

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 **Stephen L. Spehn and Martha Patricia Spehn**, 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**

**KNOW ALL MEN BY THESE PRESENTS**, That for and in consideration of the sum of One and 00/100 (\$1.00) Dollar, and other good and valuable considerations paid to **CITY OF HUNTSVILLE, AN ALABAMA MUNICIPAL CORPORATION**, Grantor, in hand paid by, **STEPHEN L. SPEHN & MARTHA PATRICIA SPEHN**, Grantees, the receipt of which is hereby acknowledged, the said Grantor hereby remises, releases, quitclaims, and conveys unto the said Grantees, all of said Grantor's right, title, interest and claim in and to the following described real estate, situated in Madison County, Alabama, to-wit:

Vacate the utility and drainage easements as stated on Attachment "A" attached hereto.

**TO HAVE AND TO HOLD** the same unto the said Grantees and Grantees' heirs and the assigns of said Grantees forever.

**IN TESTIMONY WHEREOF**, Grantor has caused this instrument to be executed on the 14th day of July, 2016.

**CITY OF HUNTSVILLE, A MUNICIPAL CORPORATION IN THE STATE OF ALABAMA**

By: \_\_\_\_\_  
TOMMY BATTLE,  
AS ITS MAYOR

**ATTEST:**

By: \_\_\_\_\_  
KENNETH BENION  
AS CITY 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 July, 2016.

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

ATTACHMENT "A"

STATE OF ALABAMA  
MADISON COUNTY

0.05 ACRES  
DESCRIPTION TO VACATE EASEMENT

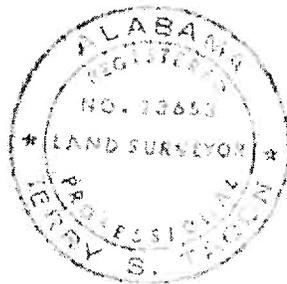
ALL THAT PART OF LOTS 1 AND 2 OF HAWKS RIDGE ESTATES AS RECORDED IN DOCUMENT NO. 20110826000444220 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA. MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ON THE WEST RIGHT OF WAY OF HAWKS RIDGE CIRCLE.

THENCE FROM THE POINT OF BEGINNING AND AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 43 DEGREES 07 MINUTES 44 SECONDS EAST, 5.01 FEET; THENCE LEAVING SAID RIGHT OF WAY SOUTH 49 DEGREES 40 MINUTES 13 SECONDS WEST, 217.65 FEET TO A POINT ON THE EAST SIDE OF AN EXISTING 20 FOOT UTILITY AND DRAINAGE EASEMENT; THENCE ALONG SAID EASEMENT NORTH 34 DEGREES 27 MINUTES 59 SECONDS WEST, 10.05 FEET; THENCE NORTH 49 DEGREES 40 MINUTES 13 SECONDS EAST, 216.60 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SAID HAWKS RIDGE CIRCLE; THENCE ALONG SAID RIGHT OF WAY AND AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 37 DEGREES 32 MINUTES 18 SECONDS EAST, 5.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.05 ACRES MORE OR LESS.

THE ABOVE DESCRIPTION IS WRITTEN FROM A RECORDED PLAT ONLY. NO FIELD WORK HAS BEEN DONE BY THIS SURVEYOR.

15-324

  
TERRY S. TACON, AL., REG. # 13653



Ordinance No. 16-\_\_\_\_\_ (Cont.)  
Stephen L. Spehn & Martha Patricia Spehn

ADOPTED this the 14th day of July, 2016.

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

APPROVED this the 14th day of July, 2016.

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