

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 1/9/2014

Action Requested By:  
Legal

Agenda Item Type  
Resolution

Subject Matter:

Condemnation of property for Capshaw Sanitary Sewer Extension Project.

Exact Wording for the Agenda:

Resolution authorizing the Mayor to execute condemnation proceedings to acquire sanitary sewer easements and temporary construction easements for the Capshaw Extension Project.

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

Item to be considered for: Action

Unanimous Consent Required: No

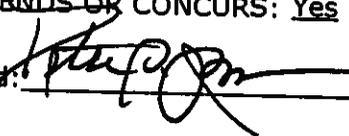
Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

[Empty box for providing details on why the action is required, recommended, and what council action will provide, allow, and accomplish.]

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Yes

Department Head: 

Date: 12-27-13

Capshaw Sanitary Sewer  
Extension Project  
Project #65-12-SS04

RESOLUTION NO. 14-\_\_\_\_\_

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, a municipal corporation within the State of Alabama, as follows:

1. That in the judgment and opinion of the City Council of the City of Huntsville, it is in the public interest and necessary and expedient that the City of Huntsville acquire and/or condemn certain sanitary sewer easements and temporary construction easements on, under, over, along and upon the following described parcels of land, viz:

See Exhibits "A" through "M" which are attached hereto and incorporated herein, a copy of each being permanently kept on file in the Office of the City Clerk-Treasurer of the City of Huntsville, Alabama.

A corresponding map for each parcel is included on each respective exhibit.

2. That the obtainment of the foregoing easements is necessary for the Capshaw Sanitary Sewer Extension Project, Project No. 65-12-SS04, which is in the best interests of the citizens of the City of Huntsville in that the same will contribute to the health and general welfare of the citizens of Huntsville.

3. That the Mayor of the City of Huntsville be, and he is hereby, authorized, empowered and directed to cause the above described properties to be appraised in accordance with Section 18-1A-21 of the Code of Alabama, as amended, to determine the amount that would constitute just compensation for the taking(s).

4. That the Mayor of the City of Huntsville be, and he is further, authorized, empowered and directed to attempt to acquire the above described easements for the City for the aforesaid purposes at a fair and reasonable price in accordance with Section 18-1A-22 of the Code of Alabama, as amended.

5. Any prior acts taken by the administration toward the acquisition of the easements pursuant to the eminent domain code are hereby ratified.

6. That in case of failure to acquire said easements for the purposes aforesaid by purchase from the owner or owners thereof, the Mayor is hereby authorized to engage Samuel H. Givhan, Attorney at Law, and the law firm of Wilmer & Lee, P.A., to file and conduct condemnation proceedings on behalf of the City of Huntsville for the acquisition of the easements by the exercise of the right of eminent domain.

ADOPTED this the 9th day of January, 2014.

---

President of the City Council  
City of Huntsville, Alabama

APPROVED this the 9th day of January, 2014.

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Tommy Battle  
Mayor of the City of Huntsville,  
Alabama

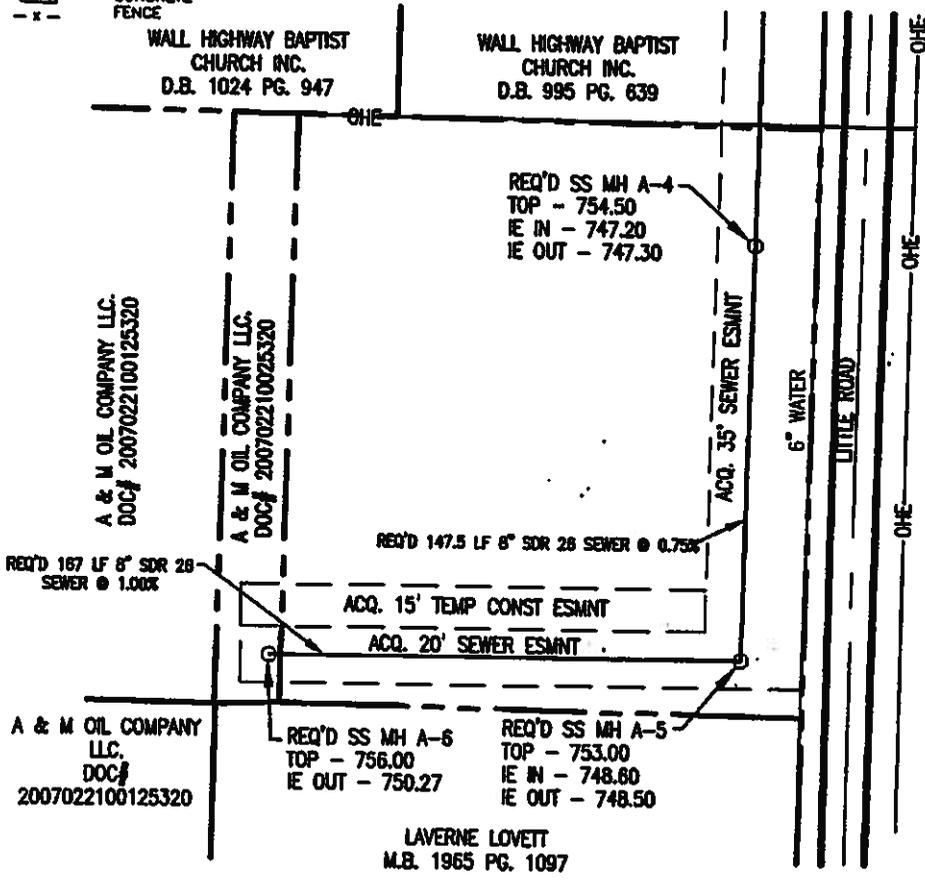
**LEGEND**

- RET. WALL RETAINING WALL
- D.B. PG. DEED BOOK AND PAGE
- P.B. PG. PLAT BOOK AND PAGE
- EASE. EASEMENT
- M.B.L. MINIMUM BUILDING LINE
- R.O.W. RIGHT-OF-WAY
- U&D UTILITY AND DRAINAGE EASEMENT
- CIP(F) CAPPED IRON PIN FOUND
- CIP(S) CAPPED IRON PIN SET STAMPED
- LS 19740
- X(S) X ON CONCRETE SET
- IP(F) IRON PIN FOUND
- C&G CURB AND GUTTER
- WM WATER METER
- GV GAS VALVE
- MH MANHOLE
- GI GRATE INLET
- ICV IRRIGATION CONTROL VALVE
- TPED TELEPHONE PEDESTAL
- TVPED TELEVISION PEDESTAL
- PP POWER POLE
- A/C AIR CONDITIONER(S)
- CONC CONCRETE
- FENCE

**GENERAL NOTES**

1. NORTH REFERENCE IS BASE BEARING
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS
3. PLAT(S) OF REFERENCE FOR SURVEY: SEE BELOW
4. NO ENCROACHMENTS WERE FOUND ABOVE GROUND UNLESS OTHERWISE NOTED.
5. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE.
6. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES

1"=50'



**WALL HIGHWAY BAPTIST CHURCH**  
DEED BOOK 995 PAGE 639

Proposed Easements affecting the tract recorded in deed book 996 page 639  
 A 20' sewer easement parallel the South line of the tract and a 35' sewer easement parallel to the Right-of-Way for Little Road and a 15' temporary construction easement on the north side of the proposed 20' sewer easement parallel to the South line all affecting the tract recorded in deed book 995 page 639. Less and except any portion of the proposed easements that would impact or fall in the buildings on said tract.

