

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

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, ALABAMA:**

**WHEREAS**, Lendon, LLC, is the owner of all the land abutting a right-of-way lying within the City of Huntsville, Alabama, which right-of-way is described as follows, to-wit:

***SEE ATTACHED EXHIBIT "A"***

**WHEREAS**, the owner has executed a declaration (see attached Exhibit "B") of his intent and desire that the right-of-way above described be abandoned by the City of Huntsville; and it desires to divest any and all right, title and interest which the public may have in and to said right-of-way so described, acquired by virtue of the dedication of said right-of-way to the City of Huntsville, Alabama, and is no longer needed for a public or municipal purpose; and

**WHEREAS**, the City Council of the City of Huntsville, Alabama, has been advised and does find that convenient and adequate means of ingress and egress are available to all owners of surrounding property, such being afforded by virtue of other streets, easements, avenues, and alleys, and the said right-of-way is not being used and has been abandoned as a right-of-way, and having represented to the City Council of the City of Huntsville, Alabama, that the owners of the real property located on all sides have no objections to said abandonment;

**NOW, THEREFORE, BE IT RESOLVED**, by the City of Huntsville, Alabama, that the City does hereby declare the above-described right-of-way to be abandoned, divesting the entire right, title and interest of the City of Huntsville, Alabama, in and to said right-of-way.

**ADOPTED**, this the 13th day of March, 2014.

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

**APPROVED**, this the 13th day of March, 2014.

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

**RIGHT-OF-WAY TRACT NO. 1**

ALL THAT PART OF THE WEST HALF OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 1 EAST, CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH CAPPED IRON PIN (STAMPED JONES) MARKING THE SOUTHEAST CORNER OF LOT 1 OF "JONES FARM SOUTHWEST" SUBDIVISION AS RECORDED IN PLAT BOOK 35, PAGE 49, IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA; THENCE NORTH 75 DEGREES 29 MINUTES 12 SECONDS WEST, 20.04 FEET TO A POINT; THENCE NORTH 18 DEGREES 10 MINUTES 21 SECONDS EAST, 125.06 FEET TO A POINT; THENCE SOUTH 71 DEGREES 49 MINUTES 39 SECONDS EAST, 20.00 FEET TO A POINT; THENCE SOUTH 18 DEGREES 10 MINUTES 21 SECONDS WEST, 123.78 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.057 ACRES (2488 SQUARE FEET) MORE OR LESS.

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STATE OF ALABAMA

COUNTY OF MADISON

**DECLARATION OF VACATION OF RIGHT-OF-WAY**

KNOW ALL MEN BY THESE PRESENTS: That the undersigned Lendon, LLC, desiring to vacate that certain rights-of-way hereinafter described, say as follows:

- 1. That Lendon, LLC, are the owners of all the land abutting the hereinafter described right-of-way; and
- 2. WHEREAS, convenient and reasonable means of ingress and egress are available to the owners of the surrounding property; and
- 3. WHEREAS, the said rights-of-way, hereinafter described, is situated within the corporate limits of the City of Huntsville, Alabama, and was heretofore dedicated to said City; and
- 4. WHEREAS, the undersigned, by this instrument, declare their intent to vacate the said rights-of-way, hereinafter described; and
- 5. WHEREAS, it is necessary for the City of Huntsville, Alabama to retain an easement for utilities and drainage over the real estate described below.

NOW, THEREFORE, the undersigned, as the owner of all property abutting the said rights-of-way hereinafter described, do hereby petition and urge that the City Council of the City of Huntsville, Alabama, adopt a resolution hereby declaring said rights-of-way vacated and assenting to the vacation of the following described rights-of-way, being described, as follows:

**SEE EXHIBIT A**

The above-described property shall remain subject to an easement for utilities and drainage in favor of the City of Huntsville, Alabama.

IN WITNESS WHEREOF, the undersigned owners of all property abutting said right-of-way hereinabove described, have caused this instrument to be executed, on this 4<sup>th</sup> day of MARCH, 2014.

