

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 easement; that the applicant has represented to the City of Huntsville that Covington & Co., 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 LIMESTONE)

Quitclaim Deed

THIS INDENTURE, made and entered into on this, the 20 day of November, 2014, by and between THE CITY OF HUNTSVILLE, a municipal corporation, as party of the first part, and COVINGTON & CO., INC., an Alabama corporation, as party of the second part;

: WITNESSETH:

THAT the said party of the first part, for and in consideration of the sum of ONE AND NO/100 DOLLAR (\$1.00), cash in hand paid to it by the party of the second part, the receipt of which is hereby acknowledged, and for the purpose of vacating the utility and drainage easement hereinafter described, does hereby remise, release and quitclaim unto the said party of the second part, all its' right, title, interest and claim in and to the following described real estate, situated in the County of Limestone, State of Alabama, to-wit:

PARCEL ONE (ACROSS LOTS 133 & 134, OLDE COBBLESTONE PHASE 4):

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE MERIDIAN, LIMESTONE COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 23, THENCE SOUTH 02 DEGREES 54 MINUTES 01 SECONDS WEST, 1322.87 FEET TO A POINT; THENCE SOUTH 88 DEGREES 51 MINUTES 31 SECONDS EAST, 1071.15 FEET TO A POINT; THENCE SOUTH 01 DEGREES 11 MINUTES 38 SECONDS WEST, 428.12 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF SHORT WAY ROAD; THENCE ALONG THE SAID RIGHT OF WAY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 46 DEGREES 50 MINUTES 07 SECONDS WEST, 34.96 FEET TO A POINT ON THE EAST RIGHT OF WAY OF STONEWALK LANE; THENCE ALONG THE SAID EAST RIGHT OF WAY, SOUTH 02 DEGREES 28 MINUTES 36 SECONDS WEST, 114.38 FEET TO A POINT; THENCE SOUTH 87 DEGREES 31 MINUTES 24 SECONDS EAST, 15.00 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED, SAID POINT BEING ON THE EAST BOUNDARY OF A 15 FOOT WIDE UTILITY AND DRAINAGE EASEMENT;

THENCE ALONG THE SAID EAST BOUNDARY, NORTH 02 DEGREES 28 MINUTES 36 SECONDS EAST, 4.13 FEET TO A POINT;

THENCE SOUTH 88 DEGREES 48 MINUTES 22 SECONDS EAST, 110.01 FEET TO A POINT ON THE WEST BOUNDARY OF A 10 FOOT WIDE UTILITY AND DRAINAGE EASEMENT;

THENCE ALONG THE SAID WEST BOUNDARY, SOUTH 01 DEGREES 11 MINUTES 38 SECONDS WEST, 15.00 FEET TO A POINT;

THENCE NORTH 88 DEGREES 48 MINUTES 22 SECONDS WEST, 110.34 FEET TO A POINT ON THE EAST BOUNDARY OF SAID 15 FOOT WIDE UTILITY AND DRAINAGE EASEMENT;

THENCE ALONG THE SAID EAST BOUNDARY, NORTH 02 DEGREES 28 MINUTES 36 SECONDS EAST, 10.87 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1653 SQUARE FEET, MORE OR LESS.

PARCEL TWO (ACROSS LOT 35, OLDE COBBLESTONE PHASE 4):

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE MERIDIAN, LIMESTONE COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 23, THENCE SOUTH 02 DEGREES 54 MINUTES 01 SECONDS WEST, 1322.87 FEET TO A POINT; THENCE SOUTH 88 DEGREES 51 MINUTES 31 SECONDS EAST, 1071.15 FEET TO A POINT; THENCE SOUTH 01 DEGREES 11 MINUTES 38 SECONDS WEST, 428.12 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF SHORT WAY ROAD; THENCE ALONG THE SAID RIGHT OF WAY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 46 DEGREES 50 MINUTES 07 SECONDS WEST, 34.96 FEET TO A POINT ON THE EAST RIGHT OF WAY OF STONEWALK LANE; THENCE ALONG THE SAID EAST RIGHT OF WAY, SOUTH 02 DEGREES 28 MINUTES 36 SECONDS WEST, 23.11 FEET TO A POINT; THENCE SOUTH 87 DEGREES 31 MINUTES 24 SECONDS EAST, 50.00 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SAID STONEWALK LANE; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 15.00 FEET, A CHORD BEARING AND DISTANCE OF NORTH 42 DEGREES 31 MINUTES 24 SECONDS WEST, 21.21 FEET TO A POINT; THENCE NORTH 87 DEGREES 31 MINUTES 24 SECONDS WEST, 65.00 FEET TO A POINT; THENCE SOUTH 02 DEGREES 28 MINUTES 36 SECONDS WEST, 296.00 FEET TO THE POINT OF BEGINNING OF

THE TRACT HEREIN DESCRIBED, SAID POINT BEING ON THE NORTH BOUNDARY OF A 10 FOOT WIDE UTILITY AND DRAINAGE EASEMENT;

THENCE NORTH 65 DEGREES 54 MINUTES 42 SECONDS EAST, 22.36 FEET TO A POINT;

THENCE SOUTH 87 DEGREES 31 MINUTES 24 SECONDS EAST, 25.00 FEET TO A POINT;

THENCE SOUTH 02 DEGREES 28 MINUTES 36 SECONDS WEST, 10.00 FEET TO A POINT;

THENCE NORTH 87 DEGREES 31 MINUTES 24 SECONDS WEST, 45.00 FEET TO THE POINT OF BEGINNING,

AND CONTAINING 350 SQUARE FEET, MORE OR LESS.