DATE	BY
0-03-12	REC
REV	REC
APP	REC

SCALE	1"=50'
DATE	REC
REV	REC
APP	REC

**EASEMENT DRAWING**  
 D.B. 995 PG. 639  
 IN THE OFFICE OF THE JUDGE OF PROBATE,  
 WADSWORTH COUNTY, ALABAMA  
 PREPARED AND FILED AT HUNTSVILLE, AL.

**WALL HIGHWAY BAPTIST CHURCH INC.**  
 D.B. 995 PG. 639

**MULLINS, LLC**  
 ENGINEERING & SURVEYING  
 111 GREENE STREET  
 HUNTSVILLE, ALABAMA 35801  
 256-437-4827





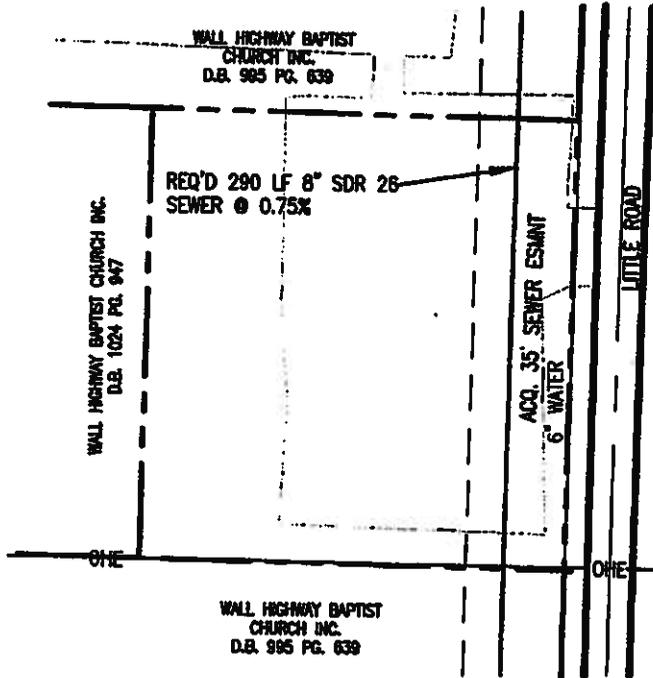
**LEGEND**

RET. WALL    RETAINING WALL  
 D.B. PG.    DEED BOOK AND PAGE  
 P.B. PG.    PLAT BOOK AND PAGE  
 EASE.       EASEMENT  
 M.B.L.      MINIMUM BUILDING LINE  
 R.O.W.      RIGHT-OF-WAY  
 U&D        UTILITY AND DRAINAGE EASEMENT  
 CIP(F)      CAPPED IRON PIN FOUND  
 CIP(S)      CAPPED IRON PIN SET STAMPED  
             LS 19740  
 X(S)        X ON CONCRETE SET  
 IP(F)        IRON PIN FOUND  
 C&G        CURB AND GUTTER  
 WM -        WATER METER  
   · SW      GAS VALVE  
 MH O        MANHOLE  
   ·         GRATE INLET  
 IVC         IRRIGATION CONTROL VALVE  
   ·         TELEPHONE PEDESTAL  
 - PED      TELEVISION PEDESTAL  
   ·         POWER POLE  
 PPO        AIR CONDITIONER(S)  
 A/C         CONCRETE  
   ·         FENCE  
 - X -

**GENERAL NOTES**

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4. NO ENCROACHMENTS WERE FOUND ABOVE GROUND UNLESS OTHERWISE NOTED.
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6. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES

1"=50'



**WALL HIGHWAY BAPTIST CHURCH  
 DEED BOOK 995 PAGE 639**

Proposed Easements affecting the tract recorded in deed book 995 page 639  
 A 35' sewer easement parallel the Right-of-Way for Little Road all affecting the tract recorded in deed book 995 page 639. Less and except any portion of the proposed easements that would impact or fall in the buildings on said tract.

NO.	0
DATE	09-12
BY	

DATE	11-08
BY	
DATE	09-12
BY	

**EASEMENT DRAWING**  
 D.B. 995 PG. 639  
 IN THE OFFICE OF THE JUDGE OF PROBATE,  
 SHERMAN COUNTY, ALABAMA  
 PREPARED FOR: CITY OF HUNTSVILLE, AL.

**WALL HIGHWAY BAPTIST CHURCH INC.**  
 D.B. 995 PG. 639

**MULLINS, LLC**  
 ENGINEERING & SURVEYING  
 111 CHICKEN STREET  
 HUNTSVILLE, ALABAMA 35894  
 256-487-4821



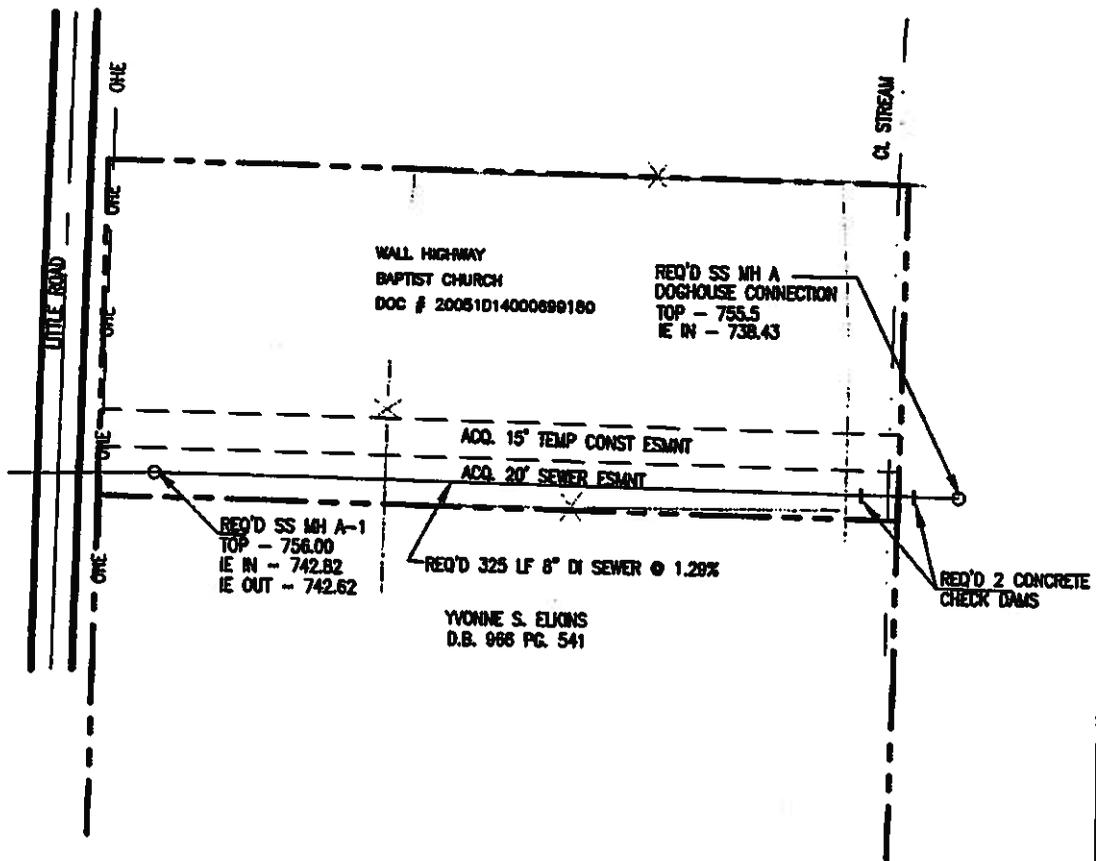
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**LEGEND**

