

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 right-of-way; that the applicant has represented to the City of Huntsville that the **Central North Alabama Health Services, Inc.**, is the owner of the property across which said right-of-way lies; that said right-of-way 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 right-of-way 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**, a municipal corporation (the herein "Grantor"), for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, this day in hand paid to it by **CENTRAL NORTH ALABAMA HEALTH SERVICES, INC.**, its successors and assigns (the herein "Grantee"), the receipt of which is hereby acknowledged, do hereby remise, release, quitclaim and convey unto **CENTRAL NORTH ALABAMA HEALTH SERVICES, INC.**, its successors and assigns, all of its right, title and interest in and to the following described real estate, lying and being in the County of Madison, State of Alabama, as follows:

All that part of Lot 14 and the North half of Lot 1, according to the Patterson Survey as recorded in Deed Book QQ, Page 109 in the Office of the Judge of Probate, Madison County, Alabama, and a part of Block 270 according to the Quigley Map of the City of Huntsville as shown in the Office of the Tax Assessor, Madison County, Alabama.

Commencing at a 5/8" rebar found on the Eastern right-of-way margin of Pulaski Pike at the Northwest corner of Lot 5 according to the record plat of a Resubdivision of Roosevelt Park Resubdivision as recorded in Plat Book 15, Page 82 in the Office of the Judge of Probate of Madison County, Alabama, said point is further described as being the Northwest corner of Parcel No. A-1-7A1 according to the recorded plat of Neighborhood Development Project ALA. A-2 Area 1 as recorded in Plat Book 9, Page 98:

Thence, from the Point of Commencement and leaving the Eastern right-of-way margin of said Pulaski Pike, North 64 degrees 19 minutes 27 seconds East, 123.29 feet to the True Point of Beginning:

Thence, from the Point of Beginning, North 32 degrees 46 minutes 10 seconds West, 105.23 feet to a point lying on the South right-of-way margin of Larkin Lane (A.K.A. Larkin Avenue or Larkin Street); thence, along the South right-of-way margin of said Larkin Lane, North 64 degrees 21 minutes 23 seconds East, 60.47 feet to a point lying at the intersection of the South right-of-way margin of said Larkin Lane and the Eastern margin of an existing 30 foot Utility and Drainage Easement; thence, leaving the South right-of-way margin of said Larkin Lane and run along the Eastern boundary of said 30 foot Utility and Drainage Easement, South 32 degrees 46 minutes 10 seconds East, 105.20 feet to a point located at intersection the Easterly boundary of said 30 foot Utility and Drainage Easement and the North boundary of said Lot 5 according to the record plat of a Resubdivision of Roosevelt Park Resubdivision; thence, leaving the Eastern boundary of said 30 foot Utility and Drainage Easement continuing along the North Boundary of said Lot 5, South 64 degrees 19 minutes 27 seconds West, 60.46 feet to the Point of Beginning and containing 6,313 square feet (0.145 Acres), more or less.

Subject to and retaining all rights in a Public 30 foot Utility and Drainage Easement taken evenly off of and running parallel with the Eastern boundary of the Subject Property described above.

**TO HAVE AND TO HOLD** the above described easement, together with all and singular rights, tenements, hereditaments, appurtenances and improvements thereunto belonging, or in anywise appertaining, unto the said Grantee, and unto its successors and assigns forever.

**IN WITNESS WHEREOF**, Grantor has caused this instrument to be executed on this the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**ATTEST:**

**CITY OF HUNTSVILLE, ALABAMA,**  
a municipal corporation

By: \_\_\_\_\_  
Charles E. Hagoud, Clerk-Treasurer

By: \_\_\_\_\_  
Tommy Battle, Mayor

(Notary on following page)

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 \_\_\_\_ day of \_\_\_\_\_, 2013.

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

**THIS INSTRUMENT WAS PREPARED SOLELY FROM INFORMATION PROVIDED TO THE PREPARER OF THIS INSTRUMENT, WHO CONDUCTED NO TITLE EXAMINATION, AND WHO ISSUED NO TITLE OPINION OR TITLE INSURANCE.**

**THIS INSTRUMENT WAS PREPARED BY: ROBERT E. RAWLINSON, HARRISON, GAMMONS & RAWLINSON, P.C., 2430 I. & N DRIVE, HUNTSVILLE, ALABAMA 35801/ang**

Ordinance No. 13-\_\_\_\_\_ (Cont.)  
Central North Alabama Health Services, Inc.

**ADOPTED** this the 12th day of September, 2013.

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President of the City Council  
of Huntsville, Alabama

**APPROVED** this the 12th day of September, 2013.

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Mayor of the City of  
Huntsville, Alabama