

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 applicants have represented to the City of Huntsville that the James R. Hays and John W. Hays, are the owners 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

NO TITLE EXAMINATION HAS BEEN
PERFORMED IN CONNECTION WITH
THIS TRANSACTION

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 JAMES R. HAYS and JOHN W. HAYS, hereinafter referred to as Grantees, the receipt whereof is hereby acknowledged, and other good and valuable consideration, does hereby remise, release, quitclaim and convey unto the said Grantees 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.

LESS AND EXCEPT AND SUBJECT TO, an easement for any and all utilities currently located on said parcel of real estate, which shall be retained by the Grantor.

TO HAVE AND TO HOLD the same unto the said Grantees and to their respective 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 12th day of March, 2015.

THE CITY OF HUNTSVILLE, ALABAMA, a
municipal corporation

By: _____ (SEAL)
Tommy Battle, Mayor

ATTEST:

Charles Hagood, City Clerk-Treasurer

STATE OF ALABAMA
COUNTY OF MADISON

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

Given under my hand and official seal this 12th day of March, 2015.

NOTARY PUBLIC
My Commission Expires: _____

THIS INSTRUMENT PREPARED BY:
Samuel H. Givhan
Wilmer & Lee, PA
100 Washington Street
Huntsville, Alabama 35801

STATE OF ALABAMA
MADISON COUNTY

FEBRUARY 6, 2015

VACATION OF A PORTION OF RIGHT OF WAY FOR MAHOGANY ROW

ALL THAT PART OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 1 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE CENTER OF THE EAST BOUNDARY OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 1 EAST; THENCE NORTH 00 DEGREES 44 MINUTES EAST 57.50 FEET; THENCE NORTH 89 DEGREES 29 MINUTES WEST 260.00 FEET; THENCE NORTH 88 DEGREES 24 MINUTES 13 SECONDS WEST 239.96 FEET; THENCE NORTH 01 DEGREES 35 MINUTES 44 SECONDS EAST 108.45 FEET TO THE POINT OF BEGINNING, SAID BEGINNING POINT BEING ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 65.00 FEET;

THENCE FROM THE POINT OF BEGINNING, ALONG THE ARC OF SAID CURVE

A DISTANCE OF 65.89 FEET,

(CHORD BEARING AND DISTANCE OF NORTH 27 DEGREES 26 MINUTES 44 SECONDS WEST, 63.11 FEET), TO A POINT;

THENCE NORTH 56 DEGREES 29 MINUTES 11 SECONDS WEST A DISTANCE OF 21.46 FEET TO A POINT;

THENCE SOUTH 88 DEGREES 24 MINUTES 03 SECONDS EAST A DISTANCE OF 48.85 FEET TO A POINT;

THENCE SOUTH 01 DEGREES 35 MINUTES 44 SECONDS WEST A DISTANCE OF 66.51 FEET TO A POINT TO THE POINT OF BEGINNING AND CONTAINING 948 SQUARE FEET.

Ordinance No. 15-_____ (Cont.)
James R. Hays and John W. Hays

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