

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 9/12/2013

Action Requested By:
Engineering

Agenda Item Type
Resolution

Subject Matter:

Declaring real property along Mastin Lake Road surplus to sell to Timothy Blackmon

Exact Wording for the Agenda:

Resolution authorizing real property located in the City of Huntsville as surplus and no longer needed for a municipal purpose or public use.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Yes

Department Head: _____

Date: _____

ORDINANCE NO. 02-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, that the real property described in Exhibit "A" attached hereto, is hereby declared surplus and no longer needed for a municipal purpose or public use.

BE IT FURTHER ORDAINED that the property described in Exhibit "A" shall be sold to Timothy Blackmon.

ADOPTED this the 12th day of September, 2013.

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

APPROVED this the 12th day of September, 2013.

Mayor of the City of Huntsville,
Alabama

A TRACT OR PARCEL OF LAND
PART OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 1 WEST
HUNTSVILLE, ALABAMA
REFERENCE DEED:DEED BOOK 1048, PAGE 0938

A TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, HUNTSVILLE, MADISON COUNTY, ALABAMA BEING PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A RAILROAD SPIKE AT THE NORTHWEST CORNER OF THE WILLIAMSON OIL CO., INC. TRACT AS DESCRIBED IN DEED BOOK 766, PAGE 704 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, HUNTSVILLE, MADISON COUNTY, ALABAMA. SAID COMMENCING POINT BEING LOCATED AT THE INTERSECTION OF THE PREVIOUS SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE EAST RIGHT-OF-WAY MARGIN OF MEMORIAL PARKWAY; THENCE SOUTH 88 DEGREES 33 MINUTES 19 SECONDS EAST (DEED N89°58'E) AND ALONG THE PREVIOUS SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 99.94 FEET TO A POINT OF AT THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS; SAID POINT BEING THE ENDING POINT OF THE PREVIOUS SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE BEGINNING POINT OF THE EXISTING SOUTH RIGHT-OF-WAY MARGIN OF SAME; THENCE SOUTH 88 DEGREES 33 MINUTES 19 SECONDS EAST AND LEAVING THE SAID NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SAID NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS AND ALONG THE SAID EXISTING SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE NORTH BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS, A DISTANCE OF 99.94 FEET TO THE NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS; THENCE SOUTH 18 DEGREES 26 MINUTES 07 SECONDS WEST (DEED S16°47'W) AND LEAVING THE SAID EXISTING SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE SAID NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS ALONG THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS, A DISTANCE OF 18.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PROPERTY ON THE PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD;

THENCE FROM THE POINT OF BEGINNING SOUTH 75 DEGREES 23 MINUTES 44 SECONDS EAST AND LEAVING THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND ALONG THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 55.56 FEET TO A POINT ON THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 709, PAGE 106, SAID PROBATE RECORDS;

THENCE SOUTH 18 DEGREES 35 MINUTES 39 SECONDS WEST AND LEAVING THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD ALONG THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 709, PAGE 106, SAID PROBATE RECORDS, A DISTANCE OF 93.64 FEET TO A REBAR AT THE SOUTHEAST CORNER OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1048, PAGE 0938 AND THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 709, PAGE 106, SAID PROBATE RECORDS;

THENCE NORTH 88 DEGREES 31 MINUTES 03 SECONDS WEST AND LEAVING THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 709, PAGE 106, SAID PROBATE RECORDS AND THE SAID SOUTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938 AND THE SAID SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 709, PAGE 106, SAID PROBATE RECORDS ALONG THE SOUTH BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED 1048, PAGE 0938, SAID PROBATE RECORDS, A DISTANCE OF 57.69 FEET TO A HEX HEAD FOUND AT THE SOUTHEAST CORNER OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1023, PAGE 964, SAID PROBATE RECORDS AND THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS;

THENCE NORTH 18 DEGREES 26 MINUTES 07 SECONDS EAST (DEED N16°47'E) AND LEAVING THE SAID SOUTH BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE SAID SOUTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 964, SAID PROBATE RECORDS AND THE SAID SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND ALONG THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1023, PAGE 964, SAID PROBATE RECORDS, A DISTANCE OF 106.74 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PROPERTY AND CONTAINING 5540.61 SQUARE FEET OR 0.127 ACRE, MORE OR LESS.

THE ABOVE DESCRIBED PROPERTY IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY OR RESTRICTIONS RECORDED OR UNRECORDED THAT MAY EXIST.