- |           |                               |
|-----------|-------------------------------|
| RET. WALL | RETAINING WALL                |
| D.B. PG.  | DEED BOOK AND PAGE            |
| P.B. PG.  | PLAT BOOK AND PAGE            |
| EASE.     | EASEMENT                      |
| M.B.L.    | MINIMUM BUILDING LINE         |
| R.O.W.    | RIGHT-OF-WAY                  |
| U&D       | UTILITY AND DRAINAGE EASEMENT |
| CP(F)     | CAPPED IRON PIN FOUND         |
| CP(S)     | CAPPED IRON PIN SET STAMPED   |
| X(S)      | X ON CONCRETE SET             |
| IP(F)     | IRON PIN FOUND                |
| C&G       | CURB AND GUTTER               |
| W.M.      | WATER METER                   |
| G.V.      | GAS VALVE                     |
| M.H.      | MANHOLE                       |
| G.I.      | GRATE INLET                   |
| I.C.V.    | IRRIGATION CONTROL VALVE      |
| T.P.      | TELEPHONE PEDESTAL            |
| T.V.P.    | TELEVISION PEDESTAL           |
| P.P.      | POWER POLE                    |
| A/C       | AIR CONDITIONER(S)            |
| C.        | CONCRETE                      |
| -X-       | FENCE                         |

1"=60'



**WALL HIGHWAY BAPTIST CHURCH**  
DOC. # 20051014000699180

Proposed Easements affecting the tract recorded in document # 20051014000699180  
A 20' sewer easement parallel the South line of the tract and a 15' temporary construction easement on the North side of the proposed 20' sewer easement parallel to the South line all affecting the tract recorded in document # 20051014000699180. Less and except any portion of the proposed easements that would impact or fall in the buildings on said tract.

REV	DATE	BY
1	5-20-13	...

SCALE	1"=60'
DATE	REC
BY	REC

**EASEMENT DRAWING**  
DOC. # 20051014000699180  
IN THE OFFICE OF THE JUDGE OF PRIVATE, HANCOCK COUNTY, ALABAMA  
PREPARED FOR: CITY OF HUNTSVILLE, AL.

**WALL HIGHWAY BAPTIST CHURCH**  
DOC. # 20051014000699180

**MULLINS, LLC**  
ENGINEERING & SURVEYING  
111 GREENE STREET  
HUNTSVILLE, ALABAMA 35891  
256-467-6801



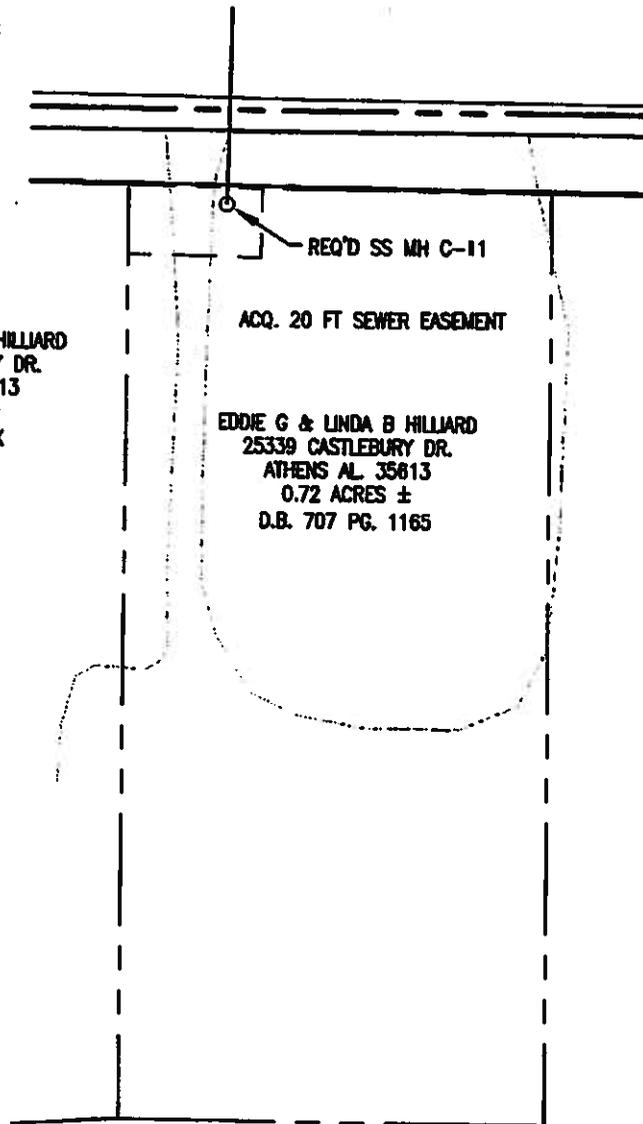
1"=40'

**LEGEND**

- RET. WALL RETAINING WALL
- D.B. PG. DEED BOOK AND PAGE
- P.B. PG. PLAT BOOK AND PAGE
- EASE. EASEMENT
- M.B.L. MINIMUM BUILDING LINE
- R.O.W. RIGHT-OF-WAY
- U&D UTILITY AND DRAINAGE EASEMENT
- CP(F) CAPPED IRON PIN FOUND
- CP(S) CAPPED IRON PIN SET STAMPED
- LS 18740
- X(S) X ON CONCRETE SET
- IP(F) IRON PIN FOUND
- C&G CURB AND GUTTER
- WM - WATER METER
- GV GAS VALVE
- MANHOLE
- GRATE INLET
- IRV IRRIGATION CONTROL VALVE
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- A/C AIR CONDITIONER(S)
- CONCRETE CONCRETE FENCE

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EDDIE G & LINDA B HILLIARD  
 25339 CASTLEBURY DR.  
 ATHENS AL 35613  
 0.62 ACRES ±  
 D.B. XX PG. XX

ACQ. 20 FT SEWER EASEMENT

EDDIE G & LINDA B HILLIARD  
 25339 CASTLEBURY DR.  
 ATHENS AL 35613  
 0.72 ACRES ±  
 D.B. 707 PG. 1165

EDDIE G & LINDA B HILLIARD  
 DEED BOOK 707 PAGE 1165

Proposed Easements affecting the tract recorded in deed book 707 page 1165  
 A 20' sewer easement parallel the Right-of-Way for Capshaw Road affecting the tract recorded in deed book 707 page 1165. Less and except any portion of the proposed easements that would impact or fall in the buildings on said tract.

