

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 Mushashi, LLC, 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 undersigned, **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation, hereinafter referred to as "Grantor", in consideration of the sum of **TEN DOLLARS (\$10.00)**, in hand paid to it by **MUSHASHI, LLC**, an Alabama limited liability company, hereinafter referred to as "Grantee", and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim and convey unto the said Grantee, 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:

A tract of land lying and being situated in Section 12, Township 4 South, Range 2 West of the Huntsville Meridian. Said tract being a portion of Utility and Drainage Easements conveyed to the City of Huntsville, Alabama in Deed Book 703, Page 1065 and Deed Book Page 736, Page 667 as recorded in the Office of the Probate Judge of Madison County, Alabama, and being more particularly described as follows:

Commencing at the Northeast corner Section 12, Township 4 South, Range 2 West of the Huntsville Meridian; thence North 89 Degrees 05 Minutes 07 Seconds West a distance of 646.44 feet; thence South 01 Degrees 59 Minutes 46 Seconds West a distance of 906.59 feet to a point at the Northeast boundary of Lot 2, according to the map or plat of survey of Research Park Lake 5 Phase 3, a resubdivision of Lot 1 of a resubdivision of Lot 2 of Research Park Lake 5 Subdivision as recorded in Plat Book 45 on Page 34, and Lot 2 of Research Park Lake 5 Second Addition as recorded in Document # 20051215000842120, and Document # 20091110000707840, in the Office of the Judge of Probate of Madison County, Alabama. Thence along the west boundary of said Lot 2, South 02 Degrees 07 Minutes 55 Seconds East a distance of 271.46 feet; Thence South 13 Degrees 15 Minutes 56 Seconds East a distance of 292.44 feet to the Point of Beginning of the tract to be herein described;

Thence South 04 Degrees 08 Minutes 39 Seconds East a distance of 253.09 feet; thence South 86 Degrees 41 Minutes 36 Seconds West a distance of 28.61 feet; thence North 02 Degrees 49 Minutes 00 Seconds East a distance of 29.42 feet; thence North 89 Degrees 04 Minutes 08 Seconds West a distance of 78.84 feet; thence North 02 Degrees 15 Minutes 08 Seconds East a distance of 30.00 feet; thence North 87 Degrees 51 Minutes 17 Seconds East a distance of 79.05 feet; thence North 02 Degrees 14 Minutes 59 Seconds East a distance of 190.62 feet to the POINT OF BEGINNING.

The above described tract contains 0.14 acres (6119 sq. ft.)

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, on this the 11th day of July, 2013.

ATTEST:

CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Charles E. Hagood, Clerk-Treasurer

By: _____
Tommy Battle, Mayor

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 Clerk-Treasurer, respectively, of the **CITY OF HUNTSVILLE, ALABAMA**, a municipal corporation 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 the instrument, they, as such officers and with full authority, 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 11th day of July, 2013.

Notary Public
My Commission Expires: _____

Ordinance No. 13-_____ (Cont.)
Mushashi, LLC

ADOPTED this the 11th day of July, 2013.

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

APPROVED this the 11th day of July, 2013.

Mayor of the City of
Huntsville, Alabama