THE ABOVE DESCRIBED 0.127 ACRE PROPERTY IS SUBJECT TO A UTILITY EASEMENT PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE 0.127 ACRE PROPERTY LOCATED ON THE PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, HUNTSVILLE, MADISON COUNTY, ALABAMA AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS;

THENCE FROM THE POINT OF BEGINNING SOUTH 75 DEGREES 23 MINUTES 44 SECONDS EAST AND LEAVING THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS ALONG THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 5.01 FEET A POINT;

THENCE SOUTH 18 DEGREES 26 MINUTES 07 SECONDS WEST AND LEAVING THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 10.34 FEET TO A POINT;

THENCE NORTH 71 DEGREES 33 MINUTES 53 SECONDS WEST, A DISTANCE OF 5.00 FEET TO A POINT ON THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS;

THENCE NORTH 18 DEGREES 26 MINUTES 07 SECONDS EAST AND ALONG THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED UTILITY EASEMENT AND CONTAINING 50.84 SQUARE FEET OR 0.001 ACRE, MORE OR LESS.

THE ABOVE DESCRIBED 0.127 ACRE PROPERTY IS ALSO SUBJECT TO A UTILITY EASEMENT PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE ABOVE DESCRIBED 0.127 ACRE PROPERTY ON THE PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD; SAID POINT LOCATED ON THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, HUNTSVILLE, MADISON COUNTY, ALABAMA;

THENCE FROM THE POINT OF BEGINNING SOUTH 18 DEGREES 35 MINUTES 39 SECONDS WEST AND LEAVING THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD ALONG THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE SAID WEST BOUNDARY OF THAT

PROPERTY DESCRIBED IN DEED BOOK 709, PAGE 106, SAID PROBATE RECORDS, A DISTANCE OF 15.00 FEET TO A POINT;

THENCE NORTH 71 DEGREES 24 MINUTES 21 SECONDS WEST AND LEAVING THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 709, PAGE 106, SAID PROBATE RECORDS, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE NORTH 18 DEGREES 35 MINUTES 39 SECONDS EAST, A DISTANCE OF 14.90 FEET TO A POINT ON THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD;

THENCE SOUTH 75 DEGREES 23 MINUTES 44 SECONDS EAST AND ALONG THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 10.02 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED UTILITY EASEMENT AND CONTAINING 146.51 SQUARE FEET OR 0.003 ACRE , MORE OR LESS.

PROPOSED RIGHT-OF-WAY
A TRACT OR PARCEL OF LAND
PART OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 1 WEST
HUNTSVILLE, ALABAMA
REFERENCE DEED:DEED BOOK 1048,PAGE 0938

A TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, HUNTSVILLE, MADISON COUNTY, ALABAMA BEING PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A RAILROAD SPIKE AT THE NORTHWEST CORNER OF THE WILLIAMSON OIL CO., INC. TRACT AS DESCRIBED IN DEED BOOK 766, PAGE 704 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, HUNTSVILLE, MADISON COUNTY, ALABAMA. SAID COMMENCING POINT BEING LOCATED AT THE INTERSECTION OF THE PREVIOUS SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE EAST RIGHT-OF-WAY MARGIN OF MEMORIAL PARKWAY; THENCE SOUTH 88 DEGREES 33 MINUTES 19 SECONDS EAST (DEED N89°36'E) AND ALONG THE PREVIOUS SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 99.94 FEET TO A POINT AT THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS; SAID POINT BEING THE ENDING POINT OF SAID PREVIOUS SOUTH RIGHT-OF-WAY OF MASTIN LAKE ROAD AND THE BEGINNING POINT OF THE EXISTING SOUTH RIGHT-OF-WAY MARGIN OF SAME; THENCE SOUTH 88 DEGREES 33 MINUTES 19 SECONDS EAST AND LEAVING THE SAID NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SAID NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS AND ALONG THE EXISTING SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE NORTH BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS, A DISTANCE OF 99.94 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PROPERTY AT THE NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS;

THENCE FROM THE POINT OF BEGINNING SOUTH 88 DEGREES 44 MINUTES 23 SECONDS EAST AND LEAVING THE SAID NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND ALONG THE EXISTING SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE NORTH BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS, A DISTANCE OF 58.12 FEET TO A POINT;

THENCE SOUTH 18 DEGREES 35 MINUTES 39 SECONDS WEST AND LEAVING THE SAID NORTH BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE SAID EXISTING SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND ALONG THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 709, PAGE 106, SAID PROBATE RECORDS, A DISTANCE OF 81.45 FEET TO A CAPPED IRON PIN FOUND ON THE PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD;

