

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 portions of three utility and drainage easements; that the applicant has represented to the City of Huntsville that Attitude, LLC, is the owner of the property across which said easements lie; that said easements, or portions being vacated, are not presently used and are 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 easements hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA     )  
  :  
COUNTY OF MADISON    )

**KNOW ALL MEN BY THESE PRESENTS:** That the undersigned, **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation, hereinafter referred to as "Grantor", in consideration of the sum of **TEN DOLLARS (\$10.00)**, in hand paid to it by **ATTITUDE, LLC**, an Alabama limited liability company, hereinafter referred to as "Grantee", and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim and convey unto the said Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

**Tract 1:**

A 15 foot wide Public Utility and Drainage Easement along the north and east boundaries of Lot 1 of A Resubdivision of Lot 6 of the Resubdivision of lot 5 Thornton Research Park a Resubdivision of Lots 3 & 4 of the Resubdivision of Parcels A, B & C of Norfolk Southern Industrial Park as recorded in Plat Book 41, Page 84 in the Office of the Judge of Probate for Madison County, Alabama, and being more particularly described as follows:

Beginning at the Southeast corner of Lot 1 of A Re subdivision of Lot 6 of the Resubdivision of lot 5 Thornton Research Park a Resubdivision of lots 3 & 4 of the Resubdivision of Parcels A, B & C of Norfolk Southern Industrial Park as recorded in Plat Book 41, Page 84 in the Office of the Judge of Probate, for Madison County, Alabama. and being more said point being the Point of Beginning having established grid coordinates of N=1531339.29, E400976.94 of the Alabama State Plane Coordinate System East Zone:

Thence along the south boundary of said lot 1, South 72 Degrees 16 Minutes 08 Seconds West a distance of 16.09 feet to a point on an existing Public Utility and Drainage Easement; thence along said easement, North 3 Degrees 28 Minutes 51 Seconds East a distance of 645.72 feet to a point; thence continuing along said easement, North 89 Degrees 09 Minutes 44 Seconds West a distance of 445.92 feet to a point; thence North 00 Degrees 50 Minutes 16 Seconds East a distance of 15.00 feet to a point on the North Boundary line of said Lot 1; thence leaving said easement line and along said North Boundary, South 89 Degrees 09 Minutes 44 Seconds East a distance of 461.63 feet to the Northeast corner of said Lot 1; thence leaving said North Boundary and along the East Boundary of said Lot 1, South 03 Degrees 28 Minutes 51 Seconds West a distance of 655.61 feet to the POINT OF BEGINNING.

The above described tract contains 0.38 acres (16567 sq. ft.) more or less.

**Tract 2:**

A 25 foot wide Public Utility and Drainage Easement along the north boundaries of Unit 4 of A Resubdivision of Unit One of Resource Center of Research Park, A Condominium as recorded in Document Number 20111017000552090 in the Office of the Judge of Probate for Madison County, Alabama, and being more particularly described as follows:

Commencing at the Northeast corner of Unit 4 of A Resubdivision of Unit One of Resource Center of Research Park, A Condominium as recorded in Document Number 20111017000552090 in the Office of the Judge of Probate for Madison County, Alabama; thence South 46 Degrees 33 Minutes 21 Seconds West a distance of 24.88 feet; thence South 63 Degrees 28 Minutes 40 Seconds West a distance of 203.20 feet to a point; thence South 52 Degrees 15 Minutes 57 Seconds West a distance of 103.08 feet to a point, said point being the Point of Beginning having established grid coordinates of N=1532219.53, E=401731.12 of the Alabama State Plane Coordinate System East Zone:

Thence leaving said north boundary of Unit 4, South 43 Degrees 51 Minutes 35 Seconds East a distance of 25.14 feet to a point on and existing 25 foot Public Utility and Drainage Easement; thence along said existing easement, South 40 Degrees 00 Minutes 53 Seconds West a distance of 91.27 feet to a point; thence South 30 Degrees 24 Minutes 35 Seconds West a distance of 97.99 feet to a point; thence South 17 Degrees 18 Minutes 01 Seconds West a distance of 63.87 feet to a point; thence South 9 Degrees 57 Minutes 18 Seconds East a distance of 38.66 feet to a point; thence South 37 Degrees 44 Minutes 20 Seconds East a distance of 101.45 feet to a point; thence South 17 Degrees 05 Minutes 05 Seconds East a distance of 59.66 feet to a point; thence South 16 Degrees 21 Minutes 05 Seconds West a distance of 60.38 feet to a point; thence South 44 Degrees 53 Minutes 10 Seconds West a distance of 67.94 feet to a point; thence South 73 Degrees 39 Minutes 16 Seconds West a distance of 58.47 feet to a point; thence South 86 Degrees 04 Minutes 51 Seconds West a distance of 61.07 feet to a point; thence North 71 Degrees 56 Minutes 45 Seconds West a

