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 utility and drainage easements; that the applicant has represented to the City of Huntsville that **Heritage Plantation, 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

Send Tax Notice To:
Heritage Plantation, LLC
8624 South Memorial Parkway
Huntsville, Alabama 35802

KNOW ALL MEN BY THESE PRESENTS, that THE CITY OF HUNTSVILLE, a municipal corporation, hereinafter referred to as Grantor, for and in consideration of the sum of Ten Dollars ($10.00) in hand paid by HERITAGE PLANTATION, LLC, an Alabama limited liability company, hereinafter referred to as Grantee, the receipt whereof is hereby acknowledged, and other good and valuable consideration, does hereby remise, release, quitclaim and convey unto the said Grantee all of its right, title, interest, and claim in and to the following described real estate situated in the County of Madison, State of Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN.

TO HAVE AND TO HOLD the same unto the said Grantee and to its successors and assigns forever.

IN WITNESS WHEREOF, the City of Huntsville, Alabama has caused this instrument to be duly executed by its Mayor and Clerk-Treasurer, pursuant to Resolution No: _____, as of this the 11th day of September, 2014.

THE CITY OF HUNTSVILLE, a municipal corporation

By:_____
Tommy Battle, Mayor

ATTEST:

_____
Charles E. Hagood, City Clerk/Treasurer

STATE OF ALABAMA
COUNTY OF MADISON

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

GIVEN under my hand and official seal this the 11th day of September, 2014.

_____
Notary Public
My Commission Expires:_____

THE PREPARER OF THIS DOCUMENT HAS NOT BEEN REQUESTED TO RENDER AN OPINION, AND NO OPINION IS HEREBY RENDERED, WITH RESPECT TO THE STATE OF TITLE TO THE FOREGOING REAL PROPERTY OR THE ACCURACY OF THE LEGAL DESCRIPTION THEREOF.

Pursuant to and in accordance with Section 40-22-1 of the Code of Alabama (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Address:	Post Office Box 308, Huntsville, Alabama 35801
Grantee's Address:	8624 South Memorial Parkway, Huntsville, Alabama 35802
Property Address:	Tract B and Common Area F of MidTowne of the Park Phase 2
Appraised Value:	$0

This Instrument Prepared By:
Samuel H. Givhan
Wilmer & Lee, P.A.
100 Washington Street
Huntsville, Alabama 35801

P:\TERESA\DEEDS.NEW\QUITCLA\City-of-Huntsville-to-HP LLC.wpd

EXHIBIT "A"