THENCE NORTH 75 DEGREES 23 MINUTES 44 SECONDS WEST AND LEAVING THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 709, PAGE 106, SAID PROBATE RECORDS AND ALONG THE PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD , A DISTANCE OF 55.56 FEET TO A POINT ON THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS;

THENCE NORTH 18 DEGREES 26 MINUTES 07 SECONDS EAST (DEED N16°47'E) AND LEAVING THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD ALONG THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938 AND THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS, A DISTANCE OF 18.00 FEET TO THE POINT OF BEGINNING OF THE HERIN DESCRIBED PROPERTY AND CONTAINING 1971.40 SQUARE FEET OR 0.03 ACRE, MORE OR LESS.

THE ABOVE DESCRIBED PROPERTY IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY OR RESTRICTIONS RECORDED OR UNRECORDED THAT MAY EXIST.

**A TRACT OR PARCEL OF LAND
PART OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 1 WEST
HUNTSVILLE , ALABAMA
REFERENCE DEED:DEED BOOK 1023, PAGE 974**

A TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, HUNTSVILLE , MADISON COUNTY , ALABAMA BEING PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A RAILROAD SPIKE AT THE NORTHWEST CORNER OF THE WILLIAMSON OIL CO., INC. TRACT AS DESCRIBED IN DEED BOOK 766, PAGE 704 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, HUNTSVILLE, MADISON COUNTY, ALABAMA. SAID COMMENCING POINT BEING LOCATED AT THE INTERSECTION OF THE PREVIOUS SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE EAST RIGHT-OF-WAY MARGIN OF MEMORIAL PARKWAY; THENCE SOUTH 88 DEGREES 33 MINUTES 19 SECONDS EAST (DEED N89°56'E) AND ALONG THE PREVIOUS SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 99.94 FEET TO A POINT AT THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS; THENCE SOUTH 18 DEGREES 27 MINUTES 44 SECONDS WEST (DEED S16°47'W) AND LEAVING THE PREVIOUS SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND ALONG THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS, A DISTANCE OF 11.29 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PROPERTY AT THE BEGINNING POINT OF THE PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD;

THENCE FROM THE POINT OF BEGINNING SOUTH 84 DEGREES 48 MINUTES 26 SECONDS EAST AND LEAVING THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS ALONG THE PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 98.19 FEET TO A POINT ON THE EAST BOUNDARY OF THAT SAID PROPERTY AS DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS;

THENCE SOUTH 18 DEGREES 26 MINUTES 07 SECONDS WEST (DEED S16°47'W) AND LEAVING THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND ALONG THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS, A DISTANCE OF 106.74 FEET TO A

HEX HEAD FOUND AT THE SOUTHEAST CORNER OF SAID PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SOUTHWEST CORNER OF SAID PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS;

THENCE NORTH 88 DEGREES 33 MINUTES 19 SECONDS WEST (DEED S88°56'W) AND LEAVING THE SAID SOUTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS ALONG THE SOUTH BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS, A DISTANCE OF 100.00 FEET TO A REBAR AT THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SOUTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS;

THENCE NORTH 18 DEGREES 27 MINUTES 44 SECONDS EAST (DEED N16°47'E) AND LEAVING THE SAID SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SAID SOUTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS ALONG THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS, A DISTANCE OF 113.47 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PROPERTY AND CONTAINING 10,526.26 SQUARE FEET OR 0.242 ACRE, MORE OR LESS.

THE ABOVE DESCRIBED PROPERTY IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY OR RESTRICTIONS RECORDED OR UNRECORDED THAT MAY EXIST.

THE ABOVE DESCRIBED PROPERTY IS ALSO SUBJECT TO A UTILITY EASEMENT PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE ABOVE DESCRIBED 0.242 ACRE PROPERTY LOCATED ON THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, HUNTSVILLE, MADISON COUNTY, ALABAMA AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS; SAID POINT BEING ON THE PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD;

THENCE FROM THE POINT OF BEGINNING SOUTH 84 DEGREES 48 MINUTES 26 SECONDS EAST AND LEAVING THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND ALONG THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 8.22 FEET TO A POINT;

THENCE SOUTH 18 DEGREES 27 MINUTES 44 SECONDS WEST AND LEAVING THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 9.89 FEET TO A POINT;

THENCE NORTH 71 DEGREES 32 MINUTES 16 SECONDS WEST , A DISTANCE OF 8.00 FEET TO A POINT ON THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS AND THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS;

THENCE NORTH 18 DEGREES 27 MINUTES 44 SECONDS EAST AND ALONG THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS AND THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS, A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED UTILITY EASEMENT AND CONTAINING 71.55 SQUARE FEET OR 0.002 ACRE, MORE OR LESS.

