

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 John W. Thomas and wife, Sara A. Thomas, are the owners 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, (the herein "Grantor") with mailing address of 308 Fountain Circle, Huntsville, AL 35801, in consideration of the sum of TEN DOLLARS (\$10.00), in hand paid to it by **JOHN W. THOMAS AND SARA A. THOMAS**, husband and wife, (the herein "Grantee"), with mailing address of 7704 Donegal Dr SE, Huntsville, AL 35802, 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 located at 7704 Donegal Dr SE, Huntsville, AL 35802 and situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

That portion of the 5 foot Utility and Drainage Easement along the south side lot line of Lot 46, Block 10, Huntsville Hills Subdivision, Fourth Addition as the same appears of record in the Judge of Probate of Madison County, Alabama in Plat Book 21, Page 47 between the 35 foot minimum building line along the front (west) side property line and 10 foot Utility and Drainage Easement along the rear (east) side property line.

**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 24th day of October, 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 24th day of October, 2013.

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

This instrument was prepared by:  
JAMES G. HARRISON  
HARRISON, GAMMONS & RAWLINSON, P.C.  
2430 L&N Drive, Huntsville, AL 35801 - 256-533-7711/mc

Ordinance No. 13-\_\_\_\_\_ (Cont.)  
Thomas, John W. and Sara A.

ADOPTED this the 24th day of October, 2013.

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

APPROVED this the 24th day of October, 2013.

\_\_\_\_\_  
Mayor of the City of  
Huntsville, Alabama