PARCEL THREE (ACROSS LOT 34, OLDE COBBLESTONE PHASE 4):

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE MERIDIAN, LIMESTONE COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 23, THENCE SOUTH 02 DEGREES 54 MINUTES 01 SECONDS WEST, 1322.87 FEET TO A POINT; THENCE SOUTH 88 DEGREES 51 MINUTES 31 SECONDS EAST, 1071.15 FEET TO A POINT; THENCE SOUTH 01 DEGREES 11 MINUTES 38 SECONDS WEST, 428.12 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF SHORT WAY ROAD; THENCE ALONG THE SAID RIGHT OF WAY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 48 DEGREES 50 MINUTES 07 SECONDS WEST, 34.96 FEET TO A POINT ON THE EAST RIGHT OF WAY OF STONEWALK LANE; THENCE ALONG THE SAID EAST RIGHT OF WAY, SOUTH 02 DEGREES 28 MINUTES 36 SECONDS WEST, 23.11 FEET TO A POINT; THENCE SOUTH 87 DEGREES 31 MINUTES 24 SECONDS EAST, 50.00 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SAID STONEWALK LANE; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 15.00 FEET, A CHORD BEARING AND DISTANCE OF NORTH 42 DEGREES 31 MINUTES 24 SECONDS WEST, 21.21 FEET TO A POINT; THENCE NORTH 87 DEGREES 31 MINUTES 24 SECONDS WEST, 65.00 FEET TO A POINT; THENCE SOUTH 02 DEGREES 28 MINUTES 36 SECONDS WEST, 341.00 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED, SAID POINT BEING ON THE SOUTH BOUNDARY OF A 10 FOOT WIDE UTILITY AND DRAINAGE EASEMENT;

THENCE SOUTH 87 DEGREES 31 MINUTES 24 SECONDS EAST, 45.00 FEET TO A POINT;

THENCE SOUTH 02 DEGREES 28 MINUTES 36 SECONDS WEST, 10.00 FEET TO A POINT;

THENCE NORTH 87 DEGREES 31 MINUTES 24 SECONDS WEST, 25.00 FEET TO A POINT;

THENCE NORTH 60 DEGREES 57 MINUTES 30 SECONDS WEST, 22.36 FEET TO THE POINT OF BEGINNING,

AND CONTAINING 350 SQUARE FEET, MORE OR LESS.

TO HAVE AND TO HOLD the same unto the said party of the second part, its successors and assigns, forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto caused its hand and seal to be place hereon by its duly acting Mayor and to be attested by its duly acting Clerk/Treasurer on the day and year first above written.

CITY OF HUNTSVILLE, ALABAMA

A Municipal Corporation

BY: _____ (SEAL)

Tommy Battle

Mayor

ATTEST:

Charles E. Hagood, Clerk Treasurer

City Clerk/Treasurer

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. Ha ^{up} whose names as Mayor and Clerk-Treasurer of the City of Huntsville, Alabama, a municipal corporation, respectively, are signed to the foregoing conveyance, and who are made known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they each executed the same voluntarily on the day the same bears date, for and as the act of such municipal corporation and with full authority.

GIVEN under my hand and seal this the 20th day of November, 2014.

(SEAL)

Notary Public

My Commission Expires: _____

Real Estate Sales Validation

(In accordance with Code of Alabama 1975 §40-22-1)

Grantor(s) Name(s): CITY OF HUNTSVILLE
Mailing Address: City Hall, Fountain Circle
Huntsville, AL 35801

Grantee(s) Name(s): COVINGTON & CO., INC.
Mailing Address: 2049 Max Luther Drive
Huntsville, AL 35810

Property Address: 0 Metes and bounds
Madison, AL

Date of Sale: _____

Total Purchase Price \$10

OR

Actual Value \$

OR

Assessor's Value: \$

Verification of purchase price or actual value by (check all that apply):

- Bill of Sale
- Sales Contract
- Closing Statement
- Appraisal
- Other: Vacation of easement

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 §40-22-1(h).

Dated: _____

(PRINT NAME OF ATTESTOR)

SIGNATURE OF ATTESTOR AS (check one only):

- GRANTOR
- GRANTEE
- OWNER
- AGENT

This instrument was prepared by:
ABLES, BAXTER & PARKER, P.C.

Attorneys at Law

By: James T. Baxter III, Esq.

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Ordinance No. 14-_____ (Cont.)
Covington & Co., Inc.

ADOPTED this the 20th day of November, 2014.

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

APPROVED this the 20th day of November, 2014.

Mayor of the City of
Huntsville, Alabama