

RESOLUTION NO. 15-\_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HUNTSVILLE, ALABAMA:

WHEREAS, JWE Properties, LLC, hereinafter referred to as Owner, is the Owner of the land abutting a right-of-way lying within the City of Huntsville, Alabama, which said right-of-way is described as follows, to-wit:

SEE ATTACHED EXHIBIT A

WHEREAS, the abovesaid Owner has executed a petition of their intent and desire, attached hereto as Exhibit "B," that right-of-way above described be abandoned by the City of Huntsville; and desires to divest any and all right, title and interest which the public may have in and to said portion of the right-of-way so described, acquired by virtue of the dedication of said right-of-way to the City of Huntsville, Alabama;

WHEREAS, the Owner has represented to the City Council of the City of Huntsville, Alabama, and the City Council, based upon such representation does find:

1. That the retention of said right-of-way will not benefit the City of Huntsville, Alabama; and
2. That convenient and adequate means of ingress and egress is available to all owners of surrounding property, such being afforded by virtue of other streets, easements, avenues and alleys; and
3. That the abutting property owners represent that no owner of property served by the right-of-way being vacated (or of property within the subdivision where the right-of-way lies) objects to the vacation of the right-of-way.

NOW, THEREFORE, BE IT RESOLVED, that the City of Huntsville, Alabama, does hereby declare the above described right-of-way to be abandoned.

ADOPTED, this the 23rd day of July, 2015.

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

APPROVED, this the 23rd day of July, 2015.

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

**EXHIBIT "A"**

STATE OF ALABAMA  
MADISON COUNTY

MAY 26, 2015  
W.O. #15-77

PROPOSED VACATION OF PART OF THE RIGHT-OF-WAY  
ON LITTLE COVE ROAD AT THE INTERSECTION OF  
WATSON GRAND WAY

ALL THAT PART OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 2 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT LOCATED DUE WEST 2917.81 FEET; DUE SOUTH 281.67 FEET; AND NORTH 55 DEGREES 53 MINUTES 39 SECONDS WEST, 11.34 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 17; SAID POINT BEING ON LITTLE COVE ROAD AND ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1121.55 FEET;

THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 227.56 FEET (CHORD BEARING AND DISTANCE OF SOUTH 28 DEGREES 24 MINUTES 40 SECONDS WEST, 227.17 FEET) TO A POINT;

THENCE SOUTH 22 DEGREES 20 MINUTES 45 SECONDS WEST, A DISTANCE OF 466.43 FEET TO A POINT;

THENCE SOUTH 24 DEGREES 18 MINUTES 19 SECONDS WEST, A DISTANCE OF 210.03 FEET TO A POINT;

THENCE SOUTH 24 DEGREES 15 MINUTES 56 SECONDS WEST, A DISTANCE OF 162.90 FEET TO A POINT;

THENCE SOUTH 29 DEGREES 34 MINUTES 34 SECONDS WEST, A DISTANCE OF 214.76 FEET TO A POINT;

THENCE NORTH 10 DEGREES 14 MINUTES 11 SECONDS WEST, A DISTANCE OF 160.16 FEET TO A POINT;

THENCE NORTH 25 DEGREES 44 MINUTES 37 SECONDS EAST, A DISTANCE OF 282.24 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1840.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 112.43 FEET (CHORD BEARING AND DISTANCE OF NORTH 23 DEGREES 59 MINUTES 35 SECONDS EAST, 112.42 FEET) TO A POINT;

THENCE NORTH 22 DEGREES 14 MINUTES 33 SECONDS EAST, A DISTANCE OF 499.06 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 41 MINUTES 12 SECONDS EAST, A DISTANCE OF 64.70 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1180.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 210.42 FEET (CHORD BEARING AND DISTANCE OF NORTH 27 DEGREES 42 MINUTES 25 SECONDS EAST, 210.14 FEET) TO A POINT;

THENCE SOUTH 89 DEGREES 41 MINUTES 12 SECONDS EAST, A DISTANCE OF 47.77 FEET TO A POINT;

THENCE SOUTH 55 DEGREES 53 MINUTES 39 SECONDS EAST, A DISTANCE OF 7.11 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.61 ACRES MORE OR LESS.

**PETITION FOR VACATION OF A PORTION OF RIGHT-OF-WAY**

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, JWE Properties, LLC, (the "Owner") desiring to vacate that portion of a certain right-of-way hereinafter described, say as follows:

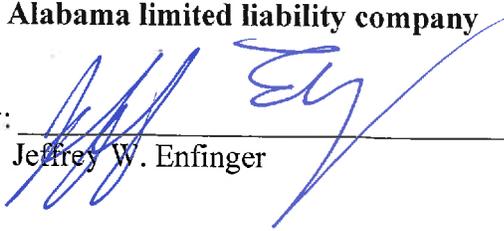
1. WHEREAS, the said Owner is the owner of all the land abutting the hereinafter described section of right-of-way; and
2. WHEREAS, convenient and reasonable means of ingress and egress are available to the Owner and to other landowners of the surrounding property; and
3. WHEREAS, the said right-of-way, hereinafter described, is situated within the City of Huntsville, Alabama; and
4. WHEREAS, the undersigned, by this instrument, declare their intent and desire to vacate a portion of said right-of-way hereinafter described, reserving unto the City of Huntsville an easement for utilities and sanitary sewer located within such vacated property; and
5. WHEREAS, the undersigned wish for the entirety of the vacated property to be deeded from the City of Huntsville to JWE Properties, LLC.

NOW, THEREFORE, the undersigned, as the Owner of the property abutting the said right-of-way hereinafter described, do hereby petition and urge that the City Council of the City of Huntsville adopt a resolution hereby declaring the designated portion of said right-of-way vacated and assenting to the vacation of said right-of-way, being described as follows:

**SEE EXHIBIT "A."**

IN WITNESS WHEREOF, the undersigned Owner of the property abutting said section of right-of-way hereinabove described has caused this petition to be executed, on this \_\_\_ day of July, 2015.

**JWE PROPERTIES, LLC,  
an Alabama limited liability company**

By:   
Jeffrey W. Enfinger

STATE OF ALABAMA  
COUNTY OF MADISON

Before me the undersigned authority, this day personally appeared Jeffrey W. Enfinger, whose name as Manager of JWE Properties, LLC, an Alabama limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me that, on being informed of the contents of said instrument, he, as such manager and with full authority, executed the same voluntarily for and as the act of said company on the day the same bears date.

Given under my hand and official seal of office, this the 9 day of July, 2015.



Teresa Pinson  
Notary Public  
My Commission Expires: 11/01/16

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STATE OF ALABAMA  
MADISON COUNTY

MAY 26, 2015  
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