FILE	D
DATE	08-01-12

SCALE	1"=40'
DATE	REC
DATE	REC
DATE	REC

**EASEMENT DRAWING**  
 DEED BOOK 707 PAGE 1165  
 IN THE OFFICE OF THE JUDGE OF PROBATE,  
 MADISON COUNTY, ALABAMA  
 PREPARED FOR THE CITY OF HUNTSVILLE, AL.

EDDIE G. & LINDA B. HILLIARD  
 DEED BOOK 707 PAGE 1165

**MULLINS, LLC**  
 ENGINEERING & SURVEYING  
 111 GORDON STREET  
 HUNTSVILLE, ALABAMA 35891



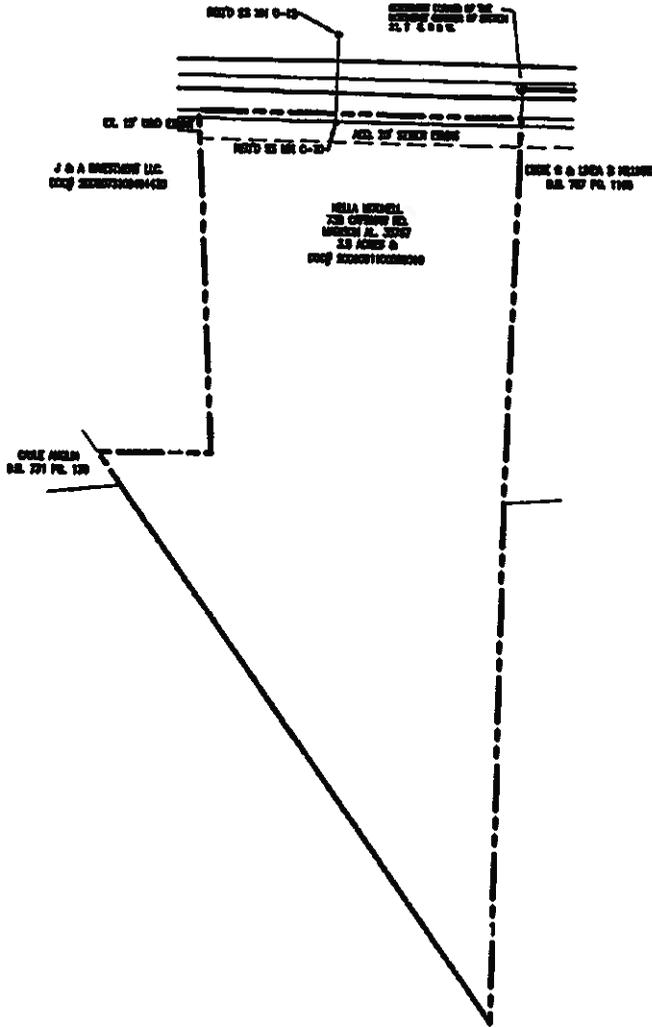
1"=100'

**LEGEND**

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- D.S. PG. DEED BOOK AND PAGE
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- EASE. EASEMENT
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- CP(S) CAPPED IRON PIN SET STAMPED
- LS 19740
- X(S) X ON CONCRETE SET
- IF(F) IRON PIN FOUND
- C&G CURB AND GUTTER
- WM - WATER METER
- GV - GAS VALVE
- MM - MANHOLE
- GI - GRATE INLET
- ICV - IRRIGATION CONTROL VALVE
- TP - TELEPHONE PEDESTAL
- MP - TELEVISION PEDESTAL
- PO - POWER POLE
- A/C AIR CONDITIONER(S)
- CONC. CONCRETE
- FENCE FENCE

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**NELLA MITCHELL**  
**DOC# 2009091100588510**

Proposed Easements affecting the tract recorded in document #2009091100588510  
 A 20' sewer easement parallel the South line of the tract and North of the Right-of-Way for Capshaw Road affecting the tract recorded in document # 2009091100588510. Less and except any portion of the proposed easements that would impact or fall in the buildings on said tract.

REV	0
DATE	09
BY	9-23-13

SCALE	1"=40'
DATE	09
BY	09

**EASEMENT DRAWING**  
 DOC. # 2009091100588510  
 IN THE OFFICE OF THE ARCHIE OF PROBATE,  
 MOBILE COUNTY, ALABAMA  
 PREPARED FOR: CITY OF MONTICELLO, AL.

