Huntsville, Alabama, and is no longer needed for a public or municipal purpose; and

WHEREAS, the City Council of the City of Huntsville, Alabama, has been advised and does find that convenient and adequate means of ingress and egress are available to all owners of surrounding property, such being afforded by virtue of other streets, easements, avenues, and alleys, and the said right-of-way is not being used and has been abandoned as a right-of-way, and having represented to the City Council of the City of Huntsville, Alabama, that the owners of the real property located on all sides have no objections to said abandonment;

NOW, THEREFORE, BE IT RESOLVED, by the City of Huntsville, Alabama, that the City does hereby declare the above-described right-of-way to be abandoned, divesting the entire right, title and interest of the City of Huntsville, Alabama, in and to said right-of-way.

ADOPTED, this 11th day of April, 2013.

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

APPROVED, this 11th day of April, 2013.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA)
COUNTY OF MADISON)

**DECLARATION OF VACATION
OF RIGHTS-OF-WAY**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, TWICKENHAM SQUARE VENTURE, LLC, desires to vacate those certain rights-of-way for a public road as hereinafter described, pursuant to Ala. Code 1975, § 23-4-20, says as follows:

1. WHEREAS, the said TWICKENHAM SQUARE VENTURE, LLC is the owner of all the land abutting the hereinafter described rights-of-way; and

2. WHEREAS, convenient and adequate means of ingress and egress are available to the owners of all surrounding property; and

3. WHEREAS, the undersigned, by this instrument, declares its intent to vacate the said rights-of-way.

NOW THEREFORE, the undersigned, TWICKENHAM SQUARE VENTURE, LLC, as the owner of all property abutting the said rights-of-way hereinafter described, does hereby petition and urge that the City Council of the City of Huntsville, Alabama, adopt a resolution declaring said rights-of-way vacated and assenting to the vacation of the following described rights-of-way, being described as follows:

I. Right-of-Way - Tract 1.

ALL THAT PART OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 1 WEST, CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE POINT OF BEGINNING BEING FURTHER DESCRIBED AS THE NORTHEAST CORNER OF LOT 5 OF TWICKENHAM SQUARE SUBDIVISION AS RECORDED IN DOCUMENT # 20120427000257150 IN THE OFFICE OF THE PROBATE JUDGE OF MADISON COUNTY, ALABAMA, SAID PLAT BEING AMENDED BY THAT CERTAIN SURVEYOR'S AFFIDAVIT, DATED JUNE 13, 2012, AND RECORDED JUNE 13, 2012, IN DOCUMENT NO. 20120613000366350, PROBATE RECORDS OF MADISON COUNTY, ALABAMA, THIS POINT IS FURTHER DESCRIBED AS BEING LOCATED ON THE SOUTH RIGHT-OF-WAY MARGIN OF PELHAM AVENUE AND HAVING ALABAMA STATE PLANE EAST ZONE COORDINATES OF N: 1537273.95, E: 430590.85; THENCE FROM THE POINT OF BEGINNING SOUTH 80 DEGREES 8 MINUTES 46 SECONDS WEST FOR 317.69 FEET; THENCE AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CHORD BEARING AND

DISTANCE OF SOUTH 39 DEGREES 32 MINUTES 29 SECONDS WEST FOR 32.54 FEET TO A POINT; THENCE NORTH 1 DEGREE 3 MINUTES 53 SECONDS WEST FOR 30.54 FEET TO A POINT; THENCE NORTH 80 DEGREES 8 MINUTES 46 SECONDS EAST FOR 337.73 FEET TO A POINT; THENCE SOUTH 9 DEGREES 51 MINUTES 0 SECONDS EAST FOR 9.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.07 (3138.67 SQ.FT.) ACRES MORE OR LESS.

II. Right-of-Way - Tract 2.

ALL THAT PART OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 1 WEST, CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE POINT OF BEGINNING BEING FURTHER DESCRIBED AS THE NORTHEAST CORNER OF LOT 5 OF TWICKENHAM SQUARE SUBDIVISION AS RECORDED IN DOCUMENT # 20120427000257150 IN THE OFFICE OF THE PROBATE JUDGE OF MADISON COUNTY, ALABAMA, SAID PLAT BEING AMENDED BY THAT CERTAIN SURVEYOR'S AFFIDAVIT, DATED JUNE 13, 2012, AND RECORDED JUNE 13, 2012, IN DOCUMENT NO. 20120613000366350, PROBATE RECORDS OF MADISON COUNTY, ALABAMA, THIS POINT IS FURTHER DESCRIBED AS BEING LOCATED ON THE SOUTH RIGHT-OF-WAY MARGIN OF PELHAM AVENUE AND HAVING ALABAMA STATE PLANE EAST ZONE COORDINATES OF N: 1537273.95, E: 430590.85; THENCE FROM THE POINT OF BEGINNING NORTH 9 DEGREES 51 MINUTES 0 SECONDS WEST FOR 9.00 FEET TO A POINT; THENCE NORTH 80 DEGREES 8 MINUTES 46 SECONDS EAST FOR 63.41 TO A POINT; THENCE SOUTH 9 DEGREES 51 MINUTES 0 SECONDS EAST FOR 9.00 FEET TO A POINT; THENCE SOUTH 80 DEGREES 8 MINUTES 46 SECONDS WEST FOR 63.41 FEET TO THE OF BEGINNING AND CONTAINING 0.01 (570.65 SQ.FT.) ACRES MORE OR LESS.

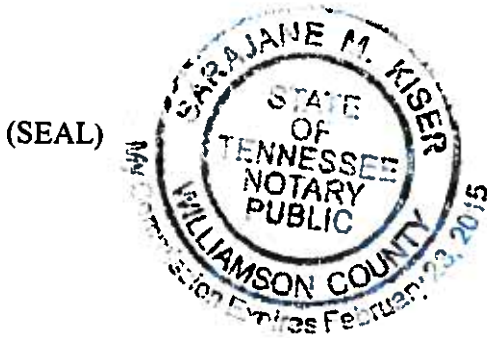
IN WITNESS WHEREOF, the undersigned owner of all property abutting said rights-of-way hereinabove described, has caused this instrument to be executed on this 1 day of April, 2013.

TWICKENHAM SQUARE VENTURE, LLC
By: Twickenham Square Partners, LLC, ITS MEMBER
By: Charles [Signature]
Its: AUTHORIZED REPRESENTATIVE

STATE OF ALABAMA ~~Tennessee~~
COUNTY OF MADISON ~~Williamson~~

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Charles T. Carls Jr, whose name as Authorized Representative of TWICKENHAMS SQUARE VENTURE, LLC, a limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as such Authorized Representative, executed the same voluntarily for and as the act of said limited liability company.

GIVEN under my hand and official seal this the 15th day of April, 2013.



Sarajane M. Kiser
Notary Public
My Commission Expires: 2/23/2015

This instrument prepared by:
W. Graham Burgess
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