

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 two utility and drainage easements; that the applicants have represented to the City of Huntsville that Albert James Ordway, Nancy Ordway and Frederick M. Lanier, are the owners of the property across which said easements lie; that said easements, or portions being vacated, are not presently used and are 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 quitclaim deeds vacating the easements hereinafter described, said deeds being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA )  
 )  
COUNTY OF MADISON )

**QUITCLAIM DEED**

**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 **ALBERT ORDWAY AND NANCY ORDWAY**, his wife, hereinafter referred to as Grantees, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantees, as **JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP**, all of the Grantor's right, title, interest and claim in and to the following real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

**ALL THE PART OF LOTS 9 AND 10 ACCORDING TO THE RECORD PLAT OF MONTE SANO COURT, PHASE II, HUNTSVILLE, ALABAMA, AS RECORDED IN PLAT BOOK 35, PAGE 76 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA.**

**PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF LOT 10; THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 10 AND BEING THE WESTERLY BOUNDARY LINE OF LOT 9, NORTH 21 DEGREES 30 MINUTES 14 SECONDS WEST 10.95 FEET TO THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING NORTH 87 DEGREES 28 MINUTES 45 SECONDS WEST 5.47 FEET; THENCE NORTH 21 DEGREES 30 MINUTES 14 SECONDS WEST 268.29 FEET TO THE SOUTHWESTERLY BOUNDARY LINE OF A EXISTING 20 FOOT UTILITY AND DRAINAGE EASEMENT; THENCE ALONG THE SOUTHWESTERLY BOUNDARY OF SAID EASEMENT, SOUTH 35 DEGREES 07 MINUTES 10 SECONDS EAST 42.48 FEET; THENCE SOUTH 21 DEGREES 30 MINUTES 14 SECONDS EAST 231.46 FEET; THENCE NORTH 87 DEGREES 28 MINUTES 25 SECONDS WEST 5.47 FEET TO THE POINT OF BEGINNING.**

**TO HAVE AND TO HOLD** unto the said Grantees, AS **JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP**, their heirs and assigns forever.

**IN WITNESS WHEREOF**, Grantor has caused this conveyance to be signed on its behalf by its Mayor and attested by its Clerk-Treasurer, this the 7th day of November, 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, an Alabama municipal corporation are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, 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 7<sup>th</sup> day of November, 2013.

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Notary Public

THIS INSTRUMENT PREPARED BY:

James L. McElroy, Jr. PLS  
2227 Drake Ave. Bldg. 10-D  
Huntsville, Alabama 35805

STATE OF ALABAMA )  
 )  
COUNTY OF MADISON )

**QUITCLAIM DEED**

**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 **FREDERICK M. LANIER AND ALBERT JAMES ORDWAY**, hereinafter referred to as Grantees, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantees, all of the Grantor's right, title, interest and claim in and to the following real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

**ALL THE PART OF LOT 9 ACCORDING TO THE RECORD PLAT OF MONTE SANO COURT, PHASE II, HUNTSVILLE, ALABAMA, AS RECORDED IN PLAT BOOK 35, PAGE 76 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA.**

**PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 01 DEGREE 51 MINUTES 07 SECONDS EAST 10.00 FEET TO THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING NORTH 87 DEGREES 27 MINUTES 37 SECONDS WEST 10.00 FEET; THENCE NORTH 01 DEGREE 51 MINUTES 07 SECONDS EAST 164.75 FEET; THENCE SOUTH 44 DEGREES 41 MINUTES 43 SECONDS EAST 13.78 FEET TO THE EAST BOUNDARY LINE OF SAID LOT 9; THENCE SOUTH 01 DEGREE 51 MINUTES 07 SECONDS WEST 172.28 FEET TO THE POINT OF BEGINNING.**

**TO HAVE AND TO HOLD** unto the said Grantees, their heirs and assigns forever.

**IN WITNESS WHEREOF**, Grantor has caused this conveyance to be signed on its behalf by its Mayor and attested by its Clerk-Treasurer, this the 7th day of November 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 Bartle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of The City of Huntsville, Alabama, an Alabama municipal corporation are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, 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 7th day of November 20  .

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT PREPARED BY:

James L. McElroy, Jr. PLS  
2227 Drake Ave. Bldg. 10-D  
Huntsville, Alabama 35805

Ordinance No. 13-\_\_\_\_\_ (Cont.)  
Ordway and Lanier

ADOPTED this the 7th day of November, 2013.

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

APPROVED this the 7th day of November, 2013.

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