THE ABOVE DESCRIBED PROPERTY IS ALSO SUBJECT TO A UTILITY EASEMENT PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE ABOVE DESCRIBED 0.242 ACRE PROPERTY LOCATED ON THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, HUNTSVILLE, MADISON COUNTY, ALABAMA AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND BEING ON THE PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD;

THENCE FROM THE POINT OF BEGINNING SOUTH 18 DEGREES 26 MINUTES 07 SECONDS WEST AND LEAVING THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD ALONG THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE SOUTH 71 DEGREES 39 MINUTES 53 SECONDS WEST AND LEAVING THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS, A DISTANCE OF 5.00 FEET TO A POINT;

THENCE NORTH 18 DEGREES 26 MINUTES 07 SECONDS EAST, A DISTANCE OF 8.82 FEET TO A POINT ON THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD;

THENCE SOUTH 84 DEGREES 48 MINUTES 34 SECONDS EAST AND ALONG THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 5.14 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED UTILITY EASEMENT AND CONTAINING 52.10 SQUARE FEET OR 0.001 ACRE, MORE OR LESS.

PROPOSED RIGHT-OF-WAY
A TRACT OR PARCEL OF LAND
PART OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 1 WEST
HUNTSVILLE, ALABAMA
REFERENCE DEED: DEED BOOK 1023, PAGE 974

A TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, HUNTSVILLE, MADISON COUNTY, ALABAMA BEING PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A RAILROAD SPIKE AT THE NORTHWEST CORNER OF THE WILLIAMSON OIL CO., INC. TRACT AS DESCRIBED IN DEED BOOK 766, PAGE 704 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, HUNTSVILLE, MADISON COUNTY, ALABAMA. SAID COMMENCING POINT BEING LOCATED AT THE INTERSECTION OF THE PREVIOUS SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE EAST RIGHT-OF-WAY MARGIN OF MEMORIAL PARKWAY; THENCE SOUTH 88 DEGREES 33 MINUTES 19 SECONDS EAST (DEED N89°36'E) AND ALONG THE PREVIOUS SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 99.94 FEET (DEED 100.00') TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PROPERTY; SAID POINT BEING THE NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS AND THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE BEGINNING POINT OF THE EXISTING SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD;

THENCE FROM THE POINT OF BEGINNING SOUTH 88 DEGREES 33 MINUTES 19 SECONDS EAST (DEED N89°36'E) AND LEAVING THE SAID NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS AND THE SAID NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE PREVIOUS SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD ALONG THE EXISTING SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE NORTH BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS, A DISTANCE OF 99.94 FEET (DEED 100.00') TO THE NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS ;

THENCE SOUTH 18 DEGREES 26 MINUTES 07 SECONDS WEST (DEED S16°47'W) AND LEAVING THE SAID NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS AND THE EXISTING SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD AND THE SAID NORTH BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS ALONG THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1023, PAGE

974, SAID PROBATE RECORDS AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS, A DISTANCE OF 18.00 FEET TO THE PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD;

THENCE NORTH 84 DEGREES 48 MINUTES 26 SECONDS WEST AND LEAVING THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1048, PAGE 0938, SAID PROBATE RECORDS ALONG THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD, A DISTANCE OF 98.19 FEET TO A POINT ON THE WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS;

THENCE NORTH 18 DEGREES 27 MINUTES 44 SECONDS EAST (DEED N16°47'E) AND LEAVING THE SAID PROPOSED SOUTH RIGHT-OF-WAY MARGIN OF MASTIN LAKE ROAD ALONG THE SAID WEST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1023, PAGE 974, SAID PROBATE RECORDS AND THE SAID EAST BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED BOOK 766, PAGE 704, SAID PROBATE RECORDS, A DISTANCE OF 11.29 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PROPERTY AND CONTAINING 1399.71 SQUARE FEET OR 0.032 ACRE, MORE OR LESS.

THE ABOVE DESCRIBED PROPERTY ALSO BEING PART OF THAT PROPERTY DESCRIBED IN DEED BOOK 815, PAGE 1004, SAID PROBATE RECORDS.

THE ABOVE DESCRIBED PROPERTY IS ALSO SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY OR RESTRICTIONS RECORDED OR UNRECORDED THAT MAY EXIST.