

(Cedar Avenue)

RESOLUTION NO. 14-_____

WHEREAS, The City of Huntsville, hereinafter referred to as Owner, is the owner of all the land abutting right-of-way within the City of Huntsville, Alabama, which are described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

WHEREAS it is the intent and desire of the City of Huntsville that the right-of-way above described be abandoned by the City of Huntsville; and that all right, title and interest which the public may have in and to said property be retained by the City of Huntsville; and

WHEREAS, the City Council does find that the retention of said rights-of-way will not benefit the City of Huntsville, Alabama; and

WHEREAS, the owner desires that the above described right-of-way be vacated, with all right, title, and interest to the property being retained by the City of Huntsville, Alabama.

NOW, THEREFORE, BE IT RESOLVED, that the City of Huntsville, Alabama, does hereby declare the above described right-of-way to be vacated, subject to retention of a utility and drainage easement in favor of the City of Huntsville over the entire portion of right-of-way sought to be vacated, with the City of Huntsville, Alabama, retaining the entire right, title and interest in and to said property.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized, requested and directed to record this instrument in the Probate Office of Madison County, Alabama.

ADOPTED this the 23rd day of January, 2014.

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

APPROVED this the 23rd day of January, 2014.

Mayor the City of Huntsville,
Alabama

CITY OF HUNTSVILLE RIGHT-OF-WAY VACATION
CEDAR AVENUE
3320 & 3400 CLOPTON STREET
HUNTSVILLE PARK
HUNTSVILLE, ALABAMA

A PORTION OF CITY OF HUNTSVILLE RIGHT-OF-WAY BEING PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 25, HUNTSVILLE PARK, A PLAT OF SAME BEING RECORDED IN PLAT BOOK 1, PAGE 216 IN THE OFFICE OF THE JUDGE OF PROBATE, HUNTSVILLE, MADISON COUNTY, ALABAMA. SAID BEGINNING POINT ALSO BEING ON THE EASTERN MARGIN OF A 15 FOOT WIDE ALLEY ON THE NORTHERN RIGHT-OF-WAY MARGIN OF CEDAR AVENUE;

THENCE FROM THE POINT OF BEGINNING DUE EAST (ASSUMED BEARING WITH NO RECORD BEARINGS) AND LEAVING THE SAID EASTERN RIGHT-OF-WAY MARGIN OF THE 15 FOOT WIDE ALLEY AND THE SAID SOUTHWEST CORNER OF LOT 1, BLOCK 25, SAID PROBATE RECORDS AND ALONG THE SAID NORTHERN RIGHT-OF-WAY MARGIN OF CEDAR AVENUE AND THE SOUTHERN BOUNDARY OF SAID LOT 1, A DISTANCE OF 97.3 FEET (RECORD) TO THE SOUTHEAST CORNER OF SAID LOT 1 ON THE WESTERN RIGHT-OF-WAY MARGIN OF CLOPTON STREET;

THENCE DUE SOUTH (ASSUMED BEARING) AND LEAVING THE SAID SOUTHEAST CORNER OF LOT 1, BLOCK 25, HUNTSVILLE PARK, SAID PROBATE RECORDS AND THE SAID NORTHERN RIGHT-OF-WAY MARGIN OF CEDAR AVENUE AND THE SAID SOUTHERN BOUNDARY OF LOT 1, ALONG THE SAID WESTERN RIGHT-OF-WAY MARGIN OF CLOPTON STREET, A DISTANCE OF 40 FEET TO THE NORTHEAST CORNER OF LOT 2, BLOCK 24, SAID HUNTSVILLE PARK ON THE SOUTHERN RIGHT-OF-WAY MARGIN OF CEDAR AVENUE;

THENCE DUE WEST (ASSUMED BEARING) AND LEAVING THE SAID NORTHEAST CORNER OF LOT 2, BLOCK 24, HUNTSVILLE PARK, SAID PROBATE RECORDS AND THE SAID WESTERN RIGHT-OF-WAY MARGIN OF CLOPTON STREET ALONG THE SAID SOUTHERN RIGHT-OF-WAY MARGIN OF CEDAR AVENUE AND THE NORTHERN BOUNDARY OF SAID LOT 2, A DISTANCE OF 97.3 FEET (RECORD) TO THE NORTHWEST CORNER OF SAID LOT 2 ON THE EASTERN MARGIN OF A 15 FOOT WIDE ALLEY;

THENCE DUE NORTH (ASSUMED BEARING) AND LEAVING THE SAID NORTHWEST CORNER OF LOT 2, BLOCK 24, HUNTSVILLE PARK, SAID PROBATE RECORDS AND THE SAID SOUTHERN RIGHT-OF-WAY MARGIN OF CEDAR AVENUE AND THE SAID NORTHERN BOUNDARY OF SAID LOT 2 ALONG THE SAID EASTERN MARGIN OF THE 15 FOOT WIDE ALLEY, A DISTANCE OF 40 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED RIGHT-OF-WAY AT THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 25, HUNTSVILLE PARK, SAID PROBATE RECORDS;

THE ABOVE DESCRIBED RIGHT-OF-WAY CONTAINS 3892 SQUARE FEET OR 0.089 ACRE, MORE OR LESS.

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