

ORDINANCE NO. 15-_____

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 right-of-way; that the applicant has represented to the City of Huntsville that Alabama State Board of Education (Calhoun Community College), is the owner of the property across which said right-of-way lies; that said right-of-way, 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 right-of-way hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)
)
COUNTY OF MADISON)

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **Alabama State Board of Education (Calhoun Community College)**, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the 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:

SEE ATTACHED EXHIBIT "A"

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

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

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 8th day of January, 2015.

CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Charles E. Hagood
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. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, 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 for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 8th day of January, 2015.

Notary Public

THIS INSTRUMENT PREPARED BY:
Peter S. Joffrion
308 Fountain Circle
Huntsville Alabama 35801

RIGHT-OF-WAY AND EASEMENT VACATION

EXHIBIT "A"

BEGIN AT A CAPPED IRON PIN AT THE SOUTHWEST CORNER OF LOT 2 ACCORDING TO THE MAP OF SURVEY OF CALHOUN COMMUNITY COLLEGE PLACE AS RECORDED IN DOCUMENT NUMBER 20140507000237870 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, SAID POINT BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY MARGIN OF OLD MADISON PIKE WITH THE EAST RIGHT-OF-WAY MARGIN OF WYNN DRIVE AND BEING THE TRUE POINT OF BEGINNING,

THENCE FROM THE TRUE POINT OF BEGINNING SOUTH 72 DEGREES 23 MINUTES 32 SECONDS WEST A DISTANCE OF 127.26 FEET TO A POINT ON THE WEST MARGIN OF SAID WYNN DRIVE; THENCE NORTH 01 DEGREES 50 MINUTES 17 SECONDS EAST ALONG SAID MARGIN A DISTANCE OF 148.53 FEET TO A POINT;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 605.67 FEET, (CHORD BEARING NORTH 22 DEGREES 50 MINUTES 18 SECONDS EAST, CHORD DISTANCE 434.11 FEET) AN ARC DISTANCE OF 443.98 FEET TO A POINT;

THENCE NORTH 43 DEGREES 50 MINUTES 17 SECONDS EAST A DISTANCE OF 717.60 FEET TO A POINT;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 417.49 FEET, (CHORD BEARING NORTH 17 DEGREES 28 MINUTES 24 SECONDS EAST, CHORD DISTANCE 370.80 FEET) AN ARC DISTANCE OF 384.21 FEET TO A POINT;

THENCE SOUTH 08 DEGREES 56 MINUTES 35 SECONDS EAST A DISTANCE OF 141.63 FEET TO A POINT;

THENCE SOUTH 09 DEGREES 13 MINUTES 50 SECONDS EAST A DISTANCE OF 195.31 FEET TO A POINT;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 537.49 FEET, (CHORD BEARING SOUTH 30 DEGREES 44 MINUTES 55 SECONDS WEST, CHORD DISTANCE 15.56 FEET) AN ARC DISTANCE OF 15.56 FEET TO A POINT;

THENCE SOUTH 09 DEGREES 13 MINUTES 50 SECONDS EAST A DISTANCE OF 15.11 FEET TO A POINT ON THE SOUTHEASTERLY MARGIN OF A UTILITY AND DRAINAGE EASEMENT;

THENCE ALONG THE SOUTHEASTERLY MARGIN OF SAID EASEMENT ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 547.49 FEET, (CHORD BEARING SOUTH 38 DEGREES 18 MINUTES 39 SECONDS WEST, CHORD DISTANCE 105.46 FEET) AN ARC DISTANCE OF 105.63 FEET TO A POINT;

THENCE SOUTH 43 DEGREES 50 MINUTES 17 SECONDS WEST A DISTANCE OF 717.60 FEET TO A POINT;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 475.69 FEET, (CHORD BEARING SOUTH 22 DEGREES 50 MINUTES 18 SECONDS WEST, CHORD DISTANCE 340.93 FEET) AN ARC DISTANCE OF 348.69 FEET TO A POINT;

THENCE SOUTH 01 DEGREES 50 MINUTES 17 SECONDS WEST A DISTANCE OF 21.09 FEET TO A POINT ON THE NORTHERLY MARGIN OF A 35-FOOT WIDE UTILITY AND DRAINAGE EASEMENT;

THENCE SOUTH 72 DEGREES 23 MINUTES 32 SECONDS WEST ALONG SAID MARGIN A DISTANCE OF 10.60 FEET TO A POINT;

THENCE SOUTH 01 DEGREES 50 MINUTES 17 SECONDS WEST A DISTANCE OF 79.54 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 4.28 ACRES MORE OR LESS.

TEMPORARY PUBLIC UTILITY AND DRAINAGE EASEMENT

BEGIN AT A CAPPED IRON PIN AT THE SOUTHWEST CORNER OF LOT 2 ACCORDING TO THE MAP OF SURVEY OF CALHOUN COMMUNITY COLLEGE PLACE AS RECORDED IN DOCUMENT NUMBER 20140507000237870 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, SAID POINT BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY MARGIN OF OLD MADISON PIKE WITH THE EAST RIGHT-OF-WAY MARGIN OF WYNN DRIVE AND BEING THE TRUE POINT OF BEGINNING,

THENCE FROM THE TRUE POINT OF BEGINNING SOUTH 72 DEGREES 23 MINUTES 32 SECONDS WEST A DISTANCE OF 127.26 FEET TO A POINT ON THE WEST MARGIN OF SAID WYNN DRIVE; THENCE NORTH 01 DEGREES 50 MINUTES 17 SECONDS EAST ALONG SAID MARGIN A DISTANCE OF 146.53 FEET TO A POINT;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 605.67 FEET, (CHORD BEARING NORTH 22 DEGREES 50 MINUTES 18 SECONDS EAST, CHORD DISTANCE 434.11 FEET) AN ARC DISTANCE OF 443.98 FEET TO A POINT;

