

ORDINANCE NO. 16-\_\_\_\_\_

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 **Kyle D. Rose, Sr., an unmarried man,** 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 property owner Kyle D. Rose Sr., an unmarried person, 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:

**ALL THAT PART OF LOT 12, BLOCK 8, ACCORDING TO THE PLAT OF GREENBRIAR ESTATES, THIRD ADDITION, AS RECORDED IN PLAT BOOK 4, PAGE 69, IN THE PROBATE RECORDS OFFICE OF SAID COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS:**

Commencing at A #5 rebar found at the Northwest Corner of said Lot 12, thence along the North Boundary Line of said Lot 12, North 89° 51'06" East, a distance of 20.00 feet to a point, thence leaving said boundary line and along an existing 20' easement line, South 00° 10'00" West, a distance of 5.30 feet to the POINT OF BEGINNING; thence continue said line, South 00° 10'00" West, a distance of 19.95 feet to a point on said line; thence leaving said line, North 89° 39'03" West, a distance of 8.13 feet to a point; thence North 00° 11'34" West, a distance of 19.95 feet to a point, thence South 89° 39'03" East, a distance of 8.25 feet to the POINT OF BEGINNING; said described tract containing 163.39 square feet, more or less.

**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 14th day of April, 2016.

**CITY OF HUNTSVILLE, ALABAMA,**  
A Municipal Corporation

By: \_\_\_\_\_  
Tommy Battle, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Kenneth Benion  
Clerk-Treasurer

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 Kenneth Benion, 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 day.

GIVEN under my hand and official seal this the 14th day of April, 2016.

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT PREPARED BY:

**Cartron & Jacobs, LLC**  
**Attorneys At Law**  
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Ordinance No. 16-\_\_\_\_\_ (Cont.)  
Kyle D. Rose, Sr.

ADOPTED this the 14th day of April, 2016.

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

APPROVED this the 14th day of April, 2016.

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