**NELLA MITCHELL**  
**DOC# 2009091100588510**

**MULLINS, LLC**  
 ENGINEERING & SURVEYING  
 111 BRIDGE STREET  
 MONTICELLO, ALABAMA 36051  
 205-837-4611



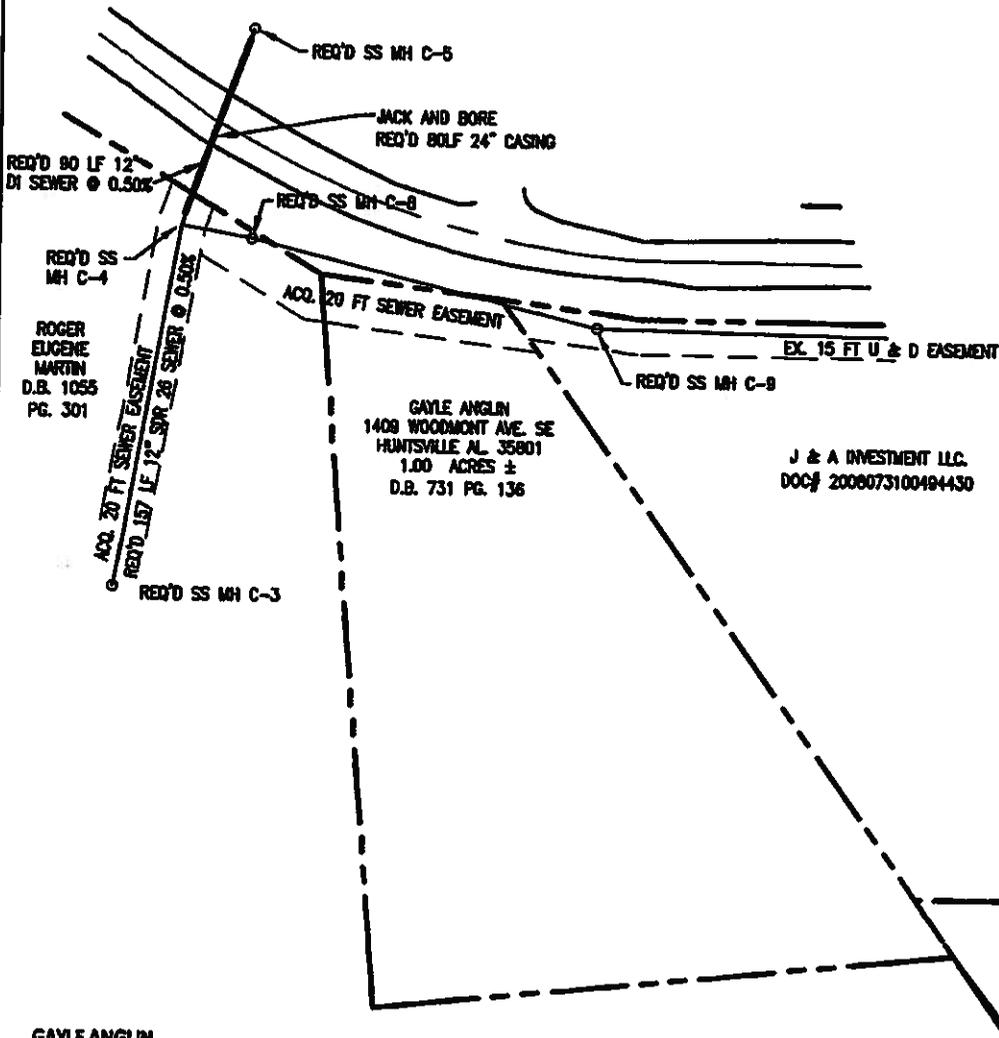
1"=60'

**LEGEND**

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- P.B. PG. PLAT BOOK AND PAGE
- EASE. EASEMENT
- M.B.L. MINIMUM BUILDING LINE
- R.O.W. RIGHT-OF-WAY
- U&D UTILITY AND DRAINAGE EASEMENT
- CIP(F) CAPPED IRON PIN FOUND
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- LS 19740
- X(S) X ON CONCRETE SET
- IP(F) IRON PIN FOUND
- C&C CURB AND GUTTER
- WM WATER METER
- GW GAS VALVE
- MH MANHOLE
- GI GRATE INLET
- ICV IRRIGATION CONTROL VALVE
- TP TELEPHONE PEDESTAL
- TV TELEVISION PEDESTAL
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**GENERAL NOTES**

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**GAYLE ANGLIN**  
DEED BOOK 731 PAGE 136

Proposed Easements affecting the tract recorded in deed book 731 page 136  
A 20' sewer easement parallel the North line of the tract and a 20' sewer easement parallel to the Right-of-Way for Little Road and a 15' temporary construction easement on the south side of the proposed 20' sewer easement parallel to the North line all affecting the tract recorded in deed book 731 page 136. Less and except any portion of the proposed easements that would impact or fall in the buildings on said tract.

FILED	0
DATE	08/21
TIME	9-01-12

SCALE	1"=60'
DATE	REC.
DATE	REC.
DATE	REC.

**EASEMENT DRAWING**  
DEED BOOK 731 PAGE 136  
IN THE OFFICE OF THE JUDGE OF PROBATE,  
HANDSHEN COUNTY, ALABAMA  
FORWARDED TO: CITY OF HUNTSVILLE, AL.

**GAYLE ANGLIN**  
DEED BOOK 731 PAGE 136

**MULLINS, LLC**  
ENGINEERING & SURVEYING  
111 GRAND STREET  
HUNTSVILLE, ALABAMA 35894  
256-267-8821



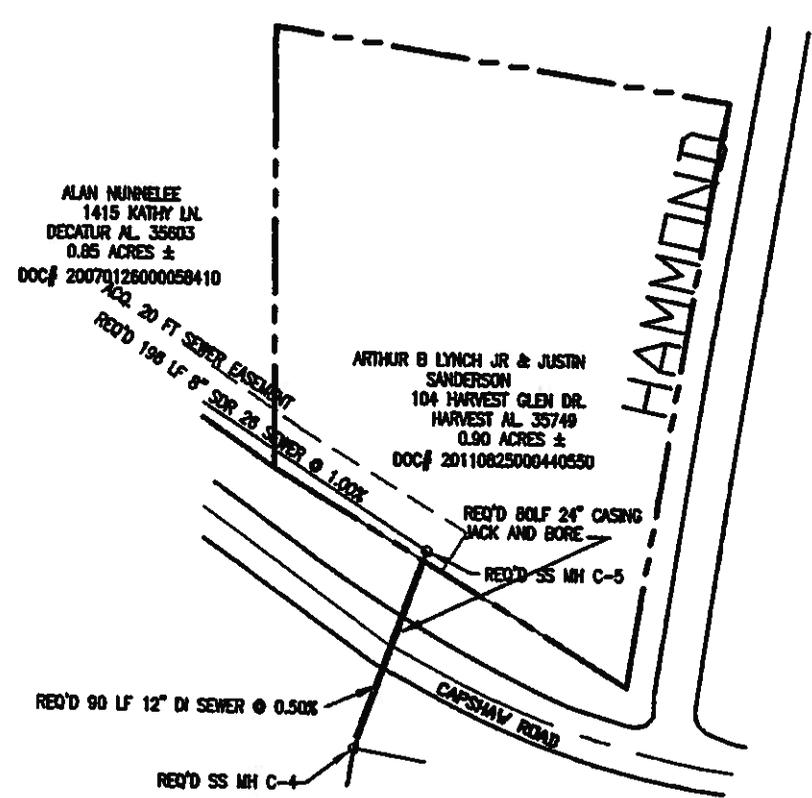
1"=80'

**LEGEND**

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- P.B. PG. PLAT BOOK AND PAGE
- EASE. EASEMENT
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- U&D UTILITY AND DRAINAGE EASEMENT
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- CIP(S) CAPPED IRON PIN SET STAMPED
- LS 19740
- X(S) X ON CONCRETE SET
- IP(F) IRON PIN FOUND
- C&G CURB AND GUTTER
- WM WATER METER
- WV GAS VALVE
- MH MANHOLE
- MI GRATE INLET
- ICV IRRIGATION CONTROL VALVE
- TP TELEPHONE PEDESTAL
- TV TELEVISION PEDESTAL
- PP POWER POLE
- A/C AIR CONDITIONER(S)
- CC CONCRETE
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**ARTHUR B LYNCH JR & JUSTIN SANDERSON**  
**DOC. # 20110825000440550**

Proposed Easements affecting the tract recorded in document # 20110825000440550  
 A 20' sewer easement parallel the South line of the tract and parallel to the North Right-of-Way for Capshaw Road affecting affecting the tract recorded in document # 20110825000440550. Less and except any portion of the proposed easements that would impact or fail in the buildings on said tract.

