

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 **Robert R. Parker and wife, Inez M. Parker**, are the owners 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

THIS QUITCLAIM DEED is made and entered into on this the 26th day of May, 2016, by and between CITY OF HUNTSVILLE, a municipal corporation within the State of Alabama, as Grantor, and ROBERT R. PARKER and wife, INEZ M. PARKER, as Grantees.

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash and other good and valuable consideration, this day in hand paid to the Grantor by the Grantees, the receipt and sufficiency of all of which is hereby expressly acknowledged by the Grantor, the Grantor has this day remised, released, quitclaimed, conveyed and confirmed, and does, by these presents, remise, release, quitclaim, convey and confirm, unto the Grantees FOR AND DURING THEIR JOINT LIVES, AND UPON THE DEATH OF EITHER OF THEM, THEN TO THE SURVIVOR OF THEM IN FEE SIMPLE ABSOLUTE, TOGETHER WITH EVERY CONTINGENT REMAINDER AND RIGHT OF REVERSION, all of the Grantor's right, title, interest and claim in and to the following-described parcel of real property situated and lying and being in the City of Huntsville, County of Madison, State of Alabama, to-wit:

All that part of Lot 1, Block 10, of Fagan Springs Estates Fifth Addition as recorded in Plat Book 3, Page 139, in the Office of the Judge of Probate of Madison County, Alabama. Particularly described as commencing at the Northeasterly corner of said Lot 1 and being the Southeasterly corner of the Southerly right of way margin of Owens Drive on the Easterly boundary of said record plat. Thence along the Easterly boundary of said Lot 1 and said record plat, South 36 degrees 14 minutes 00 seconds East 68.83 feet; Thence leaving said Easterly boundary, South 53 degrees 46 minutes 00 seconds West 5.00 feet to the Point of Beginning of the herein-described tract. Thence from the Point of Beginning, South 28 degrees 29 minutes 14 seconds East 18.55 feet; Thence North 36 degrees 14 minutes 00 seconds West 18.71 feet; Thence North 61 degrees 13 minutes 33 seconds East 2.52 feet to the Point of Beginning.

TO HAVE AND TO HOLD unto the Grantees FOR AND DURING THEIR JOINT LIVES, AND UPON THE DEATH OF EITHER OF THEM, THEN TO THE SURVIVOR OF THEM IN FEE SIMPLE ABSOLUTE, TOGETHER WITH EVERY CONTINGENT REMAINDER AND RIGHT OF REVERSION, all of the Grantor's right, title, interest and claim in and to the above-described parcel of real property.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed by its duly authorized officers on this the 26 day of May, 2016.

Attest: _____
Ken Benion
as Clerk-Treasurer of
City of Huntsville,
a municipal corporation
within the State of Alabama

CITY OF HUNTSVILLE,
a municipal corporation
within the
State of Alabama

[SEAL]

By: _____
Tommy Battle
As Its: Mayor

STATE OF ALABAMA)
)
COUNTY OF MADISON)

I, _____, a Notary Public in and for said County in said State, hereby certify that Tommy Battle and Ken Benion, whose names as Mayor and Clerk-Treasurer, respectively, of the City of Huntsville, a municipal corporation within the State of Alabama, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the foregoing conveyance, they, as such officers and with full authority, executed the same voluntarily for and as the act of the City of Huntsville, a municipal corporation within the State of Alabama, on the day the same bears date.

GIVEN under my hand and official seal on this the 26th day of
May, A.D., 2016.

My Commission Expires:

Notary Public
State of Alabama
County of Madison [SEAL]

THIS INSTRUMENT WAS PREPARED BY: PAUL A. PATE, OF LANIER FORD SHAVER & PAYNE P.C., ATTORNEYS-AT-LAW, 2101 WEST CLINTON AVENUE, SUITE 102, HUNTSVILLE, ALABAMA 35805, TELEPHONE NUMBER: (256) 535-1100.

THIS INSTRUMENT WAS PREPARED SOLELY FROM INFORMATION PROVIDED TO THE PREPARER OF THIS INSTRUMENT WHO CONDUCTED NO TITLE EXAMINATION, AND WHO ISSUED NO TITLE OPINION OR TITLE INSURANCE.

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name City of Huntsville
Mailing Address 308 Fountain Circle
Huntsville, AL 35801

Grantee's Name Robert R. Parker and wife,
Mailing Address Inez M. Parker
415 Owens Drive
Huntsville, AL 35801

Property Address Part of 415 Owens Drive
Huntsville, AL 35801

Date of Sale May, 2016
Total Purchase Price \$ _____
or
Actual Value \$ 500.00
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)

Bill of Sale Appraisal
 Sales Contract Other Nominal value to vacate easement
 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 to property 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 May, 2016

Print Robert R. Parker

Unattested
(verified by)

Sign _____
(Grantor/Grantee/Owner/Agent) circle one

Ordinance No. 16-_____ (Cont.)
Robert & Inez Parker

ADOPTED this the 26th day of May, 2016.

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

APPROVED this the 26th day of May, 2016.

Mayor of the City of
Huntsville, Alabama