distance of 66.57 feet to a point; thence North 30 Degrees 15 Minutes 09 Seconds West a distance of 91.55 feet to a point; thence North 4 Degrees 30 Minutes 04 Seconds West a distance of 198.05 feet to a point; thence North 21 Degrees 17 Minutes 06 Seconds West a distance of 54.42 feet to a point; thence North 53 Degrees 08 Minutes 18 Seconds West a distance of 26.36 feet to a point on an existing 20.00 foot wide Sanitary Sewer Easement; thence along said Sanitary Sewer Easement, North 13 Degrees 20 Minutes 54 Seconds West a distance of 36.52 feet to a point on the North Boundary Line of said Unit 4; thence leaving said Sanitary Sewer Easement an along said North Boundary, South 89 Degrees 12 Minutes 29 Seconds East a distance of 2.76 feet to a point; thence South 53 Degrees 08 Minutes 18 Seconds East a distance of 59.33 feet to a point; thence South 21 Degrees 17 Minutes 06 Seconds East a distance of 65.24 feet to a point; thence South 4 Degrees 30 Minutes 04 Seconds East a distance of 196.02 feet to a point; thence South 30 Degrees 15 Minutes 09 Seconds East a distance of 76.32 feet to a point; thence South 71 Degrees 56 Minutes 45 Seconds East a distance of 52.20 feet to a point; thence North 86 Degrees 04 Minutes 51 Seconds East a distance of 53.49 feet to a point; thence North 73 Degrees 39 Minutes 16 Seconds East a distance of 49.34 feet to a point; thence North 44 Degrees 53 Minutes 10 Seconds East a distance of 55.17 feet to a point; thence North 16 Degrees 21 Minutes 05 Seconds East a distance of 46.51 feet to a point; thence North 17 Degrees 05 Minutes 05 Seconds West a distance of 47.60 feet to a point; thence North 37 Degrees 44 Minutes 20 Seconds West a distance of 103.08 feet to a point; thence North 9 Degrees 57 Minutes 18 Seconds West a distance of 50.90 feet to a point; thence North 17 Degrees 18 Minutes 01 Seconds East a distance of 72.80 feet to a point; thence North 30 Degrees 24 Minutes 35 Seconds East a distance of 102.96 feet to a point; thence North 40 Degrees 00 Minutes 53 Seconds East a distance of 96.05 feet to the POINT OF BEGINNING.

The above described tract contains 0.65 acres (28357 sq. ft.) more or less.

**Tract 3:**

A existing Public Utility and Drainage Easement being a portion of Unit 4 of A Resubdivision of Unit One of Resource Center of Research Park, A Condominium as Recorded in Document Number 20111017000552090 in the Office of the Judge of Probate for Madison County, Alabama, and being more particularly described as follows:

Commencing at the Northeast corner of Unit 4 of A Resubdivision of Unit One of Resource Center of Research Park, A Condominium as Recorded in Document Number 20111017000552090 in the Office of the Judge of Probate for Madison County, Alabama; thence along the east boundary of said Unit 4, South 50 Degrees 12 Minutes 33 Seconds East a distance of 288.22 feet to the Point of Beginning having established grid coordinates of N=1532205.87, E=402234.05 of the Alabama State Plane Coordinate System East Zone:

Thence continue along said east boundary, South 50 Degrees 12 Minutes 33 Seconds East a distance of 1.22 feet to a point; thence leaving said east boundary, South 41 Degrees 15 Minutes 29 Seconds East a distance of 8.33 feet to a point; thence South 48 Degrees 57 Minutes 18 Seconds West a distance of 214.01 feet to a point on a curve to the left having a radius of 232.00 feet; thence along an arc 169.58 feet, a chord of which is South 28 Degrees 00 Minutes 58 Seconds West for a distance of 165.83 feet to a point; thence South 7 Degrees 04 Minutes 32 Seconds West a distance of 3.55 feet to a point on an Existing Public Utility and Drainage Easement; thence continue along said for the following course, South 49 Degrees 03 Minutes 32 Seconds West a distance of 52.27 feet to a point; thence South 48 Degrees 16 Minutes 26 Seconds West a distance of 54.09 feet to a point; thence South 47 Degrees 29 Minutes 21 Seconds West a distance of 201.08 feet to a point; thence North 42 Degrees 30 Minutes 39 Seconds West a distance of 65.68 feet to a point; thence North 47 Degrees 11 Minutes 53 Seconds East a distance of 294.18 feet to a point; thence North 49 Degrees 06 Minutes 13 Seconds East a distance of 216.94 feet to a point; thence North 48 Degrees 01 Minutes 44 Seconds East a distance of 169.40 feet to the POINT OF BEGINNING.

The above described tract contains 0.61 acres (26436 sq. ft.) more or less.

**TO HAVE AND TO HOLD** unto the said Grantee, its successors and assigns forever.

**IN WITNESS WHEREOF**, the Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, on this the \_\_\_\_ day of \_\_\_\_\_, 2014.

**ATTEST:**

**CITY OF HUNTSVILLE, ALABAMA,**  
a municipal corporation

By: \_\_\_\_\_  
Charles E. Hagood, Clerk-Treasurer

By: \_\_\_\_\_  
Tommy Battle, Mayor

STATE OF ALABAMA     )  
                                  :  
COUNTY OF MADISON    )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **TOMMY BATTLE** and **CHARLES E. HAGOOD**, whose names as Mayor and Clerk-Treasurer, respectively, of the **CITY OF HUNTSVILLE, ALABAMA**, a municipal corporation are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the \_\_\_\_\_ day of July, 2014.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

This instrument was prepared by:  
JAMES G. HARRISON  
HARRISON, GAMMONS & RAWLINSON, P.C.  
2430 L&N Drive  
Huntsville, AL 35801  
1-256-533-7711

Ordinance No. 14-\_\_\_\_\_ (Cont.)  
Attitude, LLC

ADOPTED this the 24th day of July, 2014.

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

APPROVED this the 24th day of July, 2014.

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