

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 applicants have represented to the City of Huntsville that **Bobby M. Love and Lisa Love**, are the owners 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)

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 **BOBBY M. LOVE and LISA LOVE, husband and wife**, hereinafter referred to as "Grantee", and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, 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 City of Huntsville, County of Madison, State of Alabama, to-wit:

DESCRIPTION OF A PORTION OF A 5.0 FOOT UTILITY AND DRAINAGE EASEMENT TO BE VACATED MORE PARTICULARLY DESCRIBED AS BEING 5.00 FEET EVENLY OFF AND PARALLEL WITH THE WEST BOUNDARY OF LOT 26 MIDTOWNE ON THE PARK, PHASE 3, AS OF RECORD IN DOCUMENT NUMBER 20140912000485620 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, LESS AND EXCEPT THE NORTH 28.0 FEET AND THE SOUTH 16.5 FEET OF SAID UTILITY AND DRAINAGE EASEMENT. ONLY THAT PORTION OF SAID EASEMENT UNDER THE RETAINING WALL IS TO BE VACATED.

TO HAVE AND TO HOLD unto the said Grantee, 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 25 day of June, 2015.

ATTEST:

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

By: _____
Charles E. Hagood, Clerk-Treasurer

By: _____
Tommy Battle, 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 25 day of June, 2015.

Notary Public
My Commission Expires: _____

This instrument was prepared by: **MATTHEW R. HARRISON, HARRISON, GAMMONS & RAWLINSON,**
P.C., 2430 L&N Drive, Huntsville, AL 35801 256-533-7711

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama, Section 40-22-1

Grantor's Name: _____	Grantee's Name: <u>Bobby M. & Lisa Love</u>
Mailing Address: _____	Mailing Address: <u>6433 Midtowne Lane NW</u>
_____	<u>Huntsville, AL 35806</u>
Property Address: _____	Date of Sale: _____
_____	Total Purchase Price: _____
_____	or
	Actual Value: _____
	or
	Assessor's Market Value: _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

<input type="checkbox"/> Bill of Sale	<input type="checkbox"/> Appraisal
<input type="checkbox"/> Sales Contract	<input checked="" type="checkbox"/> Other
<input type="checkbox"/> Closing Statement	

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address – provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address – provide the name of the person or persons to whom interest is being conveyed.

Property address – the physical address of the property being conveyed, if available.

Date of Sale – the date on which interest to the property was conveyed.

Total purchase price – the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value – if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

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).

Date: _____ Print _____

Unattested _____ Sign _____
(verified by) (Grantor/Grantee/Owner/Agent) circle one

Ordinance No. 15-_____ (Cont.)
Love, Bobby M. and Lisa

ADOPTED this the 25th day of June, 2015.

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

APPROVED this the 25th day of June, 2015.

Mayor of the City of
Huntsville, Alabama