

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 utility and drainage easement; that the applicant has represented to the City of Huntsville that MAPCO EXPRESS, INC., 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)

**QUITCLAIM DEED
VACATION OF EASEMENT**

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 Dollars (\$10.00) in hand paid by MAPCO EXPRESS, INC., a Delaware corporation, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the real estate situated in the City of Huntsville, County of Madison, State of Alabama and described as the "Portion of 15' Public Utility and Drainage Easement to be Abandoned" on Exhibit A, attached hereto, being a portion of the 15' public utility and drainage easement depicted on the plat of Owens Subdivision, of record in Plat Book 20, Page 24, in the Probate Records of Madison County, Alabama.

TO HAVE AND TO HOLD unto the said grantee, its 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 Clerk-Treasurer, this the 27th day of June, 2013.

CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Charles E. Hagood
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, 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 day.

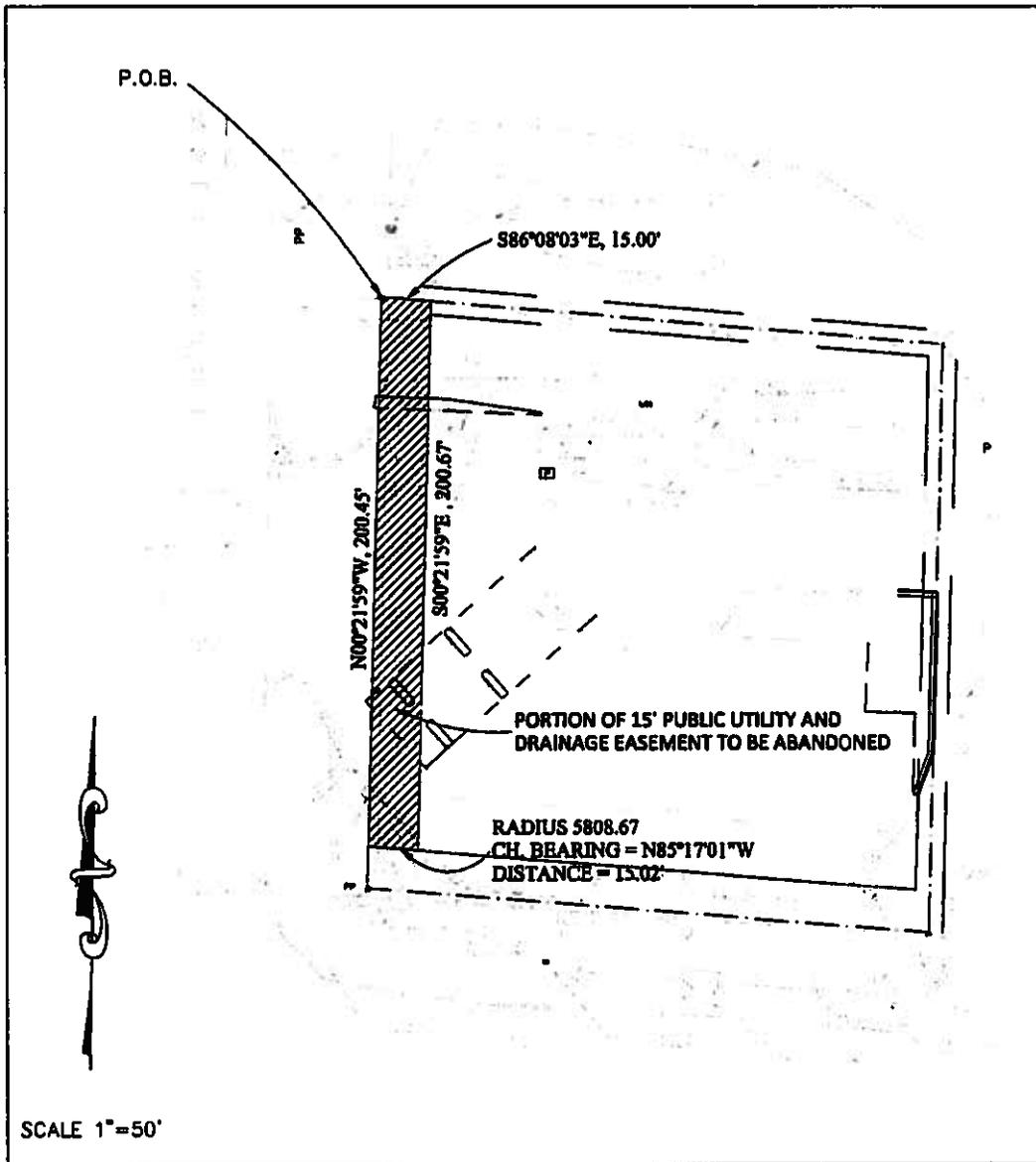
GIVEN under my hand and official seal this the 27th day of June, 2013.

Notary Public

THIS INSTRUMENT PREPARED BY:
Bradley Arant Boult Cummings LLP (MBN)
1600 Division Street, Suite 700
Nashville, TN 37203

EXHIBIT A

DESCRIPTION OF EASEMENT TO BE ABANDONED



The "Portion of 15' Public Utility and Drainage Easement to be Abandoned" being more particularly described on Exhibit A-1.

EXHIBIT A-1

**LEGAL DESCRIPTION
EASEMENT TO BE ABANDONED**

ALL THAT PORTION OF A CERTAIN 15 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG OLD RAILROAD BED ROAD ON LOT 1, BLOCK 1 ACCORDING TO THE PLAT OF SURVEY OF THE OWENS SUBDIVISION AS RECORDED IN PLAT BOOK 20, PAGE 24 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT AN IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID LOT 1 LYING ON THE EAST BOUNDARY OF THE 60 FOOT OLD RAILROAD BED ROAD RIGHT OF WAY;

THENCE S86°08'03"E ALONG THE NORTH BOUNDARY OF SAID LOT 1 A DISTANCE OF 15.00 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID LOT 1;

THENCE S00°21'59"E PARALLEL WITH THE WEST BOUNDARY OF SAID LOT 1 A DISTANCE 200.67 FEET TO A POINT ON THE NORTH BOUNDARY OF A 15' PUBLIC UTILITY AND DRAINAGE EASEMENT;

THENCE ALONG A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5808.67 FEET AND A CHORD BEARING OF N85°17'01"W THROUGH A CENTRAL ANGLE OF 00°08'53" A DISTANCE OF 15.02 FEET TO A POINT LYING ON THE EAST BOUNDARY OF SAID 60 FOOT OLD RAILROAD BED ROAD RIGHT OF WAY;

THENCE N00°21'59"W ALONG THE WEST BOUNDARY OF SAID LOT 1 COINCIDENT WITH THE EAST BOUNDARY OF SAID 60 FOOT OLD RAILROAD BED ROAD RIGHT OF WAY FOR A DISTANCE OF 200.45 FEET TO SAID POINT OF BEGINNING, 3000 SQUARE FEET, MORE OR LESS.

Ordinance No. 13-_____ (Cont.)
MAPCO EXPRESS, INC.

ADOPTED this the 27th day of June, 2013.

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

APPROVED this the 27th day of June, 2013.

Mayor of the City of
Huntsville, Alabama