REV	0
DATE	09-03-12

SCALE	1"=80'
DATE	09-03-12

**EASEMENT DRAWING**  
 DOC. # 20110825000440550  
 IN THE OFFICE OF THE JUDGE OF PROBATE,  
 WILSON COUNTY, ALABAMA  
 PREPARED FOR: CITY OF HUNTSVILLE, AL.

**ARTHUR B LYNCH JR & JUSTIN SANDERSON**  
**DOC. # 20110825000440550**

**MULLINS, LLC**  
 ENGINEERING & SURVEYING  
 111 CHERRY STREET  
 HUNTSVILLE, ALABAMA 35891  
 256-887-4821



**GENERAL NOTES**

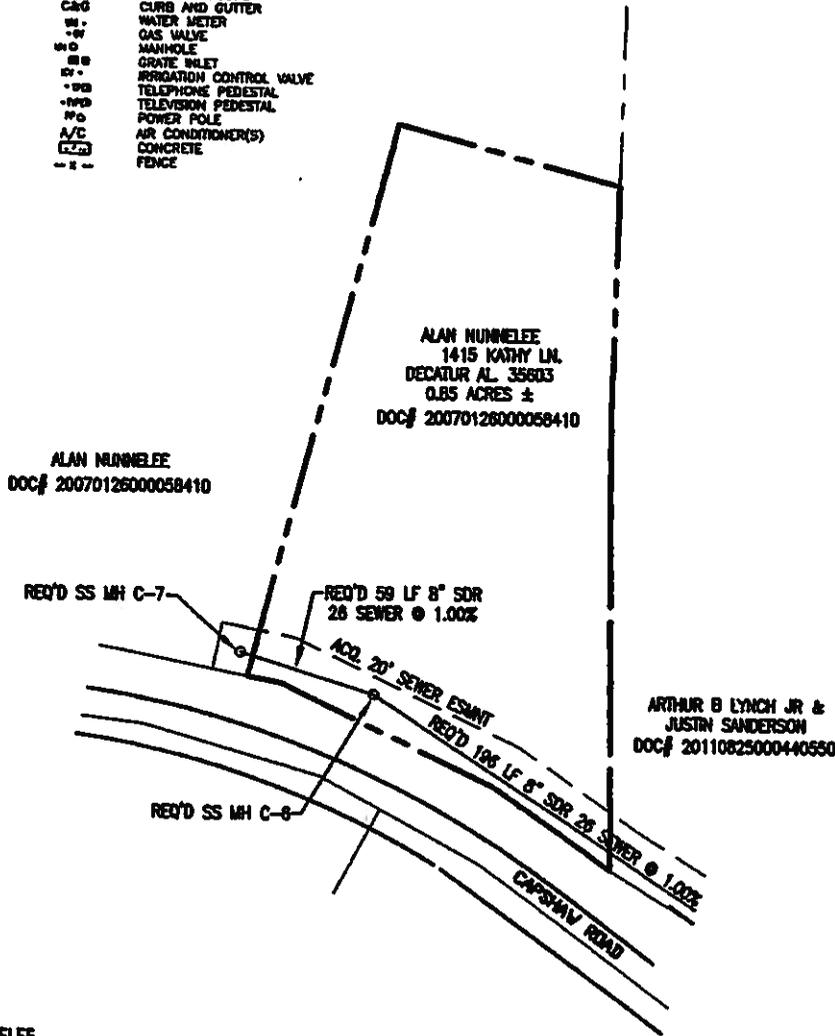
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1"=80'



**LEGEND**

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- P.B. PG. PLAT BOOK AND PAGE
- EASE. EASEMENT
- M.B.L. MINIMUM BUILDING LINE
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- PP POWER POLE
- A/C AIR CONDITIONER(S)
- CONC CONCRETE
- FENCE



ALAN NUNNELEE  
DOC. # 20070126000058410

Proposed Easements affecting the tract recorded in document # 20070126000058410  
A 20' sewer easement parallel the South line of the tract and the North Right-of-Way for Capshaw Road affecting the tract recorded in document # 20070126000058410. Less and except any portion of the proposed easements that would impact or fall in the buildings on said tract.

REV	0
DATE	08-13-13

DATE	11-07
BY	REC
DATE	08-13-13
BY	REC
DATE	
BY	REC

**EASEMENT DRAWING**  
DOC. # 20070126000058410  
IN THE OFFICE OF THE JUDGE OF PROBATE,  
HANNON COUNTY, ALABAMA  
PREPARED FOR: CITY OF HUNTSVILLE, AL.

ALAN NUNNELEE  
DOC# 20070126000058410

**MULLINS, LLC**  
ENGINEERING & SURVEYING  
111 CEDAR STREET  
HUNTSVILLE, ALABAMA 35891  
256-433-4851



**GENERAL NOTES**

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- M.B.L. MINIMUM BUILDING LINE
- R.O.W. RIGHT-OF-WAY
- U&D UTILITY AND DRAINAGE EASEMENT
- CIP(F) CAPPED IRON PIN FOUND
- CIP(S) CAPPED IRON PIN SET STAMPED
- LS 19740
- X OH CONCRETE SET
- IP(F) IRON PIN FOUND
- C&G CURB AND GUTTER
- WM WATER METER
- GV GAS VALVE
- MH MANHOLE
- GI GRATE INLET
- ICV IRRIGATION CONTROL VALVE
- TP TELEPHONE PEDESTAL
- TV TELEVISION PEDESTAL
- PP POWER POLE
- A/C AIR CONDITIONER(S)
- CONC CONCRETE
- 1 -

1"=60'

ALAN NUNNELEE  
1415 KATHY LN.  
DECATUR AL 35803  
0.65 ACRES ±  
DOC# 20070126000058410

ALAN NUNNELEE  
DOC# 20070126000058410

REQ'D SS MH C-7

REQ'D 50 LF 8" SDR 26 SEWER @ 1.00%

ADD 20' SEWER EASMT

CAPSHAW ROAD

REQ'D SS MH C-8

ALAN NUNNELEE  
DOC# 20070126000058410

Proposed Easements affecting the tract recorded in document #20070126000058410  
A 20' sewer easement parallel the North line of the Right-of-Way for Capshaw Road affecting the tract recorded in document # 20070126000058410. Less and except any portion of the proposed easements that would impact or fall in the buildings on said tract.

