

**RESOLUTION NO. 13-\_\_\_\_\_**

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

**WHEREAS**, Traditional Land Company, LLC, hereinafter referred to as Owner, is the Owner of the land abutting a right-of-way lying within the City of Huntsville, Alabama, which said right-of-way is described as follows, to-wit:

**SEE ATTACHED EXHIBIT A**

**WHEREAS**, the abovesaid Owner has executed a declaration of their intent and desire that right-of-way above described be abandoned by the City of Huntsville; and desires to divest any and all right, title and interest which the public may have in and to said portion of the right-of-way so described, acquired by virtue of the dedication of said right-of-way to the City of Huntsville, Alabama;

**WHEREAS**, the Owner has represented to the City Council of the City of Huntsville, Alabama, and the City Council, based upon such representation does find:

1. That the retention of said right-of-way will not benefit the City of Huntsville, Alabama; and
2. That convenient and adequate means of ingress and egress is available to all owners of surrounding property, such being afforded by virtue of other streets, easements, avenues and alleys; and
3. That the abutting property owners represent that no owner of property served by the right-of-way being vacated (or of property within the subdivision where the right-of-way lies) objects to the vacation of the alley.

**WHEREAS**, the owner desires that the above described property be converted to an easement for utilities and drainage in favor of the City of Huntsville, Alabama.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Huntsville, Alabama, does hereby declare the above described right-of-way to be abandoned and does further declare right-of-way to be converted to an easement for utilities and drainage.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Huntsville, Alabama, 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 alleyway.

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

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE NORTH 1/2 OF SECTION 25 AND SOUTH 1/2 OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 2 WEST, HUNTSVILLE MERIDIAN, CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" REBAR FOUND AT THE MIDPOINT OF THE SOUTH BOUNDARY LINE OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 2 WEST; THENCE, EASTERLY ALONG THE COMMON SECTION LINE OF SECTION 24 AND SECTION 25 ON A BEARING OF SOUTH 89 DEGREES 15 MINUTES 05 SECONDS EAST, FOR A DISTANCE OF 378.60 FEET TO A POINT ON THE EXISTING RIGHT OF WAY OF OLD MONROVIA ROAD; SAID POINT ALSO BEING THE POINT OF BEGINNING.

THENCE, FROM THE POINT OF BEGINNING AND NORTHWESTERLY ALONG THE EXISTING RIGHT OF WAY OF OLD MONROVIA ROAD ON A BEARING OF NORTH 73 DEGREES 26 MINUTES 26 SECONDS WEST, FOR A DISTANCE OF 314.18 FEET TO A POINT;

THENCE, CONTINUING WESTERLY ALONG THE EXISTING RIGHT OF WAY FOLLOWING A CURVE TO THE LEFT WITH AN ARC DISTANCE OF 85.43 FEET HAVING A RADIUS OF 69.96 FEET SUBTENDED BY A CHORD ON A BEARING OF SOUTH 71 DEGREES 35 MINUTES 59 SECONDS WEST, FOR A DISTANCE OF 80.22 FEET TO A POINT LOCATED ON THE EXISTING RIGHT OF WAY OF PROVIDENCE MAIN STREET;

THENCE, CONTINUING SOUTHWESTERLY ALONG THE SAID RIGHT OF WAY FOLLOWING A CURVE TO THE RIGHT WITH AN ARC DISTANCE OF 227.78 FEET HAVING A RADIUS OF 300.28 FEET SUBTENDED BY A CHORD ON A BEARING OF SOUTH 43 DEGREES 50 MINUTES 58 SECONDS WEST, FOR A DISTANCE OF 222.35 FEET TO POINT;

THENCE, CONTINUING WESTERLY ALONG THE SAID RIGHT OF WAY ON A BEARING OF SOUTH 65 DEGREES 34 MINUTES 49 SECONDS WEST, FOR A DISTANCE OF 43.21 FEET TO A POINT;

THENCE, LEAVING THE EXISTING RIGHT OF WAY CONTINUING NORTHEASTERLY ALONG THE PROPOSED RIGHT OF WAY OF PROVIDENCE MAIN STREET ON A BEARING OF NORTH 56 DEGREES 02 MINUTES 14 SECONDS EAST, FOR A DISTANCE OF 55.38 FEET TO A POINT;