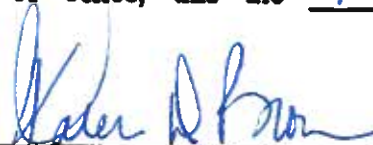
LENDON, LLC

By: [Signature]  
Its: MANAGER

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that JOHN D. BLUE, as MANAGER of Lendon, LLC, whose name is signed to the foregoing instrument for Lendon, LLC, as such officer and with full authority, and who is known to me, acknowledged before me on this day that being informed of the contents of this instrument, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office, this the 4th day of MARCH, 2014.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:  
3/16/15

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METES AND BOUNDS DESCRIPTION FOR RIGHT-OF-WAY VACATION

STATE OF ALABAMA  
MADISON COUNTY

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I, KENNETH JOSEPH MILLS, A REGISTERED PROFESSIONAL LAND SURVEYOR WITH THE FIRM OF 4SITE, INC. HEREBY CERTIFY THAT TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF THAT THE SURVEY SHOWN HEREON HAS BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA.

ACCORDING TO THIS SURVEY, UNDER MY SUPERVISION, THIS THE 22<sup>nd</sup> DAY OF NOVEMBER, 2013.

Kenneth Mills  
KENNETH JOSEPH MILLS PLS #30352



R.O.W. VACATION SURVEY  
EXHIBIT "A"

JOB NO.: 13-140	DRAWN BY: WHG	REVISIONS:
AS NOTED	FIELD DATE: 1-16-12	
SHT. NO. <b>1</b> OF <b>2</b>	OFFICE DATE: 11-22-13	
	CHECKED BY: K. MILLS	
	DWG. NO.: London ROW vacation.dwg	