REV	BY
001	08E
002	08-05-12

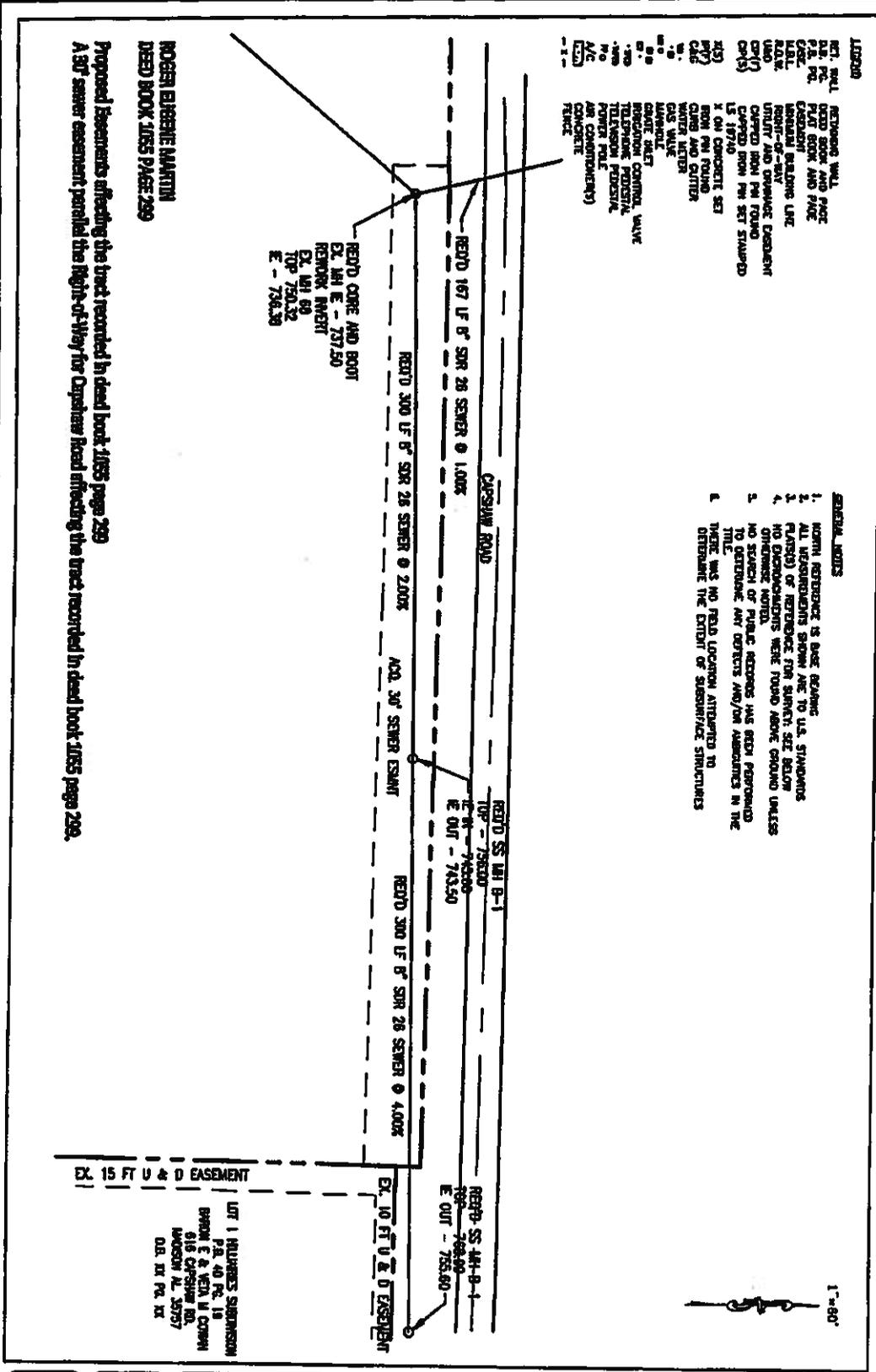
SCALE	1"=60'
DATE	08E
DATE	08E
DATE	08E

**EASEMENT DRAWING**  
DOC. # 20070126000058410  
IN THE OFFICE OF THE JUDGE OF PROBATE,  
SHERMAN COUNTY, ALABAMA  
FORWARDED FROM CITY OF HENNEVILLE, AL.

ALAN NUNNELEE  
DOC# 20070126000058410

**MULLINS, LLC**  
ENGINEERING & PLANNING  
228 HUNTER AVENUE, SUITE 200  
HUNTSVILLE, ALABAMA 35891  
256-437-0621

DATE	08E
DATE	08E
DATE	08E



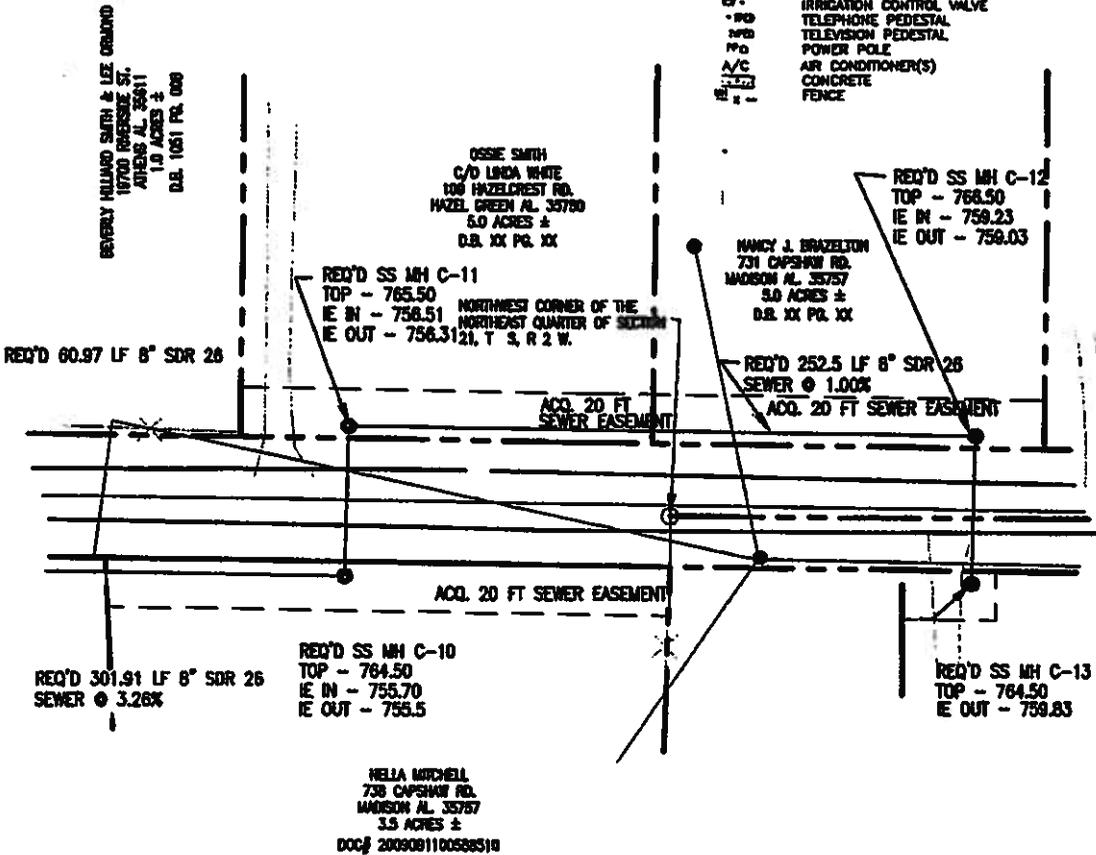
**GENERAL NOTES**

1. NORTH REFERENCE IS BASE BEARING
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS
3. PLATS(S) OF REFERENCE FOR SURVEY: SEE BELOW
4. NO ENCROACHMENTS WERE FOUND ABOVE GROUND UNLESS OTHERWISE NOTED.
5. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE.
6. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES

