

ORDINANCE NO. 14-_____

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 Marina Park, Inc., is the owner 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**

THIS INDENTURE MADE AND ENTERED into on this the 12 day of June, 2014, by and between the CITY OF HUNTSVILLE, a municipal corporation within the State of Alabama, hereinafter referred to as "Grantor", and Marina Park, Inc., An Alabama Corporation, hereinafter referred to as "Grantees".

WITNESSETH

THAT FOR AND IN CONSIDERATION of the sum of Ten and No/100 (\$10.00) Dollars, cash to it in hand paid, the receipt of which is hereby acknowledged, the Grantor does hereby remise, release, quitclaim and convey unto the said Grantees, all of its rights, title, interest, claim and demand which it may have in and to the following described property in the City of Huntsville, County of Madison, State of Alabama, to-wit:

ALL THAT PART OF LOT 11 AND LOT 12 OF MARINA PARK SUBDIVISION AS RECORDED IN PLAT BOOK 47 PAGE 20 MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 12.

THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 01 DEGREES 19 MINUTES 19 SECONDS EAST, A DISTANCE OF 10 FEET TO THE POINT OF BEGINNING. SAID POINT IS FURTHER DESCRIBED AS BEING LOCATED AT THE INTERSECTION OF THE PROPERTY LINE BETWEEN SAID LOT 11 AND LOT 12 AND AN EXISTING 10 UTILITY AND DRAINAGE EASEMENT ALONG STREET RIGHT-OF-WAY.

THENCE FROM SAID POINT OF BEGINNING SOUTH 88 DEGREES 40 MINUTES 41 SECONDS WEST, A DISTANCE OF 5 FEET TO A POINT;

THENCE SOUTH 01 DEGREES 19 MINUTES 19 SECONDS EAST, A DISTANCE OF 396.19 FEET TO A POINT;

THENCE NORTH 88 DEGREES 40 MINUTES 41 SECONDS EAST, A DISTANCE OF 10 FEET TO A POINT;

THENCE NORTH 01 DEGREES 19 MINUTES 19 SECONDS WEST, A DISTANCE OF 396.19 FEET TO A POINT;

THENCE SOUTH 88 DEGREES 40 MINUTES 41 SECONDS WEST, A DISTANCE OF 5 FEET TO THE POINT OF BEGINNING AND CONTAINING 3961 SQUARE FEET MORE OR LESS.

No Title Opinion Requested Nor Rendered.

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

IN WITNESS WHEREOF, Tommy Battle, as Mayor of the City of Huntsville, a municipal corporation, in accordance with his duly constituted authority as Mayor, on the day and year first above written.

CITY OF HUNTSVILLE

BY: Tommy Battle, Mayor

ATTEST:

Charles E. Hagood
Clerk-Treasurer

STATE OF ALABAMA
COUNTY OF MADISON

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Tommy Battle, as Mayor of the City of Huntsville, a municipal corporation within the State of Alabama, whose name is signed to the foregoing conveyance, who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 12 day of June, 2014.

Notary Public

My Commission Expires: _____

THIS INSTRUMENT PREPARED BY:

*Russ Munger, Attorney at Law
904 Merchants Walk
Huntsville, Alabama 35801
(256) 533-5252*

VACATION OF EASEMENT BETWEEN LOT 11 AND 12 MARINA PARK SUBDIVISION

ALL THAT PART OF LOT 11 AND LOT 12 OF MARINA PARK SUBDIVISION AS RECORDED IN PLAT BOOK 47 PAGE 20 MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 12 .

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Ordinance No. 14-_____ (Cont.)
Marina Park, Inc.

ADOPTED this the 12th day of June, 2014.

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

APPROVED this the 12th day of June, 2014.

Mayor of the City of
Huntsville, Alabama