

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 portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that **Walden Run at Indian Creek, LLC**, is the owner of the property across which said easement lies; that said easement, or portion 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**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **WALDEN RUN AT INDIAN CREEK, LLC** hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the 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:

***SEE EXHIBIT "A" ATTACHED HERETO
AND MADE A PART HEREOF***

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

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 3rd day of **December, 2015**.

CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Charles E. Hagood
Clerk-Treasurer

EXHIBIT "A"

STATE OF ALABAMA
MADISON COUNTY

SEPTEMBER 8, 2015
W.O. #15-151

PROPOSED VACATION OF A 20 FOOT WIDE UTILITY AND DRAINAGE EASEMENT

ALL THAT PART OF LOT 2 OF WALDEN RUN AT INDIAN CREEK PHASE TWO AS RECORDED IN PLAT BOOK 46, PAGE 63 MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT LOCATED NORTH 89 DEGREES 36 MINUTES 56 SECONDS WEST, 138.24 FEET; NORTH 68 DEGREES 15 MINUTES 23 SECONDS WEST, 128.00 FEET; NORTH 12 DEGREES 36 MINUTES 17 SECONDS EAST, 229.12 FEET; AND NORTH 83 DEGREES 57 MINUTES 21 SECONDS EAST, 18.82 FEET FROM THE SOUTHEAST CORNER OF LOT TWO OF WALDEN RUN AT INDIAN CREEK PHASE TWO AS RECORDED IN PLAT BOOK 46, PAGE 63;

THENCE FROM THE POINT OF BEGINNING NORTH 06 DEGREES 02 MINUTES 39 SECONDS WEST, A DISTANCE OF 20.00 FEET TO A POINT;

THENCE NORTH 83 DEGREES 57 MINUTES 21 SECONDS EAST, A DISTANCE OF 33.62 FEET TO A POINT;

THENCE NORTH 11 DEGREES 44 MINUTES 13 SECONDS EAST, A DISTANCE OF 34.80 FEET TO A POINT;

THENCE NORTH 58 DEGREES 24 MINUTES 02 SECONDS EAST, A DISTANCE OF 53.86 FEET TO A POINT;

THENCE NORTH 41 DEGREES 13 MINUTES 08 SECONDS EAST, A DISTANCE OF 105.59 FEET TO A POINT;

THENCE NORTH 16 DEGREES 56 MINUTES 22 SECONDS EAST, A DISTANCE OF 277.04 FEET TO A POINT;

THENCE NORTH 14 DEGREES 53 MINUTES 35 SECONDS WEST, A DISTANCE OF 39.84 FEET TO A POINT;

THENCE NORTH 48 DEGREES 17 MINUTES 43 SECONDS WEST, A DISTANCE OF 172.44 FEET TO A POINT;

THENCE NORTH 74 DEGREES 39 MINUTES 01 SECONDS WEST, A DISTANCE OF 60.77 FEET TO A POINT;

THENCE NORTH 64 DEGREES 48 MINUTES 03 SECONDS WEST, A DISTANCE OF 40.47 FEET TO A POINT;

THENCE NORTH 32 DEGREES 19 MINUTES 09 SECONDS EAST, A DISTANCE OF 20.16 FEET TO A POINT;

THENCE SOUTH 64 DEGREES 48 MINUTES 03 SECONDS EAST, A DISTANCE OF 36.25 FEET TO A POINT;

THENCE SOUTH 74 DEGREES 39 MINUTES 01 SECONDS EAST, A DISTANCE OF 63.73 FEET TO A POINT;

THENCE SOUTH 48 DEGREES 17 MINUTES 43 SECONDS EAST, A DISTANCE OF 183.12 FEET TO A POINT;

THENCE SOUTH 14 DEGREES 53 MINUTES 35 SECONDS EAST, A DISTANCE OF 51.54 FEET TO A POINT;

THENCE SOUTH 16 DEGREES 56 MINUTES 22 SECONDS WEST, A DISTANCE OF 287.04 FEET TO A POINT;

THENCE SOUTH 41 DEGREES 13 MINUTES 08 SECONDS WEST, A DISTANCE OF 112.91 FEET TO A POINT;

THENCE SOUTH 58 DEGREES 24 MINUTES 02 SECONDS WEST, A DISTANCE OF 48.26 FEET TO A POINT;

THENCE SOUTH 11 DEGREES 44 MINUTES 13 SECONDS WEST, A DISTANCE OF 40.76 FEET TO A POINT;

THENCE SOUTH 83 DEGREES 57 MINUTES 21 SECONDS WEST, A DISTANCE OF 48.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.39 ACRES MORE OR LESS.

STATE OF ALABAMA
MADISON COUNTY

SEPTEMBER 8, 2015
W.O. #15-151

PROPOSED VACATION OF A 10 FOOT WIDE UTILITY AND DRAINAGE EASEMENT

ALL THAT PART OF LOT 2 OF WALDEN RUN AT INDIAN CREEK PHASE TWO AS RECORDED IN PLAT BOOK 46, PAGE 63 MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT LOCATED NORTH 89 DEGREES 36 MINUTES 56 SECONDS WEST, 138.24 FEET; NORTH 68 DEGREES 15 MINUTES 23 SECONDS WEST, 128.00 FEET; NORTH 12 DEGREES 36 MINUTES 17 SECONDS EAST, 229.12 FEET; AND SOUTH 83 DEGREES 57 MINUTES 21 SECONDS WEST, 5.28 FEET FROM THE SOUTHEAST CORNER OF LOT TWO OF WALDEN RUN AT INDIAN CREEK PHASE TWO AS RECORDED IN PLAT BOOK 46, PAGE 63;

THENCE FROM THE POINT OF BEGINNING NORTH 83 DEGREES 57 MINUTES 21 SECONDS EAST, A DISTANCE OF 10.55 FEET TO A POINT;

THENCE SOUTH 12 DEGREES 36 MINUTES 17 SECONDS WEST, A DISTANCE OF 226.54 FEET TO A POINT;

THENCE SOUTH 68 DEGREES 15 MINUTES 23 SECONDS EAST, A DISTANCE OF 95.34 FEET TO A POINT;

THENCE NORTH 89 DEGREES 36 MINUTES 56 SECONDS WEST, A DISTANCE OF 27.46 FEET TO A POINT;

THENCE NORTH 68 DEGREES 15 MINUTES 23 SECONDS WEST, A DISTANCE OF 78.29 FEET TO A POINT;

THENCE NORTH 12 DEGREES 36 MINUTES 17 SECONDS EAST, A DISTANCE OF 231.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.07 ACRES MORE OR LESS.

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 document, 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 for and as the act of said corporation on the day the same bears date.

GIVEN under my hand and official seal this the 3rd day **December, 2015.**

Notary Public

THIS INSTRUMENT PREPARED BY:
Duncan D. Walker, III
Hall, Bloch, Garland & Meyer, LLP
Post Office Box 5088
Macon, Georgia 31208-5088
(478) 745-1625

Ordinance No. 15-_____ (Cont.)
Walden Run at Indian Creek, LLC

ADOPTED this the 3rd day of December, 2015.

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

APPROVED this the 3rd day of December, 2015.

Mayor of the City of
Huntsville, Alabama