

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 utility and drainage easement; that the applicants have represented to the City of Huntsville that the **Huntsville City Board of Education (Grissom High School)**, is the owner of the property across which said utility and drainage easement; that said utility and drainage easement, 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 utility and drainage easement 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 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 the HUNTSVILLE CITY BOARD OF EDUCATION, a political subdivision of the State of Alabama, 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 the Grantor's right, title, interest, and claim in and to the following described real estate situated in the County of Madison, State of Alabama, to wit:

A part of the SW ¼, Section 31, Township 4S, Range 1E, in Madison County, Alabama and being more fully described as follows:

Commencing at the Southwest corner of section 31, T-4-S, R-1-E of the Huntsville Meridian, Madison County, Alabama, said point being further described as lying on the South boundary line of Lot 1 of National Subdivision Third Addition, as recorded in Document No. 20130404000216180 in the Office of the Judge of Probate of Madison County, Alabama;

thence from the Point of Commencement and running along said South boundary line S 88°46'25" E, a distance of 242.70 feet to a point on the East margin of an Existing Utility and Drainage Easement;

thence running along said East margin, N 02°45'09" E, a distance of 227.27 feet to the Point of Beginning;

thence from the Point of Beginning and leaving said East margin, N 02°45'09" E, a distance of 78.15 feet to a point on the West margin of said Existing Utility and Drainage Easement;

thence continuing along said West margin, N 56°46'02" E, a distance of 147.83 feet to a point;

thence leaving said West margin, N 74°31'58" E, a distance of 129.80 feet to a point on the East margin of an Existing Utility and Drainage Easement;;

thence S 46°06'34" W, along said East margin, a distance of 198.66 feet to a point;

thence continuing along said East margin, S 62°53'36" W, a distance of 122.83 feet to the Point of Beginning;

The above described Public Utility & Drainage Easement contains 0.366 acres, (15,943 square feet) more or less.

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

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed by Tommy Battle, its Mayor, who is duly authorized, and has caused the same to be attested by Charles E. Hagood, its City Clerk Treasurer, and its Corporate Seal affixed on this the 12TH day of MARCH, 2015.

THE CITY OF HUNTSVILLE,  
a municipal corporation

By: \_\_\_\_\_ (SEAL)  
Tommy Battle  
Its: Mayor

ATTEST:

By: \_\_\_\_\_  
Charles E. Hagood  
Its: 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. Hagood, whose names as Mayor and City Clerk Treasurer, respectively, of the City of Huntsville, Alabama, a municipal corporation, are signed to the foregoing conveyance, and who are known 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 corporation.

GIVEN under my hand and official seal this the 12 day of March \_\_\_\_\_, 2015.

(SEAL)

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

This instrument prepared by: Y. Albert Moore, III, Lanier Ford Shaver & Payne P.C.  
2101 West Clinton Avenue, Ste. 101, Huntsville, Alabama 35805, Telephone: (256) 535-1100

S:\Cjohnson\yam\FORMS\QC Deed for Easement fr City of Hsv to Hsv BOE.wpd

Ordinance No. 15-\_\_\_\_\_ (Cont.)  
Grissom High School (BOE)

ADOPTED this the 12th day of March, 2015.

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

APPROVED this the 12th day of March, 2015.

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