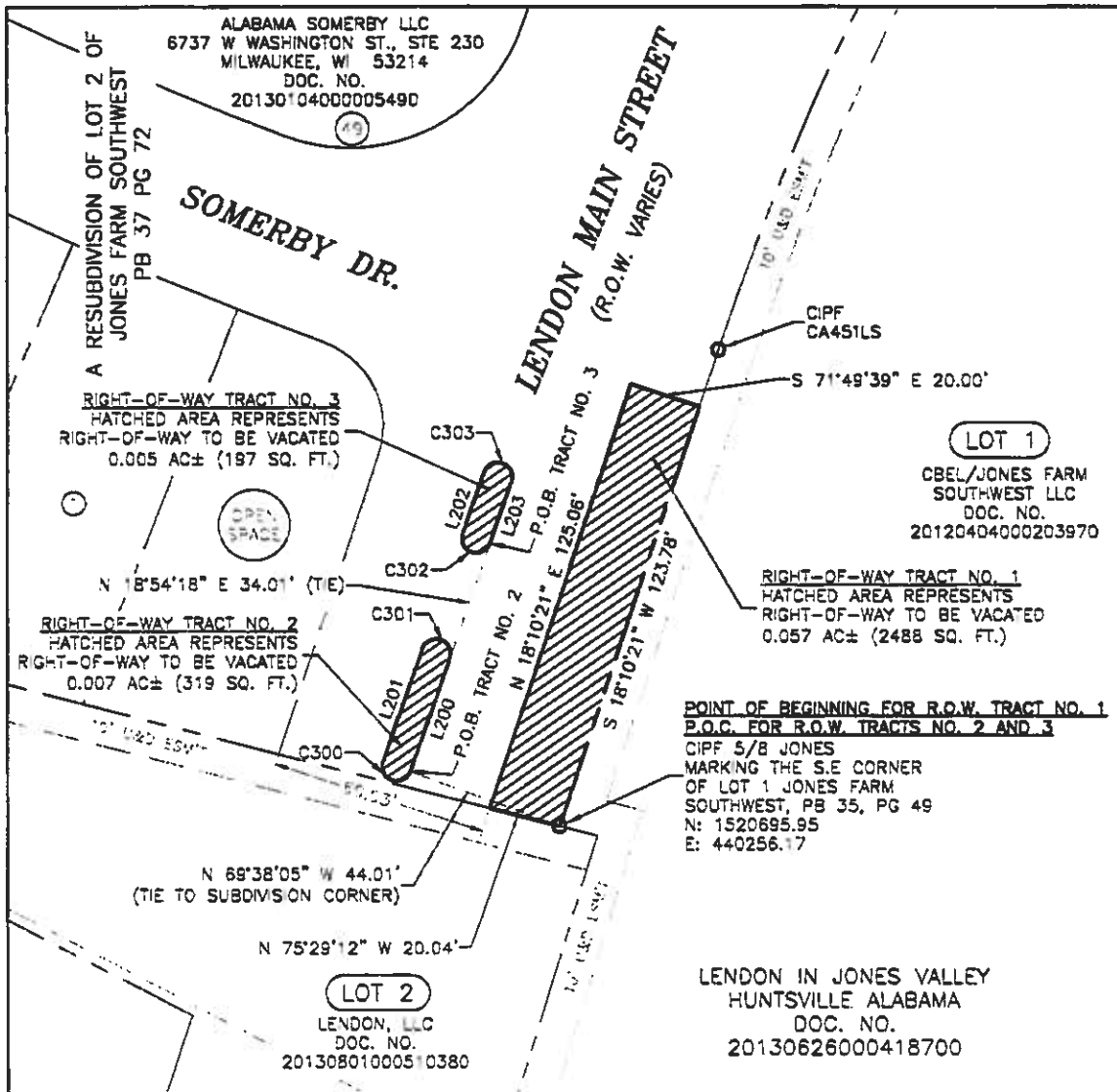


**4SITE INCORPORATED**

7500 S. Memorial Pky., Ste. 209 • Huntsville, AL 35802  
phone 256.539.1221 • fax 256.539.1220

land planning  
civil engineering  
land surveying  
landscape architecture





**LINE TABLE**

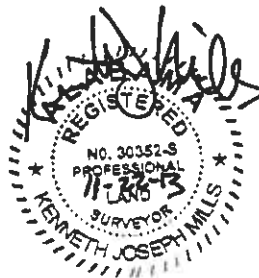
NUMBER	LENGTH	DIRECTION
L200	33.56'	S 18°54'18" W
L201	33.56'	N 18°54'18" E
L202	18.37'	S 18°54'18" W
L203	18.37'	S 18°54'18" W

**CURVE TABLE**

NUMBER	LENGTH	RADIUS	DELTA	CHORD	CHORD DIRECTION
C300	12.57'	4.00'	180°00'00"	8.00'	N 71°05'42" W
C301	12.57'	4.00'	180°00'00"	8.00'	S 71°05'42" E
C302	12.57'	4.00'	180°00'00"	8.00'	N 71°05'42" W
C303	12.57'	4.00'	180°00'00"	8.00'	S 71°05'42" E

**GENERAL NOTES:**

1. NORTH ARROW AS SHOWN HEREON IS BASED ON ALABAMA STATE PLANE EAST ZONE COORDINATES, NAD '83.
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED SURVEYOR EXCEPT AS SHOWN.
4. REFERENCE CITY OF HUNTSVILLE ORDINANCE NO. 12-890, DATED OCTOBER 25, 2012, FOR STREET NAME CHANGE FROM JONES FARM ROAD RENAMED TO LONDON MAIN STREET.



**ABBREVIATIONS**

CIPF	CAPPED IRON PIN FOUND
ESMT	EASEMENT
EX	EXISTING
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
R.O.W.	RIGHT-OF-WAY
U & D	UTILITY & DRAINAGE

--- PROPERTY LINE



**R.O.W. VACATION SURVEY  
EXHIBIT "B"**

JOB NO.: 13-140	DRAWN BY: WHC	REVISIONS:
SCALE: 1" = 40'	FIELD DATE: 1-16-12	_____
SHT. NO.	OFFICE DATE: 11-22-13	_____
<b>2</b> OF <b>2</b>	CHECKED BY: K. MILLS	_____
	DWG. NO.:	_____
	Lendon ROW vacation.dwg	_____



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