STATE OF ALABAMA
COUNTY OF MADISON

ALL THAT PART OF TRACT B AND COMMON AREA F OF MIDTOWNE ON THE PARK PHASE 2 AS SHOWN BY THE MAP OR PLAT OF SAID SUBDIVISION RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA IN DOCUMENT NUMBER 20080828000559830 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 2 WEST, THENCE NORTH 88 DEGREES 49 MINUTES 38 SECONDS WEST, 521.04 FEET TO A POINT; THENCE NORTH 88 DEGREES 29 MINUTES 07 SECONDS WEST, 925.23 FEET TO A POINT; THENCE NORTH 88 DEGREES 35 MINUTES 22 SECONDS WEST, 50.01 FEET TO A POINT; THENCE SOUTH 89 DEGREES 29 MINUTES 09 SECONDS WEST, 1017.31 FEET TO A POINT; THENCE SOUTH 02 DEGREES 45 MINUTES 26 SECONDS WEST, 125.06 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE FROM THE POINT OF BEGINNING NORTH 89 DEGREES 56 MINUTES 13 SECONDS EAST, 295.16 FEET TO A POINT;
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 47.12 FEET TO A POINT;
THENCE SOUTH 41 DEGREES 32 MINUTES 52 SECONDS WEST, 55.71 FEET TO A POINT;
THENCE SOUTH 49 DEGREES 34 MINUTES 37 SECONDS EAST, 6.50 FEET TO A POINT;
THENCE SOUTH 23 DEGREES 45 MINUTES 03 SECONDS EAST, 252.07 FEET TO A POINT;
THENCE SOUTH 49 DEGREES 55 MINUTES 17 SECONDS EAST, 163.48 FEET TO A POINT;
THENCE SOUTH 45 DEGREES 11 MINUTES 39 SECONDS EAST, 30.11 FEET TO A POINT;
THENCE SOUTH 45 DEGREES 29 MINUTES 26 SECONDS EAST, 56.36 FEET TO A POINT;
THENCE SOUTH 50 DEGREES 12 MINUTES 13 SECONDS EAST, 28.86 FEET TO A POINT;
THENCE SOUTH 89 DEGREES 48 MINUTES 50 SECONDS EAST, 35.26 FEET TO A POINT;
THENCE NORTH 43 DEGREES 33 MINUTES 39 SECONDS EAST, 199.08 FEET TO A POINT;
THENCE NORTH 65 DEGREES 50 MINUTES 32 SECONDS EAST, 175.05 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 255.00 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 81 DEGREES 41 MINUTES 19 SECONDS EAST, 273.79 FEET TO A POINT;
THENCE SOUTH 49 DEGREES 13 MINUTES 11 SECONDS EAST, 592.78 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 140.00 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 69 DEGREES 43 MINUTES 18 SECONDS EAST, 98.07 FEET TO A POINT;
THENCE NORTH 89 DEGREES 46 MINUTES 35 SECONDS EAST, 155.48 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 140.00 FEET, A CHORD BEARING AND DISTANCE OF NORTH 83 DEGREES 23 MINUTES 38 SECONDS EAST, 31.13 FEET TO A POINT;
THENCE NORTH 77 DEGREES 00 MINUTES 42 SECONDS EAST, 152.58 FEET TO A POINT;
THENCE NORTH 72 DEGREES 20 MINUTES 49 SECONDS EAST, 205.57 FEET TO A POINT;
THENCE SOUTH 00 DEGREES 56 MINUTES 04 SECONDS WEST, 45.94 FEET TO A POINT;
THENCE SOUTH 89 DEGREES 03 MINUTES 56 SECONDS EAST, 50.40 FEET TO A POINT;
THENCE SOUTH 77 DEGREES 00 MINUTES 42 SECONDS WEST, 395.34 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 180.00 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 83 DEGREES 23 MINUTES 38 SECONDS WEST, 40.02 FEET TO A POINT;
THENCE SOUTH 89 DEGREES 46 MINUTES 35 SECONDS WEST, 155.48 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 180.00 FEET, A CHORD BEARING AND DISTANCE OF NORTH 69 DEGREES 43 MINUTES 18 SECONDS WEST, 126.09 FEET TO A POINT;
THENCE NORTH 49 DEGREES 13 MINUTES 11 SECONDS WEST, 592.78 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 215.00 FEET, A CHORD BEARING AND DISTANCE OF NORTH 81 DEGREES 41 MINUTES 19 SECONDS WEST, 230.84 FEET TO A POINT;
THENCE SOUTH 65 DEGREES 50 MINUTES 32 SECONDS WEST, 175.05 FEET TO A POINT;
THENCE SOUTH 37 DEGREES 29 MINUTES 49 SECONDS WEST, 54.19 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 115.00 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 42 DEGREES 38 MINUTES 39 SECONDS WEST, 20.63 FEET TO A POINT;
THENCE SOUTH 47 DEGREES 44 MINUTES 46 SECONDS WEST, 141.15 FEET TO A POINT;
THENCE SOUTH 38 DEGREES 46 MINUTES 34 SECONDS EAST, 11.41 FEET TO A POINT;
THENCE SOUTH 40 DEGREES 51 MINUTES 49 SECONDS WEST, 174.37 FEET TO A POINT;
THENCE NORTH 50 DEGREES 29 MINUTES 25 SECONDS WEST, 131.23 FEET TO A POINT;
THENCE NORTH 40 DEGREES 53 MINUTES 17 SECONDS WEST, 27.48 FEET TO A POINT;
THENCE SOUTH 55 DEGREES 13 MINUTES 30 SECONDS WEST, 21.91 FEET TO A POINT;
THENCE NORTH 34 DEGREES 54 MINUTES 38 SECONDS WEST, 40.00 FEET TO A POINT;
THENCE NORTH 55 DEGREES 13 MINUTES 30 SECONDS EAST, 17.73 FEET TO A POINT;
THENCE NORTH 40 DEGREES 53 MINUTES 17 SECONDS WEST, 12.15 FEET TO A POINT;
THENCE NORTH 35 DEGREES 39 MINUTES 51 SECONDS WEST, 219.02 FEET TO A POINT;

THENCE NORTH 20 DEGREES 30 MINUTES 34 SECONDS WEST, 161.27 FEET TO A POINT;
THENCE NORTH 57 DEGREES 12 MINUTES 27 SECONDS WEST, 97.11 FEET TO A POINT;
THENCE NORTH 15 DEGREES 42 MINUTES 08 SEOCNDS WEST, 34.56 FEET TO A POINT;
THENCE NORTH 25 DEGREES 30 MINUTES 57 SECONDS EAST, 80.78 FEET TO A POINT;
THENCE NORTH 59 DEGREES 37 MINUTES 03 SECONDS EAST, 29.61 FEET TO A POINT;
THENCE SOUTH 76 DEGREES 10 MINUTES 03 SECONDS EAST, 107.90 FEET TO A POINT;
THENCE SOUTH 49 DEGREES 34 MINUTES 37 SECONDS EAST, 13.48 FEET TO A POINT;
THENCE NORTH 41 DEGREES 32 MINUTES 52 SECONDS EAST, 52.11 FEET TO A POINT;
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 33.32 FEET TO A POINT;
THENCE SOUTH 89 DEGREES 56 MINUTES 13 SECONDS WEST, 285.64 FEET TO A POINT;
THENCE NORTH 02 DEGREES 45 MINUTES 26 SECONDS EAST, 10.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 199,787 SQUARE FEET (4.586 AC.), MORE OR LESS.

Ordinance No. 14-_____ (Cont.)
Heritage Plantation, LLC

ADOPTED this the 11th day of September, 2014.

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

APPROVED this the 11th day of September, 2014.

_____
Mayor of the City of
Huntsville, Alabama