THENCE NORTH 43 DEGREES 50 MINUTES 17 SECONDS EAST A DISTANCE OF 717.60 FEET TO A POINT;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 417.49 FEET, (CHORD BEARING NORTH 17 DEGREES 28 MINUTES 24 SECONDS EAST, CHORD DISTANCE 370.80 FEET) AN ARC DISTANCE OF 384.21 FEET TO A POINT;

THENCE SOUTH 08 DEGREES 56 MINUTES 35 SECONDS EAST A DISTANCE OF 141.63 FEET TO A POINT;

THENCE SOUTH 09 DEGREES 13 MINUTES 50 SECONDS EAST A DISTANCE OF 195.31 FEET TO A POINT;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 537.49 FEET, (CHORD BEARING SOUTH 30 DEGREES 44 MINUTES 55 SECONDS WEST, CHORD DISTANCE 15.56 FEET) AN ARC DISTANCE OF 15.56 FEET TO A POINT;

THENCE SOUTH 09 DEGREES 13 MINUTES 50 SECONDS EAST A DISTANCE OF 15.11 FEET TO A POINT ON THE SOUTHEASTERLY MARGIN OF A UTILITY AND DRAINAGE EASEMENT;

THENCE ALONG THE SOUTHEASTERLY MARGIN OF SAID EASEMENT ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 547.49 FEET, (CHORD BEARING SOUTH 38 DEGREES 18 MINUTES 39 SECONDS WEST, CHORD DISTANCE 105.46 FEET) AN ARC DISTANCE OF 105.63 FEET TO A POINT;

THENCE SOUTH 43 DEGREES 50 MINUTES 17 SECONDS WEST A DISTANCE OF 717.60 FEET TO A POINT;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 475.69 FEET, (CHORD BEARING SOUTH 22 DEGREES 50 MINUTES 18 SECONDS WEST, CHORD DISTANCE 340.93 FEET) AN ARC DISTANCE OF 348.69 FEET TO A POINT;

THENCE SOUTH 01 DEGREES 50 MINUTES 17 SECONDS WEST A DISTANCE OF 21.09 FEET TO A POINT ON THE NORTHERLY MARGIN OF A 35-FOOT WIDE UTILITY AND DRAINAGE EASEMENT;

THENCE SOUTH 72 DEGREES 23 MINUTES 32 SECONDS WEST ALONG SAID MARGIN A DISTANCE OF 10.60 FEET TO A POINT;

THENCE SOUTH 01 DEGREES 50 MINUTES 17 SECONDS WEST A DISTANCE OF 79.54 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 4.28 ACRES MORE OR LESS.

PERMANENT EASEMENT DEDICATION
PUBLIC UTILITY AND DRAINAGE EASEMENT 1

BEGIN AT A CAPPED IRON PIN AT THE SOUTHWEST CORNER OF LOT 2 ACCORDING TO THE MAP OF SURVEY OF CALHOUN COMMUNITY COLLEGE PLACE AS RECORDED IN DOCUMENT NUMBER 20140507000237870 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, SAID POINT BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY MARGIN OF OLD MADISON PIKE WITH THE EAST RIGHT-OF-WAY MARGIN OF WYNN DRIVE AND BEING THE TRUE POINT OF BEGINNING,

THENCE FROM THE TRUE POINT OF BEGINNING SOUTH 72 DEGREES 23 MINUTES 32 SECONDS WEST A DISTANCE OF 127.26 FEET TO A POINT;

THENCE NORTH 01 DEGREES 50 MINUTES 17 SECONDS EAST A DISTANCE OF 79.54 FEET TO A POINT;

THENCE NORTH 72 DEGREES 23 MINUTES 32 SECONDS EAST A DISTANCE OF 127.26 FEET TO A POINT;

THENCE SOUTH 01 DEGREES 50 MINUTES 17 SECONDS WEST A DISTANCE OF 79.54 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 0.22 ACRES MORE OR LESS.

PUBLIC UTILITY AND DRAINAGE EASEMENT 2

BEGIN AT THE NORTHEAST CORNER OF LOT 2 ACCORDING TO THE MAP OF SURVEY OF CALHOUN COMMUNITY COLLEGE PLACE AS RECORDED IN DOCUMENT NUMBER 20140507000237870 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY MARGIN OF WYNN DRIVE AND BEING THE TRUE POINT OF BEGINNING,

THENCE FROM THE TRUE POINT OF BEGINNING ALONG SAID EASTERLY MARGIN ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 569.33 FEET, (CHORD BEARING SOUTH 30 DEGREES 45 MINUTES 44 SECONDS WEST, CHORD DISTANCE 15.56 FEET) AN ARC DISTANCE OF 15.56 FEET TO A POINT;

THENCE NORTH 09 DEGREES 06 MINUTES 48 SECONDS WEST A DISTANCE OF 349.34 FEET TO A POINT;

THENCE NORTH 78 DEGREES 44 MINUTES 47 SECONDS EAST A DISTANCE OF 10.01 FEET TO A POINT;

THENCE SOUTH 09 DEGREES 06 MINUTES 33 SECONDS EAST A DISTANCE OF 337.77 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 0.08 ACRES MORE OR LESS.

Ordinance No. 14-_____ (Cont.)
Calhoun Community College

ADOPTED this the 8th day of January, 2015.

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

APPROVED this the 8th day of January, 2015.

Mayor of the City of
Huntsville, Alabama