

AGENDA ITEM 16

**Legal Department
July 10, 2014**

Routine Items from the City Attorney's Office

Vacation of Easements
Vacation of Rights-of-Way
Deeds for Acceptance
Routine Bond Satisfactions
Liquor Bond Mortgages:

VACATION OF EASEMENTS:

1. Ordinance authorizing the vacation of a portion of Utility and Drainage Easements along the rear lot line and south lot line, 2515 Washington Street. (Freedom Property Company)

VACATION OF RIGHTS-OF-WAY:

None.

DEEDS FOR ACCEPTANCE:

None.

<u>1</u>	Vacation of Easements
<u>0</u>	Vacation of Rights-of-Way
<u>0</u>	Deeds for Acceptance
<u>0</u>	Routine Bond Satisfactions
<u>0</u>	Liquor Bond Mortgages

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 5-foot utility and drainage easement; that the applicant has represented to the City of Huntsville that Freedom Property Company, LLC, 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

QUITCLAIM DEED

THIS QUITCLAIM DEED is made and entered into on this the this the ____ day of _____, 2014 by and between the CITY OF HUNTSVILLE, a Municipal Corporation, as Grantor and FREEDOM PROPERTY COMPANY, LLC, an Alabama Limited Liability Company, as Grantee.

WITNESSETH:

NOW, THEREFORE, in consideration of the sum of One Dollar to the Grantor, cash in hand paid by the Grantees, the receipt whereof being upon the delivery of these presents hereby acknowledged, that the Grantor has remised, released, quitclaimed and conveyed and does by these presents remise, release, quitclaim and convey unto the Grantee, all of its right, title, interest, claim and demand in and to the following real estate lying and being in the City of Huntsville, County of Madison, State of Alabama, to-wit:

All that part of Lot 1, Block 3, of the plat of ROSENBLUM SUBDIVISION, plat book 2, page 56, as recorded in the office of the Judge of Probate of Madison County, Alabama, more particularly described as beginning at a point that is North 89 degrees 48 minutes 00 seconds East 24.92 feet and north 01 degree 28 minutes 10 seconds east 1.30 feet from the southwest corner of said Lot 1 and is the true point of beginning.

Thence from the true point of beginning South 89 degrees 48 minutes 00 seconds West 14.15 feet to a point; Thence North 01 degrees 28 minutes 10 seconds East 26.51 feet to point; Thence South 88 degrees 36 minutes 12 seconds East 14.14 feet to a point; Thence South 1 degree 28 minutes 10 seconds West 9.84 feet to a point; Thence South 14 degrees 50 minutes 28 seconds West 7.84 feet to a point; Thence North 89 degrees 48 minutes 00 seconds East 1.81 feet to a point; Thence South 01 degree 28 minutes 10 seconds West 8.70 feet to the point of beginning and containing 365 square feet, more or less

TO HAVE AND TO HOLD the above-described real estate unto the GRANTEE.

It being the express intent of the Grantor and the grantee that this Quitclaim Deed is executed, acknowledged and delivered for the purpose of the Grantor to convey tot the grantee all of the grantor's right, title, interest and claim in and to the above-described and herein conveyed real property, and thus to vacate the twenty foot (20') wide utility and drainage easement running generally north and south along the west boundary of Lot 1, Block 3, according to the map of survey of Rosenblum Subdivision, Huntsville, Alabama, as recoded in Plat Book 2, Page 56, Probate Records of Madison County, Alabama and the ten foot (10') wide utility and drainage easement running generally east and west along the south boundary of Lot 1, Block 3, according to the map of survey of Rosenblum Subdivision, Huntsville, Alabama, as recoded in Plat Book 2, Page 56, Probate Records of Madison County, Alabama.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed by its duly authorized officers on this the ____ day of _____, 2014.

Attest: _____
Charles E. Hagood
As Clerk-Treasurer of
City of Huntsville,
A municipal corporation
within the State of Alabama

CITY OF HUNTSVILLE, ALABAMA
a municipal corporation
within the
State of Alabama

_____(SEAL)
By: Tommy Battle
Its: Mayor

STATE OF ALABAMA

COUNTY OF MADISON

I, the undersigned Notary Public in and for said County in said State, do hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of the City of Huntsville, a municipal corporation, is signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, they, as such officers and with full authority, executed the same voluntarily for and as the act of the City of Madison, Alabama, a municipal corporation.

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

NOTARY PUBLIC
COMMISSION EXPIRES:

THIS INSTRUMENT WAS PREPARED BY:

MICHAEL C. MOORE
912 MERCHANTS WALK
HUNTSVILLE, ALABAMA 35801

Ordinance No. 14-_____ (Cont.)
Freedom Property Company, LLC

ADOPTED this the 10th day of July, 2014.

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

APPROVED this the 10th day of July, 2014.

Mayor of the City of
Huntsville, Alabama