THENCE, CONTINUING NORTHEASTERLY ALONG THE SAID RIGHT OF WAY FOLLOWING A CURVE TO THE LEFT WITH AN ARC DISTANCE OF 207.99 FEET HAVING A RADIUS OF 273.77 FEET AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 39 DEGREES 34 MINUTES 20 SECONDS EAST, FOR A DISTANCE OF 203.03 FEET TO A POINT;

THENCE, CONTINUING NORTHEASTERLY ALONG THE SAID RIGHT OF WAY FOLLOWING A CURVE TO THE RIGHT WITH AN ARC DISTANCE OF 141.25 FEET HAVING A RADIUS OF 90.00 FEET AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 62 DEGREES 46 MINUTES 03 SECONDS EAST, FOR A DISTANCE OF 127.19 FEET TO A POINT LOCATED ON THE PROPOSED RIGHT OF WAY OF OLD MONROVIA ROAD;

THENCE, CONTINUING SOUTHEASTERLY ALONG THE SAID RIGHT OF WAY ON A BEARING OF SOUTH 72 DEGREES 16 MINUTES 20 SECONDS EAST, FOR A DISTANCE OF 312.10 FEET TO A POINT;

THENCE, CONTINUING SOUTHWESTERLY ALONG THE SAID RIGHT OF WAY ON A BEARING OF SOUTH 16 DEGREES 33 MINUTES 46 SECONDS WEST, FOR A DISTANCE OF 22.08 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED RIGHT OF WAY CONTAINS 14,233 SQUARE FEET OR 0.327 ACRES OF LAND MORE OR LESS. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, ENCUMBRANCES AND OR RESTRICTIONS OF RECORD.

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

STATE OF ALABAMA  
COUNTY OF MADISON

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

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, David J. Slyman, Jr for Traditional Land Company, LLC, desiring to vacate that certain right-of-way hereinafter described, say as follows:

1. That the said Owners 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 right-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 right-of-way, hereinafter described; and
5. WHEREAS, it may be 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 owners of all property abutting the said right-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 easement vacated and assenting to the vacation of the following described right-of-way, being described, as follows.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE NORTH 1/2 OF SECTION 25 AND SOUTH 1/2 OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 2 WEST, HUNTSVILLE MERIDIAN, CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE, CONTINUING SOUTHWESTERLY ALONG THE SAID RIGHT OF WAY FOLLOWING A CURVE TO THE LEFT WITH AN ARC DISTANCE OF 17.77 FEET HAVING A RADIUS OF 70.23 FEET SUBTENDED BY A CHORD ON A BEARING OF SOUTH 29 DEGREES 22 MINUTES 00 SECONDS WEST, FOR A DISTANCE OF 17.72 FEET TO A POINT;

THENCE, CONTINUING SOUTHWESTERLY ALONG THE SAID RIGHT OF WAY FOLLOWING A CURVE TO THE RIGHT WITH AN ARC DISTANCE OF 227.78 FEET HAVING A RADIUS OF 300.28 FEET SUBTENDED BY A CHORD ON A BEARING OF SOUTH 43 DEGREES 50 MINUTES 58 SECONDS WEST, FOR A DISTANCE OF 222.35 FEET TO POINT;

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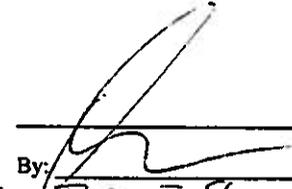
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The above-described property shall remain subject to an easement for utilities and drainage in favor of the City of Huntsville, Alabama.

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 September, 2014.

By:   
Name: David J. Slyman, Jr.  
ITS: Member

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that DAVID J. SLYMAN, JR., whose name as a MEMBER of TRADITIONAL LAND COMPANY, LLC, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on

this day, that being informed of the contents of said instrument, he/she, as such representative, and with full authority, executed the same voluntarily for, and as the act of, said corporation, acting in said capacity, as aforesaid.

Given under my hand and official seal of office, this the 4<sup>th</sup> day of September, 2014.

Isabel C. Vasquez  
Notary Public  
My Commission Expires: 12-20-16