**LEGEND**

- RET. WALL RETAINING WALL
- D.B. PG. DEED BOOK AND PAGE
- P.B. PG. PLAT BOOK AND PAGE
- EASE EASEMENT
- M.B.L. MINIMUM BUILDING LINE
- R.O.W. RIGHT-OF-WAY
- U&D UTILITY AND DRAINAGE EASEMENT
- CIP(F) CAPPED IRON PIN FOUND
- CIP(S) CAPPED IRON PIN SET STAMPED
- LS 19740
- X(S) X ON CONCRETE SET
- IP(F) IRON PIN FOUND
- C&D CURB AND GUTTER
- W - WATER METER
- G - GAS VALVE
- M MARHOLE
- IB GRATE INLET
- CV IRRIGATION CONTROL VALVE
- TP TELEPHONE PEDESTAL
- TV TELEVISION PEDESTAL
- PO POWER POLE
- A/C AIR CONDITIONER(S)
- CONC CONCRETE
- FENCE

1"=60'



**NANCY J. BRAZELTON**  
5.0 AC TRACT

Proposed Easements affecting the tract of Nancy J. Brazelton  
A 20' sewer easement parallel to the North line of the the Right-of-Way for Capshaw Road. Less and except any portion of the proposed easements that would impact or fall in the buildings on said tract.

REV	0
DATE	05-03-12

DATE	05-03-12
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**EASEMENT DRAWING**  
NANCY J. BRAZELTON  
IN THE OFFICE OF THE JUDGE OF PROBATE,  
MADISON COUNTY, ALABAMA  
TRACTED PER CITY OF HUNTSVILLE, AL.

**NANCY J. BRAZELTON**

**MULLINS, LLC**  
ENGINEERING & SURVEYING  
111 CROWE STREET  
HUNTSVILLE, ALABAMA 35801  
256-407-0521

DATE	05-03-12
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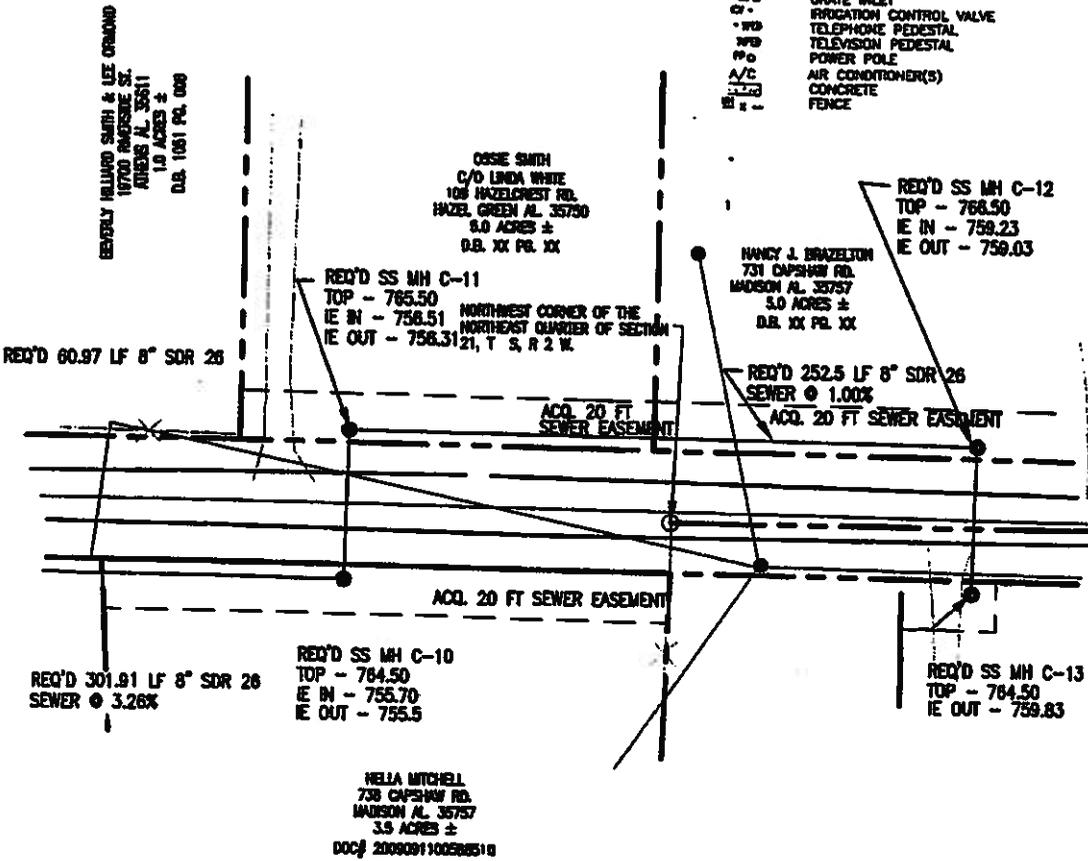
**GENERAL NOTES**

1. NORTH REFERENCE IS BASE BEARING
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS
3. PLATS(S) OF REFERENCE FOR SURVEY: SEE BELOW
4. NO ENCROACHMENTS WERE FOUND ABOVE GROUND UNLESS OTHERWISE NOTED.
5. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE.
6. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES

**LEGEND**

- RET. WALL RETAINING WALL
- D.B. PG. DEED BOOK AND PAGE
- P.B. PG. PLAT BOOK AND PAGE
- EASE. EASEMENT
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- TP TELEVISION PEDESTAL
- PP POWER POLE
- A/C AIR CONDITIONER(S)
- CONC CONCRETE
- FENCE

1"=60'



**HEIRS OF OZZIE SMITH  
5.0 AC TRACT**

Proposed Easements affecting the tract of the heirs of Ozzie Smith  
A 20' sewer easement parallel the North line of the the Right-of-Way for Capshaw Road. Less and except any portion of the proposed easements that would impact or fall in the buildings on said tract.

REV	0	SCALE	1"=40'	<b>EASEMENT DRAWING</b> HEIRS OF OZZIE SMITH © THE OFFICE OF THE SHERIFF OF PROBATE, MADISON COUNTY, ALABAMA PREPARED FOR THE CITY OF HUNTSVILLE, AL.	HEIRS OF OZZIE SMITH	<b>MULLINS, LLC</b> ENGINEERING & SURVEYING 111 CRENSHAW STREET HUNTSVILLE, ALABAMA 35891 256-457-4881
DATE	0-25-12	DATE	08-20-12			
BY		DATE				
APP		DATE				