

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 utility and drainage easement; that the applicant has represented to the City of Huntsville that DBP, LLC, is the owner of the property across which said easement lies; that said easement, or portions 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 MADISON    )

**QUITCLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS:** That the undersigned, **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation, hereinafter referred to as "Grantor", in consideration of the sum of **TEN DOLLARS (\$10.00)**, in hand paid to it by **DBP, L.L.C.**, an Alabama limited liability company (current Owner of the below described Lot 6), hereinafter referred to as "Grantees", and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim and convey unto the said Grantees, 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:

**ALL THAT PART OF LOT 6, BLOCK 4 OF BUCK'S CANYON SUBDIVISION, SEVENTH ADDITION AS RECORDED IN PLAT BOOK 19, PAGE 20, PROBATE RECORDS, MADISON COUNTY, ALABAMA. PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 6. SAID CORNER ALSO BEING THE SOUTHEASTERLY CORNER OF LOT 5, BLOCK 4 OF SAID SUBDIVISION; THENCE ALONG THE COMMON BOUNDARY LINE BETWEEN SAID LOTS 5 AND 6, NORTH 24 DEGREES 51 MINUTES 50 SECONDS WEST 16.27 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.**

**THENCE FROM THE POINT OF BEGINNING CONTINUING ALONG SAID COMMON BOUNDARY LINE, NORTH 24 DEGREES 51 MINUTES 50 SECONDS WEST 141.04 FEET; THENCE LEAVING SAID COMMON BOUNDARY, AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 130.00 FEET WITH A CHORD BEARING AND DISTANCE OF NORTH 64 DEGREES 02 MINUTES 16 SECONDS EAST 5.00 FEET AND AN ARC LENGTH OF 5.001 FEET, THENCE SOUTH 24 DEGREES 51 MINUTES 50 SECONDS EAST 139.03 FEET; THENCE SOUTH 42 DEGREES 21 MINUTES 03 SECONDS WEST 5.42 FEET TO THE POINT OF BEGINNING.**

The above legal description was prepared by **McElroy Land Surveying Company, Inc.** on **April 14, 2015.**

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

**IN WITNESS WHEREOF**, the Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, on this the 23 day of **April, 2015.**

**ATTEST:**

**CITY OF HUNTSVILLE, ALABAMA,  
a municipal corporation**

\_\_\_\_\_  
By: **Charles E. Hagood**  
Its: **Clerk Treasurer**

\_\_\_\_\_  
By: **Tommy Battle**  
Its: **Mayor**

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 Clerk-Treasurer, respectively, of the **CITY OF HUNTSVILLE, ALABAMA**, a municipal corporation are signed to the foregoing instrument, 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 voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the 23 day of **April, 2015.**

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

Ordinance No. 15-\_\_\_\_\_ (Cont.)  
DBP, LLC

ADOPTED this the 23rd day of April, 2015.

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

APPROVED this the 23rd day of April, 2015.

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